

MEMORANDUM

PLANNING, BUILDING, & CODE ENFORCEMENT

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: DIRECTOR OF PLANNING, BUILDING AND CODE ENFORCEMENT
DATE: MARCH 21, 2006
SUBJECT: LONG POINT (TERRANEA) RESORT HOTEL
PROJECT: ZON2006-00036 (REVISION 'D' TO CUP 215, ET. AL.)

Prepared By: Ara Michael Mihranian, AICP, Senior Planner 

RECOMMENDATION

1. Adopt Resolution No. 2006-____, approving Revision 'D' to Conditional Use Permit No. 215, et. al. amending the adopted Conditions of Approval to allow for a 9-hole short game golf academy rather than a 3-hole golf practice facility with a driving range;
2. Approve, via minute order, the applicant's request to allow minor modifications to the layout of the project's site plan through a determination that the minor changes are in substantial compliance with the site plan originally approved by the City Council in 2002.

EXECUTIVE SUMMARY

This item is before the Council because the applicant is seeking to amend the adopted conditions in order to modify the approved golf amenity from a 3-hole practice facility to a 9-hole short game golf academy. Pursuant to the Council adopted conditions of approval, such a change warrants review by the Council as a revision to the original approvals. Additionally, the applicant is requesting to modify the layout of the site plan, specifically in regards to the placement of certain buildings and seeks the Council's affirmation that the proposed modifications to the site plan constitute minor modifications which are in substantial compliance with the site plan approved by the City Council in 2002.

BACKGROUND

On August 28, 2002, the Long Point Resort Hotel project was unanimously approved by the City Council. Subsequently, the City's decision was appealed to the Coastal

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Commission. On August 7, 2003, after conducting an appeal hearing, the Coastal Commission approved the project with modified conditions of approval. On October 7, 2003, the modified conditions were accepted by the City Council, marking the Council’s decision as the final project approval date. Subsequent to the Council’s final approval, the applicant requested the Council’s consideration of the following revisions:

- Revision ‘A’ – On September 7, 2004 the City Council amended the conditions of approval to allow a mix of 50 guest rooms or guest suites (maximum 66 keys) and 20 bungalow units (maximum 40 keys) to be sold to individual persons or private entities with deed restrictions limiting the duration of use. In addition, the Council agreed to establish a 1% Property Transfer Fee payable to a non-profit organization when the units are sold.
- Revision ‘B’ - On April 19, 2005, the City Council amended Condition No. 40a to clarify the subdivision process available to the applicant for satisfying the State Subdivision Map Act requirements relating to the sale of the villas, casitas, bungalows, and hotel suites.
- Revision ‘C’ – On October 4, 2005, the City Council amended the conditions of approval to allow for limited valet and compact stall parking standards, and to eliminate the requirement for the construction of a Class I bicycle path.

In addition to the above, on May 17, 2005, the City Council determined that modifications to the layout of the site plan, specifically in regards to the placement of certain buildings, were in substantial compliance with the original project approval. The Council approved minor modifications to the site plan were subsequently approved by the Coastal Commission.

At this time, the applicant is seeking City Council approval of a fourth conditional use permit revision (Revision ‘D’) to change the golf amenity of the approved project from a 3-hole golf practice facility with a driving range to a 9-hole short game golf academy. Additionally, the applicant is seeking the approval of minor modifications to the layout of the project’s site plan through a City Council determination that the minor changes are in substantial compliance with the original approval.

DISCUSSION

The following discussion contains a detailed description of the applicant’s requests, Staff’s assessment of the applicant’s requests, and an explanation of Staff’s recommendation on the applicant’s requests.

1. 9-HOLE SHORT GAME GOLF ACADEMY

The project originally approved by the City Council in 2002 allowed for 32-acres of the overall project site (102 acres) to be improved with a 3-hole golf practice facility and driving range. The approved golf amenity was to be located along the upper portion of the subject property nearest to Palos Verdes Drive South and the hotel entry drive, immediately below the villas. However, as the project gets closer to ground breaking, the project team continues to analyze the overall design of the project to enhance and diversify the programs of the hotel, where possible to accommodate a wider range of experiences and opportunities for both the community and the hotel guests. As a result of this effort, the project team now seeks to develop a 9-hole short game golf academy to complement the hotel rather than the approved 3-hole golf practice facility with a driving range. The applicant believes that the proposed change to the golf amenity will appeal to a larger audience because a short game learning facility is a popular amenity that will enhance the overall hotel experience.

According to the applicant's current proposal, the 9-hole short game golf academy will essentially be contained within the 32-acres of the approved 3-hole golf practice facility. Additionally, the applicant proposes to include a chipping green and putting green adjacent to hole no. 1 and the golf club house. The applicant's current proposal includes a revised golf cart path that provides access to the 9-holes and includes the two water features, approved for the water quality plan, to remain in the approved locations. The applicant believes that the change from a 3-hole golf practice facility to a 9-hole short game golf academy will result in improved golf safety, enhanced planting opportunities, and provide for a more viable amenity for the local community and hotel guests.

Pursuant to Condition of Approval No. 17, "*...any significant changes to the operational characteristics of the development, including, but not limited to, significant changes to the site configuration or golf practice facility...shall require an application for revision to this Conditional Use Permit.*" As such, the project applicant is requesting that the City Council consider amending the approved site plan and associated conditions of approval to allow for a 9-hole short game golf academy.

In evaluating the proposed revision to the golf amenity, Staff reviewed the applicant's proposal in relation to the existing approvals, including the mitigation measures adopted for the project's Environmental Impact Report (EIR). Furthermore, Staff reviewed the proposed revision to ensure that new impacts, specifically relating to golf safety and views, are not introduced with this current proposal.

Golf Safety

During the Council's review of the original project, concerns were raised on the safety aspect of the golf amenity. Specifically, concerns were raised regarding errant golf balls and the close proximity of pedestrian trails, existing homes, vehicles traveling on the entry driveway and on Palos Verdes Drive South. In order to address these concerns as part of the original project's review, the City and its EIR consultant, retained Golf Safety Expert, Kipp Shulties. Mr. Shulties analyzed the original project and provided suggestions on improving the overall safety of the golf design. These suggestions were incorporated in the project entitlements. In order to ensure that the applicant's current proposal will not introduce or intensify safety concerns, the City once again retained Mr. Shulties.

According to Mr. Shulties' most current Safety Analysis dated February 2, 2006 (see attachment), there are no formal laws that govern golf course architecture. This is primarily because the profession is so specific that there is no formal training to become a golf course architect. Furthermore, there are no industry guidelines when it comes to golf course design. However, there are non-written industry standards and recommendations that have been developed, which golf course architects follow when routing and designing a golf course. This information, referred to as suggestions, is typically used to determine distances between adjacent buildings, residences, and public walkways from the playing area of a golf course. Mr. Shulties also states that it must be understood that it would be nearly impossible to control the human factor when it comes to playing the game as it relates to golf safety.

Mr. Shulties review of the applicant's current proposal was based on the analysis for the original project to ensure that the design layout optimizes safety by keeping errant golf shots that leave the playing area to an absolute minimum. Attached to this Staff Report is the complete analysis report conducted by Mr. Shulties, which includes a detailed evaluation of each of the 9-holes and supporting industry materials. In summary, Mr. Shulties indicates that the applicant's proposed 9-hole short game golf academy is a well thought out plan that does not raise any major concerns regarding golf safety. However, Mr. Shulties recommends that the applicant's golf course architect pay special attention to certain aspects of the project to optimize golf safety during construction. Mr. Shulties suggestions and the applicant's responses (see attachment) are summarized below:

1. The relationship between Hole No. 1 and the sidewalk – The applicant has indicated that the sidewalk adjacent to Hole No. 1 will be relocated to the west side of the entry driveway to increase the separation between the tee area and the public sidewalk.
2. The relationship between Hole No. 1 and the practice green - The applicant

indicated that additional landscaping between Hole No. 1 and the practice green will be planted to minimize errant golf shots.

3. The relationship between Hole No. 2 and the green for Hole No. 5 - The applicant has indicated that the area between Hole No. 2 and the green for Hole No. 5 will consist of a little turf area to help contain errant balls and limit golfers' interaction. Additionally, the applicant proposes to add a bunker behind the green to better contain errant shots, as recommended by Mr. Schulties.
4. The relationship between the green for Hole No. 8 and the tee for Hole No. 9 – The applicant will either raise the elevation of the landform to an elevation of 142-foot or lower the swale to better contain errant golf balls, as recommended by Mr. Schulties. The applicant has indicated that the final design detail will be addressed at the time of final grading.

Although Mr. Schulties' recommendations are solely suggestions, Staff believes that golf safety can be enhanced by incorporating the suggestions into the design, as the applicant is willing to do. In order to ensure that Mr. Schulties' recommendations occur, Staff is proposing to modify adopted Condition No. 21 to read that the final golf design plan include the recommendations made by the City's Golf Safety Consultant. As such, Staff will review the final design for the golf amenity to ensure the above suggestions are incorporated in the final golf plan.

Views

The project originally approved by the Council in 2002, consisted of specific conditions that ensured public and private views, particularly from the Point Fermin Vista Corridor and the Catalina View Corridor, are protected. As part of the review of the applicant's current proposal, Staff's analyzed the applicant's plans in relation to surrounding views. Based on the proposed site plan layout, the rough grading plan, and sections provided by the applicant, Staff was able to verify that the finished grades of the 9-hole short game golf academy will not adversely impact public or private views. This is because the design utilizes the natural down-sloping nature of the lot. Furthermore, earth berms used to contain errant golf balls are also designed to enhance the natural topography of the site. As such, Staff is of the opinion that the proposed revision to the golf amenity for the project will not intensify or introduce new view impacts. Moreover, conditions are in place that will limit the height of structures and protect public and private views.

Based on the above, Staff is of the opinion that the proposed 9-hole short game golf academy will not result in the intensification or introduction of new impacts, specifically relating to golf safety and views. Staff believes that all the previous findings of fact still apply as the proposed revision would not result in any adverse impacts beyond those identified in the original review process. As such, Staff believes that the proposed revision is consistent with the spirit of the original approvals and therefore recommends

amending the site plan and the adopted conditions of approval accordingly. Attached as Exhibit ‘B’ to the draft Resolution is the revised Conditions of Approval. The underlined text represents new language and the strike-out text represents deleted language.

2. MINOR MODIFICATIONS TO THE PROJECT SITE PLAN

As the project proceeds toward its final design stage, the project applicant has identified components of the approved project (layout of the site plan) that could be improved for the overall success of the project and the overall enhancement of the hotel experience. As a result, the project applicant is requesting the Council’s review of the following minor modifications to the approved project.

- Reduction of the Hotel Building Footprint
- Reduction in the number of Villa Buildings (not the number of rooms)
- Elimination of the Parking Structure and the Reconfiguration of the Surface Parking Area
- Elimination of the Two Tennis Courts

The applicant believes that the above site plan modifications are minor in nature because the changes continue to reflect the spirit and intent of the project approvals, and is seeking the Council’s affirmation. If the Council agrees, Staff recommends that the Council accept the changes via minute order. If the Council accepts the site plan changes, conditions of approval 49, 51, 55, 110 will be modified as indicated in the attached conditions of approval to ensure consistency between the conditions and the site plan. In the event that the Council finds that some or all of the changes are significant and have the potential to introduce new or intensify mitigated impacts, Staff recommends that the Council direct Staff to further analyze the changes through a formal revision to the existing conditional use permit.

It should be noted that the project applicant previously requested Council approval of minor modifications in May 2005. The modifications were reviewed and approved by the Council as being in substantial compliance with the original approved project. The site plan modifications approved by the Council in May 2005 are as follows:

- Hotel Building – reduction of building footprint
- Specialty Restaurant – relocated as a new building
- Villa Units – reconfigured floor plan
- Casita Units – reorientation of buildings
- Bungalow Units – reorientation of buildings
- Parking Structure – 90 degree reorientation of structure

- Tennis Courts – relocated between hotel building and parking structure
- Spa Building – relocated and revised building
- Lookout Bar – expanded structure landward of the coastal setback line
- Parking Lot and Emergency Access Roads – reconfigured and widened emergency vehicle access
- Hotel Pools – reduced and relocated

According to Condition of Approval No. 17, the standard for determining whether changes to the approved project require review through an amendment to the approved conditional use permit is stated below.

These approvals authorize the construction and operation of a resort hotel, a golf practice facility and other related amenities. Any significant changes to the operational characteristics of the development, including, but not limited to, significant changes to the site configuration or golf practice facility; number of guest rooms (increases or decreases); size or operation of the conference center, banquet facilities, spa, restaurants, or other ancillary uses or significant alterations shall require an application for revision to this Conditional Use Permit pursuant to the provisions stated in the RPVMC. At that time, the City Council may impose such conditions, as it deems necessary upon the proposed use resulting from operations of the project. Further, the Council may consider all issues relevant to the proposed change of use.

It is Staff's position that changes or alterations to the project that are determined to be not "significant" can be approved through a finding that the changes result in a project that is still in "substantial compliance" with the approved plan. The applicant believes that the proposed changes are not significant because the changes are consistent with the intent and spirit of the project conditions and mitigation measures. Furthermore, the changes will not result in an intensification of impacts to the subject property or surrounding properties. Although no criteria exists in the conditions of approval nor the Development Code for determining whether a project change or alteration is "significant," Staff used the following criteria for reviewing the changes and determining whether they are "significant" alterations:

- Compliance with approved conditions
- Any intensification or introduction of new environmental impacts (e.g. View impacts)
- Amount of deviation from original approval

In order to assist the Council in its review of the applicant's request, each project modification is listed below along with Staff's analysis of whether each change is "significant." All of the changes are contained in the revised site plan that is attached

and will be used to facilitate the discussion at the Council meeting (see attachment). If the Council agrees with Staff’s evaluation, the changes can be approved with a finding that the change is in substantial compliance with the original approval. Otherwise, in accordance to the above condition, if the Council finds the proposed changes to be significant, a revision to the Conditional Use Permit is required.

Modifications to the Hotel Building Footprint

In order to reduce construction costs and maximize the space contained within the hotel building, the project team re-evaluated the design of the hotel building and determined that further improvements could be made to the overall design. As such, the applicant is proposing to increase the efficiency of the design and layout of the internal spaces primarily by reducing the hotel support and administration areas, otherwise referred to in the industry as the “back of house.”

The hotel building will be reduced from 500,000 square feet to approximately 415,000 square feet for an overall reduction of approximately 85,000 square feet of gross buildable area. The reduction of the building footprint in turn reduces the overall footprint of the building, thus pulling the hotel building inward from the bluff. The modification to the hotel building also results in a reduction to grading, specifically earth excavation, by limiting the amount of earth material removed from the southern areas below the ballroom of the hotel building. Additionally, the proposed redesign will result in the reconfiguration of some hotel guest rooms by stacking some rooms and creating double loaded interior hallway (previously single loaded hallways). The reconfiguration of the hotel guest rooms will not modify the number of approved rooms nor exceed the footprint of the original approval. It was reported to the Council in May 2005 that the revised hotel footprint at that time would provide all hotel guest rooms with ocean views, which the original project did not provide. However, with the current proposal, some rooms located on the first two levels off the entry motor courtyard once again will not have ocean views. Nonetheless, the proposed change to the hotel footprint will not reduce the number of hotel guest rooms, guest amenities, banquet facilities, retail space, services or the number of total parking spaces.

The proposed modification to the hotel building does not affect the maximum building height as the hotel building will continue to be within the building envelope approved by the City Council. It was reported at the May 2005 meeting, that there were two elevator towers located within the center of the building that exceeded the maximum allowed building height (153’ above sea level). However, the original approved plans permitted these two elevators towers to exceed the maximum building height (153’) by approximately 7-feet (160’). According to the revised project plans, the two elevator towers have been consolidated to one tower in the same general location and the tower has been reduced in height by 3-feet (157’). No other changes to any entitled or

proposed architectural features will exceed the maximum building height, as depicted on the attached revised site plan. Furthermore, a view study was prepared by the applicant, as taken from the entry driveway at Palos Verdes Drive South, that demonstrates that the proposed revisions to the hotel building will not adversely impact views. Hard copies of the view study are not available for attachment to this Staff Report. However, the view study will be shown at the March 21st meeting.

Since the hotel building footprint is being reduced and no changes are proposed to exceed the approved height of the hotel building, Staff is of the opinion that the proposed change to the main hotel building will not result in new impacts, the intensification of existing impacts, or the need to amend any of the existing conditions of approval. Staff therefore believes that the changes are not significant and thus in substantial compliance with the original approvals.

Reconfiguration of the Villa Units

The project approved by the Council in 2002 included the construction of eight four-plex villa buildings, for a total of 32 units, located to the southwest of the main entry driveway and Palos Verdes Drive South. The villa units were approved to be sold to individual persons or entities for private use on a limited time basis. For those units located outside Zone 1 of the Catalina View Corridor, the villas were approved as two-story, four-plex buildings, at a maximum height of 26-feet. The villa buildings located within Zone 1 were limited to a height of 16-feet. Additionally, conditions were imposed on the project that prohibited any structure from exceeding the elevation of Palos Verdes Drive South.

In order to comply with the project conditions of approval and mitigation measures, as well as maximize viewing opportunities from the villa units, in May 2005, the applicant proposed modifying the layout of the villas from 8-four-plex building units to 10-triplex building units and 1-duplex building. At that time, the applicant claimed that the proposed modification would not only improve viewing opportunities from the villa units, but would also improve the public views over the villa units from Palos Verdes Drive South, and improve the overall architecture of the units by reducing the mass and bulk.

The applicant is now requesting to further refine the layout of the Villas by reducing the number of overall buildings to a total of ten rather than eleven buildings. This is achieved by converting three of the tri-plex buildings back to a four-plex configuration. Furthermore, the layout of the Villas has been slightly reconfigured to adjust for the reduction of one building. As for grading, the reduction of one building and the reconfiguration of the Villas further reduces the amount of grading because of the reconfigured design layout. In addition, the street serving the villa units was reconfigured to improve fire access.

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In terms of building heights, as a result of the reconfigured Villas the pad elevations have slightly changed, however, in no event will the overall building height exceed the permitted height limit of 26-feet. At the time the Council was reviewing the original project, concerns were raised regarding view impacts from Palos Verdes Drive South. In order to ensure views would not be impacted, in addition to the height limitation established by the City’s Catalina Viewing Corridor, the Council adopted conditions that restrict the building height limits to no higher than the street elevation of Palos Verdes Drive South. Based on Staff’s review of the proposed project revisions, the reconfigured and modified villa units comply with the height limitation conditions adopted by the City Council. Furthermore, new visual simulations prepared by the applicant, based on the viewing points established by the project’s EIR, demonstrate that the changes to the layout and number of villa units will not result in the intensification or introduction of view impacts. The new visual simulations will be presented to the City Council at the March 21st meeting.

As such, Staff is of the opinion that the proposed reconfiguration of the Villas is not a significant modification since the same number of units (32 units) will be provided, building height limits imposed on the project will be adhered to, and that grading and the need for retaining walls have been reduced. Therefore, Staff believes the proposed Villa modifications are in substantial compliance with the original approved site plan and the intent of the project conditions.

Elimination of the Parking Structure and the Reconfiguration of Parking Lot

The project approved by the Council in 2002 included the construction of a parking structure that is to be partially notched into the ground to give the visual appearance of an on-grade surface parking lot as seen from Palos Verdes Drive South. As approved, the parking structure is not to exceed 180,000 square feet and is not to exceed 16-feet in height, as measured from the lowest adjacent grade to the top of the highest roof ridgeline.

In May 2005, the applicant proposed to modify the parking structure to improve traffic safety, to further minimize the visible appearance of the structure, and to enhance the layout of the project site. The proposed change involved a 90-degree rotation of the parking structure so that the linear length runs most parallel to Palos Verdes Drive South. The proposed change approved by the Council in 2005 did not affect the adopted conditions and design features originally approved by the City Council. Furthermore, the Parking Plan approved by the City Council on October 4, 2005, permitted a total of 398 parking spaces within the parking structure, of which 203 spaces would be valet spaces.



The applicant is now requesting the Council’s approval of the elimination of the parking structure to reduce construction related costs and improve the aesthetic value of the hotel. According to the applicant, with the reduction of the hotel building footprint and the elimination of the tennis courts (to be discussed in the next section) adjacent to the hotel motor entry, additional area is now available for on-site surface parking. Without having to increase impervious surface, the applicant’s project team redesigned the hotel parking area by removing the parking structure and expanding the surface parking area. The surface parking area is divided into two tiers, an upper tier and a lower tier, by utilizing the down-slope nature of the site, grading, and landscaping. The upper tier parking area is designed to connect to the parking lot serving the upper west casitas and the entry driveway (the original driveway for the parking structure). The parking spaces provided in the upper tier will be non-valet spaces with the exception of 46-valet parking spaces. The lower tier, separated by a landscaped transitional slope, will provide a contained parking area for valet spaces only. The total number of valet-parking spaces has been reduced from 203-spaces to 198-spaces, a total reduction of 5-spaces from the parking plan approved by the Council on October 4, 2005.

In addition to the elimination of the parking structure, the overall parking plan has been slightly reconfigured to adjust for changes to the site layout. In order to provide adequate circulation and parking for the hotel, along with emergency vehicle access throughout the property, the project team has refined the details of the parking and emergency access components of the project. In terms of parking, the proposed changes include widening the driveway aisles throughout the project site to accommodate parking evenly throughout the site, particularly in areas adjacent to the villas, casitas, golf facilities, and other hotel amenities. In addition, the applicant has increased the landscape features surrounding the parking areas which in turn soften the overall appearance of the paved areas. As conditioned by the City, the project is to provide 875 parking spaces, of which 100 parking spaces are to be set aside for public parking. It should be noted that the Coastal Commission has required that 1,075 parking spaces be provided (200 more spaces than the City required). Based on Staff’s review of the current parking plan, the applicant is providing 1,075 parking spaces, meeting the Coastal Commission’s parking requirements and exceeding the City required parking by 200 spaces.

In terms of lot coverage, according to the Commercial Recreation zoning designation and the conditions of approval for the project, the maximum lot coverage shall not exceed 30%. Based on the Council’s approval in 2002, the lot coverage permitted for the project was 22%. However, in May 2005, the changes to the site plan resulted in a lot coverage calculation that was at the 30% permitted maximum. The increase to the lot coverage calculation was primarily due to the new emergency access roads required by the Fire Department. The applicant’s current proposal results in approximately 26% lot coverage, for a total reduction of 4% (see attachment)

According to the project conditions, a Parking Plan is to be reviewed and submitted by the City prior to issuance of grading or building permits. The purpose of the Parking Plan is to ensure that the adequate number of parking spaces are provided as required by the project conditions, as well as to ensure the minimum parking stall dimensions required by the Development Code are being met. On December 12, 2005, City Staff administratively approved the applicant's Parking Plan based on revisions approved by the City Council at its October 4, 2005 meeting. Staff has reviewed the applicant's revised Parking Plan and believes that the proposed elimination of the parking structure and the reconfiguration of the parking lot will not result in new impacts, the intensification of existing impacts, or the need to amend any of the existing conditions of approval. Staff therefore believes that the changes are not significant and in substantial compliance with the original Council approved site plan and parking plan.

Elimination of the Tennis Courts

According to the Council approved site plan, two tennis courts were originally placed along the easterly side of the parking structure off the main entry driveway. In May 2005, the parking structure was approved to be rotated, resulting in the relocation of the tennis courts between the main hotel building and the reconfigured parking structure. The applicant is now requesting to eliminate the two tennis courts from the overall project design. According to the applicant, the elimination of the tennis courts creates additional space for surface parking, allows for increased landscape planters, and enhances the appearance of the hotel building from the entry driveway. Additionally, with the elimination of the tennis courts, the surface parking lot can be reconfigured to maximize the parking stall count, and to allow for truck turn-around and an emergency vehicle staging area. Although the elimination of the tennis courts removes an amenity offered to the hotel guests, the applicant believes that such a change will not deter guests from visiting the hotel. Furthermore, the applicant also believes that the benefits relating to the project revisions, outweighs the loss of the amenity of the tennis courts. As such, Staff believes that the proposed change is not significant and will not significantly alter the major amenities offered to guests by the hotel.

Based on the above discussion, Staff believes that the changes to the site plan layout are not significant and are in substantial compliance with the original Council approved site plan. However, since the applicant is proposing to eliminate the parking structure and tennis courts from the scope of the project, Staff is deleting those related items from the attached conditions of approval for the project. The strike-out items represent the deleted text.

ENVIRONMENTAL ASSESSMENT

In accordance with the provisions of the California Environmental Quality Act (CEQA),

Staff has determined that the proposed revision to the City Council approved conditions of approval will require an addendum to the Environmental Impact Report prepared and approved by the City Council under Resolution No. 2002-70 that allows the construction of a 400-room resort hotel with a golf academy/practice facility on the 102 acre Long Point parcel (6610 Palos Verdes Drive South). At the time the City Council adopted the Environmental Impact Report and Statement of Overriding considerations, it found that the Project’s impacts, with the exception of the impacts to Noise and Air Quality for which the Statement of Overriding considerations was adopted, are not significant or that potential impacts could be mitigated to a less than significant impact, as noted in the Mitigation Monitoring Program.

As such, Staff believes that the proposed revision to the project conditions does not modify the scope of the project nor the related uses and amenities approved by the City Council. Staff is of the opinion that the proposed revision will not result in new significant environmental impacts, specifically including impacts relating to safety and views. As a result, no further environmental review will be necessary other than the adoption of Addendum No. 5 to Environmental Assessment No. 725.

ADDITIONAL INFORMATION

Public Noticing

Pursuant to the City’s noticing procedures, the required public notice was published in the *Peninsula News* and circulated on March 4, 2006 to interested parties and property owners within a five hundred (500) foot radius of the subject property. Additionally, the public notice was transmitted electronically to the list-serve subscribers. To date, the City has not received any public comments. In the event comment letters are submitted after the transmittal of this report, such letters will be distributed to the Council at the meeting.

Project Plans

Attached to this Staff Report, are the narratives provided by the project applicant that explain the proposed changes to the golf amenity and to the site plan layout. Additionally, enclosed are plans that illustrate the changes to the site plan, the golf amenity, the hotel building, and the villas. At the time of the distribution of this Staff Report, electronic copies of the illustrative plans were posted on the City’s Website. A message was sent to list-serve subscribers for the project on how to view the current project plans.

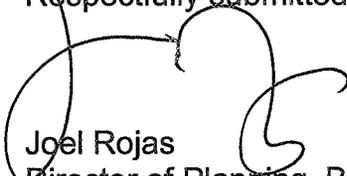
Project Timeline

According to the applicant, if the Council approves the current proposal this evening, the Coastal Commission is scheduled to consider the revised project at its May 2006 meeting. If approved by the Coastal Commission, the applicant anticipates receiving its Coastal Development Permit and City grading permits in June 2006, and breaking ground in July 2006. At this time, the expected opening date for the project is December 2008.

Coastal Commission Review

In addition to the City Council's review of the proposed revision to the project conditions, the California Coastal Commission will also have to review and approve the proposed revision. The Coastal Commission has been notified of the proposed revision to the project conditions and is working with the project applicant on the procedural steps involved in amending the project conditions.

Respectfully submitted,



Joel Rojas
Director of Planning, Building and
Code Enforcement

Reviewed by:



Les Evans
City Manager

ATTACHMENTS

- Draft Resolution No. 2006-__
 - Exhibit 'A' – Addendum No. 5 to Environmental Assessment No. 725
 - Exhibit 'B' – Conditions of Approval
- Applicant's Narratives
 - 9-Hole Short Game Golf Academy

- Project Design Update
- Impervious Surfaces
- Mr. Kipp Schulties Golf Safety Analysis, dated February 9, 2006
- Response to Golf Safety Consultant's Recommendations
- Project Plans
 - Revised Site Plan
 - 9-Hole Short Game Golf Academy Plan (Golf Cart Path)
 - Site Sections
 - Resort Hotel Building Elevations
 - Villa Building Elevations

RESOLUTION NO. 2006-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES APPROVING REVISION 'D' TO CONDITIONAL USE PERMIT NO. 215, GRADING PERMIT NO. 2229, COASTAL DEVELOPMENT PERMIT NO. 166, VARIANCE NO. 489, AND TENTATIVE PARCEL MAP NO. 26073 AMENDING THE PROJECT CONDITIONS TO ALLOW FOR A 9-HOLE SHORT GAME GOLF ACADEMY

WHEREAS, on August 28, 2002, the City Council conditionally approved Conditional Use Permit No. 215, Grading Permit No. 2229, Coastal Development Permit No. 166, Variance No. 489, and Tentative Parcel Map No. 26073 to allow the construction of a 400-room resort hotel and bungalows with banquet and retail facilities, 50 casitas (3-keys for 150 total units), 32 villas, and a driving range with a 3-hole golf practice facility on property located at 6610 Palos Verdes Drive South; and

WHEREAS, the City Council's decision was subsequently appealed to the Coastal Commission which, after conducting several public hearings, approved the hotel project on August 7, 2003, with minor modifications to the City Council approved conditions; and

WHEREAS, on October 7, 2003, the City Council accepted the conditions of approval as modified by the Coastal Commission as the final approval and directed the applicant (Destination Development) to provide the Council with future updates on the status of the project; and

WHEREAS, on January 13, 2006, the project applicant filed a request for revision of the adopted Conditions of Approval to allow a 9-hole short game golf academy rather than the approved 3-hole golf practice facility with a driving range; and

WHEREAS, the City Council reviewed and analyzed the applicant's request in accordance with the California Environmental Quality Act ("CEQA") and determined that the proposed revision to the project conditions of approval will require an Addendum to the Final Environmental Impact Report ("FEIR"), which was certified by the City Council on May 7, 2002 under Resolution No. 2002-38, and which determined that the project's impacts, with the exception of the impacts related to Noise and Air Quality for which a statement of overriding considerations was adopted, are not significant or that the potential impacts could be mitigated to a less than significant impact. The proposed revision involves an amendment to the adopted Conditions of Approval to allow for a 9-hole short game golf academy. The City Council finds that the change to the conditions will not alter nor diminish the spirit and intent of the original project approved by the City Council in 2002 because the project design and amenities

will not be changed and that the golf amenity will be contained within the 32-acres of the project site originally set aside for golf. Furthermore, the proposed revision will not result in a deviation to the findings made by the Council when the project was approved, and does not modify the scope of the project nor the related uses and amenities, including the number of units to be sold to individual parties or private entities. As such, the City Council finds that the revised project condition will not introduce new significant environmental effects or substantially increase the severity of the environmental impacts that previously were identified and analyzed in the FEIR; furthermore, the City Council also finds that there are no changed circumstances or new information, which was not known at the time the FEIR was certified, that would require the preparation of a subsequent EIR or major revisions to the FEIR pursuant to CEQA Guidelines Section 15162, and, in accordance with Section 15164 of the State CEQA Guidelines, the City has prepared Addendum No. 5 to the FEIR (the "Addendum") attached herein as Exhibit A; and

WHEREAS, on March 4, 2006, pursuant to the City's Municipal Code, a public notice was published in the *Peninsula News* and mailed to property owners within a 500-foot radius of the project site and to interested parties, inviting public comments on the proposed project revision; and

WHEREAS, on March 21, 2006, the City Council held a duly noticed public hearing to consider the revised project.

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

Section 1. The application for the revised project is to amend the project conditions of approval to allow for a 9-hole short game golf academy. The proposed revision to the conditions will not amend the approved project that allows the construction of a resort hotel with 400 rooms within the main hotel structure and freestanding bungalows and 50 privately-owned, multiple-keyed casita units for a maximum aggregate of 150 additional accommodations, 32 privately-owned resort villas, a 68,000 square-foot conference/banquet facility, a 25,000 square foot spa and fitness center, 3 to 4 restaurants with an aggregate total of 22,500 square feet, an 8,000 square-foot golf clubhouse, and various public amenities, including public trails, a public park, 825 parking spaces for the Revised Project, including 100 parking spaces for the general public.

Section 2. Pursuant to Section 17.60.050 of the Rancho Palos Verdes Municipal Code/ (the "Municipal Code"), and based upon the evidence presented in the record, including staff reports, oral and written testimony, the FEIR and the Addendum, the City Council hereby finds that the proposed project revision will not change the

findings made for the approved project, adopted under Resolution No. 2002-71, with respect to CUP No. 215, which are incorporated herein by this reference.

Section 3. Pursuant to Section 17.76.040, and based upon the evidence presented in the record, including staff reports, oral and written testimony, and the FEIR, the City Council hereby finds that the proposed project revision will not change or alter the findings made for the approved project, adopted under Resolution No. 2002-71, with respect to GRP No. 2229, which are incorporated herein by this reference.

Section 4. Pursuant to Section 17.72.090, and based upon the evidence presented in the record, including staff reports, oral and written testimony, the FEIR and the Addendum, the City Council hereby finds that the proposed project revision will not change or alter the findings made for the approved project, adopted under Resolution No. 2002-71, with respect to CDP No. 166, which are incorporated herein by this reference:

Section 5. Pursuant to the requirements of the Subdivision Map Act (commencing with Section 66410 of the California Government Code), and based upon the evidence presented in the record, including staff reports, oral and written testimony, the FEIR and the Addendum, the City Council hereby finds that the proposed project revision will not change or alter the findings made for the approved project, adopted under Resolution No. 2002-71, with respect to TPM No. 26073, which are incorporated herein by this reference:

Section 6. Pursuant to Section 17.64.050, and based upon the evidence presented in the record, including staff reports, oral and written testimony, the FEIR and the Addendum, the City Council hereby finds that the proposed project revision will not change or alter the findings made for the approved project, adopted under Resolution No. 2002-71, with respect to Variance No. 489, which are incorporated herein by this reference.

Section 7. Based upon the evidence presented in the record, the findings adopted under Resolution No. 2002-71, as described in Sections 2 through 6, inclusive, of this Resolution, the FEIR and the Addendum, the City Council hereby approves Revision 'D' to Conditional Use Permit No. 215, Grading Permit No. 2229, Coastal Development Permit No. 166, Variance No. 489, and Tentative Parcel Map No. 26073 subject to the conditions set forth in Exhibit B, attached hereto and incorporated herein by this reference.

Section 8: Based upon the evidence presented in the record, the City Council finds that the proposed revision will not "lessen or avoid the intended effect" of the approved project with respect to providing coastal access and visitor serving use, because all of the units that will be privately owned still will be available to the general public to use as part of the hotel operation. The City Council further finds that this

revision to the project will not have the potential for adverse impacts to coastal resources or public access.

Section 9. The time within which the judicial review of the decision reflected in this Resolution, if available, must be sought is governed by Section 1094.6 of the California Code of Civil Procedure and other applicable short periods of limitation.

PASSED, APPROVED, AND ADOPTED this 21st day of March 2006.

Mayor

Attest:

City Clerk

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

I,Carolynn Petru, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the above Resolution No. 2006-__ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on March 21, 2006.

City Clerk

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RESOLUTION NO. 2006-__
EXHIBIT "A"

**ADDENDUM NO. 5 TO FINAL ENVIRONMENT IMPACT REPORT /
ENVIRONMENTAL ASSESSMENT/
NEGATIVE DECLARATION (EA/ND) NO. 725**

March 21, 2006

On May 7, 2002, the City Council adopted Resolution No. 2002-34, thereby adopting the Final Environment Impact Report for Environmental Assessment No. 725 to allow the construction of 400-room resort hotel and bungalows with banquet and retail facilities, 50-casitas (3-keys for 150 total units), 32 villas, and a driving range with a 3-hole golf practice facility. On August 28, 2002, the City Council adopted Resolution No. 2002-70, adopting Addendum No. 1, and on September 7, 2004, the City Council adopted Resolution No. 2004-78, adopting Addendum No. 2, and on April 19, 2005, the City Council adopted Resolution No. 2005-39, adopting Addendum No. 3 to the Final Environment Impact Report. In adopting the Final Environmental Impact Report and Statement of Overriding Considerations, the City Council found that the Project's cumulative impacts, with the exception of the impacts related to Noise and Air Quality for which the Statement of Overriding Considerations was adopted, are not significant or that potential impacts could be mitigated to a less than significant level.

The City Council has reviewed and analyzed the applicant's request to amend the project conditions to allow for a 9-hole short game golf academy rather than a 3-hole golf practice facility with a driving range, as well as to permit minor modifications to the site design as previously approved. Having reviewed the proposed revisions, the City Council is of the opinion that the change to the golf amenity of the conditions will not alter nor diminish the spirit and intent of the original project approved by the City Council in 2002. The proposed revisions will not result in any significant change that would effect the findings made by the Council when the project was approved, and does not modify the scope of the project nor the related uses and amenities, and the footprint of the proposed 9-hole short game golf academy is substantially the same as the previously approved 3-hole golf practice facility with a driving range. Furthermore, the proposed revisions will not introduce new significant environmental effects or substantially increase the severity of the environmental impacts that previously were identified and analyzed in the FEIR. In fact, the revisions may result in less impact due to potential reductions in the amount of grading necessary to construct the project if elimination of the underground parking component is approved.

Therefore, the City Council finds that there are no changed circumstances or new information, which were not known at the time the FEIR was certified, that would require the preparation of a subsequent EIR or major revisions to the FEIR

pursuant to CEQA Guidelines Section 15162. In accordance with Section 15164 of the State CEQA Guidelines, the City Council has independently reviewed and considered and hereby adopts this Addendum No. 5 to the FEIR.

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Resolution No. 2006-__
Exhibit A

**LONG POINT RESORT HOTEL
CONDITIONS OF APPROVAL
(REVISION 'D' – COUNCIL APPROVED MARCH 21, 2006)**

(Coastal Permit No. 166, Conditional Use Permit No. 215,
Grading Permit No. 2229, Variance No. 489, and Tentative Parcel Map No. 26073)

GENERAL CONDITIONS

- 1) The approvals granted by this resolution shall not become effective until the applicant and property owners submit a written affidavit that each has read, understands and accepts all conditions of approval contained herein. Said affidavits shall be submitted to the City no later than ninety (90) days from the date of approval of the project by the City Council. If the applicant and/or the property owner fail to submit the written affidavit required by this condition within the required 90 days, this resolution approving Coastal Development Permit No. 166, Conditional Use Permit No. 215, Grading Permit No. 2229, Variance No. 489 and Tentative Parcel Map No. 26073 shall be null and void and of no further effect.
- 2) In accordance with the provisions of Fish and Game Code §711.4 and Title 14, California Code of Regulations, §753.5, the applicant shall submit a check payable to the County of Los Angeles in the amount of \$875.00 for the Fish and Game Environmental Filing Fee. This check shall be submitted to the City within five (5) business days of City Council approval of this project. If required, the applicant shall also pay any fine imposed by the Department of Fish and Game.
- 3) Each and every mitigation measure contained in the Mitigation Monitoring program attached as Exhibit "C" of Resolution No. 2002-34 is hereby incorporated by reference into the Conditions of Approval for Coastal Development Permit No. 166, Conditional Use Permit No. 215, Grading Permit No. 2229, Variance No. 489 and Tentative Parcel Map No. 26073.
- 4) The applicant shall fully implement and continue for as long as the hotel is operated the Mitigation Monitoring Program attached as Exhibit "C" to Resolution No. 2002-34 and execute all mitigation measures as identified and set forth in the Final Environmental Impact Report for the project as certified in said Resolution No. 2002-34.
- 5) The owner of the resort hotel and the property upon which the hotel is located shall be responsible for implementing and ensuring compliance with all of the conditions of approval stated herein. Accordingly, as used herein, the term

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Exhibit B

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“applicant” shall include the owner of the resort hotel and the property upon which the hotel is located.

- 6) The conditions set forth in this Resolution are organized by application type for ease of reference. Regardless of such organization, each condition is universally applicable to the entire project site, unless a condition clearly indicates otherwise. Said conditions shall be applicable as long as a hotel is operated on the property, unless otherwise stated herein.
- 7) In the event that a condition of approval is in conflict or is inconsistent with any mitigation measure for this project, the more restrictive shall govern.
- 8) The applicant shall pay the Environmental Excise Tax in accordance with the Rancho Palos Verdes Municipal Code (RPVMC).
- 9) The Resort developer shall be responsible for constructing the public amenities required by these conditions of approval. A bond, letter of credit or other security acceptable to the Director of Public Works and the City Attorney shall be provided to secure completion of such Public Amenities.
- 10) Prior to issuance of any grading or building permits, the applicant shall enter into an agreement that requires the owner of the property to have the hotel operator maintain to the City’s satisfaction the public amenities, including, but not limited to the bluff-top park, park benches and tables, public trails (pedestrian and bicycle), bicycle racks, public restrooms, landscaping, habitat protection, general public parking lot near the resort hotel building, fences, irrigation, and signs to name a few, as long as a hotel is operated on the property. Furthermore, the applicant shall specify in the agreement how funding will be provided to maintain the public improvements constructed as part of the project which are not maintained by the City, County or other governmental agency.
- 11) The Resort owner shall maintain all on-site drainage facilities not accepted by Los Angeles County, including but not limited to structures, pipelines, open channels, retention and desilting basins, mechanical and natural filtering systems, and monitoring systems, so long as the property is operated as a resort hotel. A bond, letter of credit or other security acceptable to the City shall be provided to secure completion of such drainage facilities. A bond to cover the cost of their maintenance for a period of 2 years after completion shall also be provided to the City.
- 12) Subject to the agreement of Los Angeles County, the applicant shall turn over all eligible drainage facilities to the Los Angeles County Public Works Department upon completion and acceptance of the facilities by the County of Los Angeles.

- 13) The applicant shall be required to pay 110% of the estimated amount of the cost of services to be provided on behalf of the City by outside consultants that have been retained by the City to render services specifically in connection with this project, in the form of a trust deposit account, prior to commencement of such services (e.g. golf safety consultant, geotechnical consultants, biologist, and landscape architect to name a few.). Services provided by the City Attorney and other consultants that routinely provide services to the City shall be exempt from this condition. However, in such cases, the applicant shall adequately fund said trust deposit accounts prior to the commencement of services, in amounts reasonably requested by the City, based upon an estimate of the cost of services for the period of at least 90 days to which services are rendered. In addition, the trust deposits shall be replenished within thirty days of receipt of notice from the City that additional funds are needed.
- 14) All costs associated with plan check reviews and site inspections for the Department of Public Works shall be incurred by the applicant through the establishment of a trust deposit with the Director of Public Works at the time of plan check submittal or site inspection request.
- 15) All City Attorney costs associated with the review and approval of the conditions stated herein shall be incurred by the applicant in the form of a trust deposit established with the City.
- 16) Six (6) months after the issuance of the Certificate of Occupancy for the main resort hotel building, the City Council shall review the Conditions of Approval contained herein at a duly noticed public hearing. As part of said review, the City Council shall assess the applicant's compliance with the conditions of approval and the adequacy of the conditions imposed. At that time, the City Council may add, delete or modify any conditions of approval as evidence presented at the hearing demonstrates are necessary and appropriate to address impacts resulting from operation of the project. Said modifications shall not result in substantial changes to the design of the hotel structures, to the ancillary structures, or the golf practice facility. Notice of said review hearing shall be published and provided to owners of property within a 500' radius of the site, to persons requesting notice, to all affected homeowners associations, and to the property owner in accordance the RPVMC. As part of the six-month review, the City Council shall consider the parking conditions, circulation patterns (pedestrian, bicycle, and vehicular), lighting, landscaping, and noise. The Council may also consider other concerns raised by the Council, Planning Commission, Finance Advisory Commission, Traffic Committee and/or interested parties. The City Council may require such subsequent additional reviews, as the City Council deems appropriate. This provision shall not be construed as a

limitation on the City's ability to enforce any provision of the RPVMC regarding this project.

- 17) These approvals authorize the construction and operation of a resort hotel, a 9-hole short game golf academy practice facility and other related amenities. Any significant changes to the operational characteristics of the development, including, but not limited to, significant changes to the site configuration or golf practice facility amenity; number of guest rooms (increases or decreases); size or operation of the conference center, banquet facilities, spa, restaurants, or other ancillary uses or significant alterations shall require an application for revision to this Conditional Use Permit pursuant to the provisions stated in the RPVMC. At that time, the City Council may impose such conditions, as it deems necessary upon the proposed use resulting from operations of the project. Further, the Council may consider all issues relevant to the proposed change of use.

(REVISED PER RESOLUTION NO. 2006- ON MARCH 21, 2006)

- 18) These approvals shall expire twenty-four (24) months from the date of the City Council approval unless building permits for the main hotel structure have been applied for and are being diligently pursued. Extensions of up to one (1) year may be granted by the City Council, if requested prior to expiration. Such a time extension request shall be considered by the City Council at a duly noticed public hearing, pursuant to the provisions stated in the RPVMC.
- 19) The hotel spa facility, and all the amenities therein, including the pool, shall be made available to the general public for a reasonable fee for use basis. Appropriate promotions shall be offered to encourage use of the spa facility by non-hotel guests, including area residents.
- 20) All on-site golf facilities shall be made available to the general public for a reasonable fee for use basis. Appropriate promotions shall be offered to encourage use of the on-site golf facility by non-hotel guests, including area residents
- 21) Prior to issuance of any Certificate of Occupancy, all golf facilities, public trails, public parks and public areas shall be designed to protect golfers and the general public in accordance with common safety standards and practices in the industry, subject to review and approval by the City's duly assigned Golf Safety Consultant. The final golf design plan shall incorporate the recommendations provided by the City's Golf Safety Consultant. The applicant shall establish a trust deposit account with the City to cover all costs associated with the Golf Safety Consultant's review, as required in Condition No. 13.

(REVISED PER RESOLUTION NO. 2006- ON MARCH 21, 2006)

- 22) Temporary construction fencing and temporary public trail fencing shall be installed in accordance with RPVMC.
- 23) All on-site construction and grading activities shall be limited to the hours between seven a.m. and seven p.m. Monday through Saturday. No construction shall occur on Sundays or legal holidays as set forth in RPVMC unless a special construction permit is first obtained from the Director of Planning, Building and Code Enforcement.
- 24) Construction and grading activities within the public right-of-way shall be limited to the days and hours approved by the Director of Public Works at the time of permit issuance.
- 25) No on-site repair, maintenance or delivery of equipment and/or materials shall be performed before seven a.m. or after seven p.m. Monday through Saturday, nor on any Sunday or legal holiday, unless otherwise specified in the conditions stated herein or a Special Construction Permit is obtained from the City. Emergency repairs are exempt from this condition.
- 26) All construction activity shall generally adhere to the phasing scheme identified in the Addendum to the Certified Environmental Impact Report shown in Resolution No. 2002-70 Any significant changes to the construction activity schedule shall be reviewed and approved by the Director of Planning, Building and Code Enforcement.
- 27) A Certificate of Occupancy shall not be issued for the Villas or Casitas, unless a Certificate of Occupancy has been first issued for the main resort hotel building.

Indemnification/Insurance

- 28) The owner of the property upon which the project is located shall hold harmless and indemnify City, members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials, (collectively, "Indemnitees"), from any claim, demand, damage, liability, loss, cost or expense, including but not limited to death or injury to any person and injury to any property, resulting from willful misconduct, negligent acts, errors or omissions of the owner, the applicant, the project operator, or any of their respective officers, employees, or agents, arising or claimed to arise, directly or indirectly, in whole or in part, out of, in connection with, resulting from, or related to the construction or the operation of the project approved by this resolution.

29) The applicant shall defend, with counsel satisfactory to the City, indemnify and hold harmless the City and its agents, officers, commissions, boards, committees and employees from any claim, action or proceeding against the City or its agents, officers, commissions, boards, committee or employees, to attack, set aside, void or annul this resolution or one or more of the approvals set forth in this resolution and PC Resolutions 2001-37, 2001-39, and 2001-40. Alternatively, at the City's election, the City may choose to defend itself from any claim, action or proceeding to attack, set aside, void or annul this resolution or one or more of the approvals set forth in this resolution. In that case, the applicant shall reimburse the City for all of its costs, including attorney fees, arising from such claim, action or proceeding. The obligations set forth in this condition include the obligation to indemnify or reimburse the City for any attorney fees that the City becomes obligated to pay as a result of any claim, action or proceeding within the scope of this condition.

The City shall promptly notify the applicant of any claim, action or proceeding within the scope of this condition and the City shall cooperate fully in the defense of any such claim or action.

30) The applicant shall submit to the City Attorney for review and approval an agreement whereby the applicant shall indemnify, defend and hold the City and members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials, (collectively, "Indemnitees"), harmless from any claim, demand, damage, liability, loss, cost or expense, including, but not limited to, death or injury to any person and injury to any property, caused by golf balls or any other golf -related equipment.

31) The applicant shall procure and maintain in full force and effect during the operation of the hotel and/or golf practice facility primary general liability insurance in the amount of \$ 2 million dollars, which amount shall be increased on each fifth anniversary to reflect increases in the consumer price index for the Los Angeles County area. Such insurance shall insure against claims for injuries to persons or damages to property that may arise from or in connection with the long-term operation of the resort hotel and golf practice facility authorized by this resolution. Such insurance shall name the City and the members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. Said insurance, shall be issued by an insurer that is admitted to do business in the State of California with a Best's rating of at least A-VII or a rating of at least A by Standard & Poor's, and shall comply with all of the following requirements:

- (a) The coverage shall contain no limitations on the scope of protection afforded to City, its officers, officials, employees, volunteers or agents serving as independent contractors in the role of city or agency officials which are not also limitations applicable to the named insured.
- (b) For any claims related to the project, applicant's insurance coverage shall be primary insurance as respects City, members of its City Council, boards, committees, commissions, officers, employees, attorneys, volunteers and agents serving as independent contractors in the role of city or agency officials.
- (c) Applicant's \$2 million primary insurance shall apply separately to each insured against whom claim is made or suit is brought. Additionally, the limits of applicant's \$ 2 million primary insurance shall apply separately to the project site.
- (d) Each insurance policy required by this condition shall be endorsed to state that coverage shall not be canceled except after 30 days prior written notice by first class mail has been given to City.
- (e) Each insurance policy required by this condition shall be endorsed to state that coverage shall not be materially modified except after 5 business days prior written notice by first class mail has been given to City.
- (f) Each insurance policy required by this condition shall expressly waive the insurer's right of subrogation against City and members of its City Council, boards and commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials.
- (g) Copies of the endorsements and certificates required by this condition shall be provided to the City when the insurance is first obtained and with each renewal of the policy.
- (h) No golf facilities may be operated unless such general liability insurance policy is in effect.

The applicant also shall procure and maintain in full force and effect during the operation of the hotel and/or golf practice facility additional general liability insurance in the amount of \$ 3 million dollars to insure against claims for injuries to persons or damages to property which may arise from or in connection with the long-term operation of the resort hotel and golf practice facility authorized by

this resolution. Such insurance shall likewise name the City and the members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. Said insurance, may at applicant's option, be in the form of a separate excess insurance policy and may be issued by a non-admitted carrier so long as the insurer is authorized to do business in the State of California with a Best's rating of at least A-VII or a rating of at least A by Standard & Poor's and shall comply with all of the requirements of paragraphs a, b, d, e, f and g of this Condition 33.

COASTAL PERMIT NO. 166

- 32) All plans submitted to Building and Safety for plan check review shall identify the location of the Coastal Setback Line and the Coastal Structure Setback Line in reference to the proposed structure.
- 33) Except as provided herein as part of the Conditional Use Permit and Variance (allowing the construction of the Lower Pool Facility within the Coastal Setback Zone), pursuant to the RPVMC, no new uses or structural improvements shall be allowed in the area seaward of the Coastal Setback Line including, but not limited to, slabs, walkways, decks 6" or more in height, walls or structures over 42" in height, fountains, irrigation systems, pools, spa, architectural features, such as cornices, eaves, belt courses, vertical supports or members, chimneys, and grading involving more than 20 cubic yards of earth movement, or more than three feet of cut or fill.
- 34) All proposed structures within the Point Fermin Vista Corridor and Catalina View Corridor shall be constructed in accordance with the height limitations as identified in the City's Coastal Specific Plan and the project's certified EIR.

CONDITIONAL USE PERMIT NO. 215

Hotel Operations

- 35) A. The main hotel building and the freestanding bungalow units shall consist of no more than an aggregate total of 400 rooms (360 hotel rooms and 20 bungalow units, two keys per bungalow) and shall not be designed for multiple keys for a configuration exceeding 400 rooms. A main hotel room, for purposes herein, shall consist of any of the following: a typical guest room, a two-bay suite, one or more multiple-bay rooms with a single key, or a hospitality suite, as shown in Exhibit 7.14 of the Long Point Resort Permit Documentation dated June 23, 2000. Furthermore, the bungalow units shall consist of two-keyed accommodations with one or more bedroom areas which

may contain a living room area as shown in Exhibit 7.15 of the Long Point Resort Permit Documentation dated June 23, 2000.

- B. A maximum total of 50 hotel suites and guestrooms may be sold to individual persons or private entities, subject to the following restrictions: An owner of a unit may utilize that unit for no more than sixty (60) days per calendar year, and no more than twenty-nine (29) consecutive days at any one time. A minimum seven (7) day period shall intervene between each twenty-nine (29) consecutive day period of occupancy by the owner. When not being used by the owner, the hotel suite or guestroom shall be available as a hotel accommodation, which shall be fully managed by the resort hotel operator. Deed restrictions to this effect, which are satisfactory to the City Attorney, shall be recorded prior to any sale of any unit. The 50 hotel suites and guestrooms that may be sold to individual persons or private entities will consist of a mix of single-key suites, suites with two-keys, and single-key guestrooms. The precise location and mix of these units shall be described in detail at the time the tract map is processed by the City, but in no event shall the number of keys exceed 66 keys.
- C. The bungalow units shall consist of no more than 20 bungalow units, with a maximum keying configuration of two (2) keys per bungalow unit resulting in a maximum possible 40 accommodations. The bungalow units may be sold to individual persons or private entities, subject to the following restrictions: An owner of a unit may utilize that unit for no more than sixty (60) days per calendar year, and no more than twenty-nine (29) consecutive days at any one time. A minimum seven (7) day period shall intervene between each twenty-nine (29) consecutive day period of occupancy by the owner. When not being used by the owner, the bungalow unit shall be available as a hotel accommodation, which shall be fully managed by the resort hotel operator. Deed restrictions to this effect, which are satisfactory to the City Attorney, shall be recorded prior to any sale of any unit.

(REVISED PER RESOLUTION NO. 2004-78 ON SEPTEMBER 7, 2004)

- 36) The casita units shall consist of no more than 50 casita units, with a maximum keying configuration of three (3) keys per casita unit resulting in a maximum possible 150 accommodations. The casita units may be sold to individual persons or private entities, subject to the following restriction: An owner of a unit may utilize that unit for no more than sixty (60) days per calendar year, and no more than twenty-nine (29) consecutive days at any one time. A minimum seven (7) day period shall intervene between each twenty-nine (29) consecutive day period of occupancy by the owner. When not being used by the owner, the casitas unit shall be available as a hotel accommodation, which shall be fully

managed by the resort hotel operator. Deed restrictions to this effect, which are satisfactory to the City Attorney, shall be recorded prior to any sale of any unit.

- 37) The resort villa units shall consist of no more than 32 single keyed units. The resort villa units may be sold to individual persons or private entities, subject to the following restriction: An owner of a unit may utilize that unit for no more than ninety (90) days per calendar year, and no more than twenty-nine (29) consecutive days at any one time. A minimum seven (7) day period shall intervene between each twenty-nine (29) consecutive day period of occupancy by the owner. The Villas shall be fully managed by the resort hotel operator when not used by the owners, and made available for rental by the general public. When not being used by the owner, the villa shall be available as a hotel accommodation, which shall be fully managed by the resort hotel operator. Deed restrictions to this effect, which are satisfactory to the City Attorney, shall be recorded prior to any sale of any unit.

(REVISED PER RESOLUTION NO. 2004-78 ON SEPTEMBER 7, 2004)

- 38) If any villa unit, casita unit, bungalow unit, hotel suite or guestroom is not sold or made available for sale, the unit shall be -available as a hotel accommodation which shall be fully managed by the resort hotel operator.

(REVISED PER RESOLUTION NO. 2004-78 ON SEPTEMBER 7, 2004)

- 39) Any person or entity ("hotel guest") who pays the hotel operator for the privilege of occupying one or more rooms, bungalows, villas or casitas ("unit") shall not occupy or have the right to occupy any unit for more than twenty-nine (29) consecutive days. On or before the twenty-ninth day, the hotel guest shall be required to check out of the unit(s).
- 40) Prior to issuance of building permits for the resort villa units, casita units, bungalow units, and hotel suite or guestrooms that may be sold to individual persons or private entities, the following shall be completed:

- a) The applicant shall process a parcel map or tract map in accordance with the Subdivision Map Act.

(REVISED PER RESOLUTION NO. 2005-39 ON APRIL 19, 2005)

- b) Deed Restrictions, which restrict the use and operation of all of the privately owned units and are in a form that is acceptable to the City Attorney, shall be recorded against all of those units, including, without

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Exhibit B
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limitation, the bungalow units, resort villas, casitas and the fifty hotel guest suites or guest rooms.

- c) The City (or, at the City's election, the applicant) shall create a new non-profit corporation or shall expand the powers of an existing non-profit corporation to undertake the duties specified in this condition. The non-profit corporation will be charged with spending its resources (net of its operating expenses) for only the following purposes: the maintenance, repair, replacement and enhancement of trails, parks, open space areas and streets within the City of Rancho Palos Verdes, which are owned in fee or by easement or by license by the City.
- d) The applicant shall record against all of the condominium owned units, including, without limitation, the bungalow units, resort villas, casitas and fifty hotel guest suites or guestrooms a Declaration of Covenants, Conditions and Restrictions and Notice of Transfer Fee. Such document(s) shall set forth the obligation to pay a 1% transfer fee upon each transfer of ownership of a unit, which 1% shall be assessed against the sale price for the unit. The transfer fee is not applicable on the initial sale from the master developer to the first owner. The fee shall be required to be paid through the escrow for the sale or, if no escrow is used, at the time of recordation of the deed transferring title. The fee will be paid to the non-profit corporation. The recorded documents shall provide a lien right in favor of the nonprofit corporation to secure the payment obligations and any costs of collection, including, without limitation, attorney's fees and court costs

(REVISED PER RESOLUTION NO. 2004-78 ON SEPTEMBER 7, 2004)

- 41) The Resort Hotel building, ancillary structures, including but not limited to the Lower Pool Facility, and all accessory buildings associated with the 9-hole short game golf academy practice facility shall substantially conform to the plans approved by the City Council and stamped by the Planning Department with the effective date of this approval.

(REVISED PER RESOLUTION NO. 2006- ON MARCH 21, 2006)

- 42) The public section of the Lower Pool Facility, which consists of public restroom facilities and a viewing deck area, as shown on the plans approved by the City Council on the effective date of the adoption of these conditions, shall be open and made available to the general public during City park hours, as specified in the RPVMC.
- 43) Approval of this conditional use permit is contingent upon the concurrent and continuous operation of the primary components of the project, which are the

hotel, villas, casitas, banquet facilities, spa facilities, retail facilities, and the 9-hole short game golf academy practice facility.

(REVISED PER RESOLUTION NO. 2006- ON MARCH 21, 2006)

- 44) Prior to issuance of any Certificate of Occupancy, the use of gardening equipment for the golf practice facility and landscape areas shall be controlled by a Golf and Hotel Landscape Maintenance Plan which is subject to review and approval by the Director of Planning, Building and Code Enforcement, based on an analysis of equipment noise levels and potential impacts to neighboring residents. The implementation of the Plan shall be formally reviewed by the Director of Planning, Building and Code Enforcement three (3) months after the first day of operation of the 9-hole short game golf academy practice facility, and shall be subsequently reviewed on an annual basis thereafter. At the three (3) month review, the Director may determine that the Plan needs to be revised to address potential noise impacts. The Director may also determine that additional review periods and/or other conditions shall be applied to the Maintenance Plan.

Furthermore, if the City receives any justified noise complaints that are caused by the maintenance of the golf or hotel landscaped and lawn areas, as verified by the Director of Planning, Building and Code Enforcement, upon receipt of notice from the City, the operators of the hotel and golf amenity practice facility shall respond to said verified complaint by notifying the City and implementing corrective measures within 24 hours from the time of said notice.

The Director's decision on any matter concerning the Landscape Maintenance Plan may be appealed to the City Council. Any violation of this condition may result in the revocation of the Conditional Use Permit.

(REVISED PER RESOLUTION NO. 2006- ON MARCH 21, 2006)

- 45) All deliveries utilizing vehicles over forty (40) feet in length shall be limited to the hours of 5:00 a.m. to 9:00 p.m. Monday through Friday, and 7:00 a.m. to 9:00 p.m. on Saturday and Sunday. Other vehicles shall be allowed to make deliveries 24 hours a day.
- 46) No heliport operations are approved or permitted for the Resort Hotel Area. If in the future such operations are desired, a revision to this Conditional Use Permit shall be required. Any such revision shall be reviewed by the City Council subject to the provisions stated in the RPVMC.
- 47) The applicant shall provide twenty-four (24) hour monitoring by appropriately trained hotel personnel of the project site throughout the calendar year. The

monitoring shall include observation of all parks, trails and habitat areas. Additionally, the resort hotel shall provide regular monitoring of the area surrounding the lower pool facility and the nearby shore, during City park hours, as specified in the RPVMC.

- 48) The Maintenance Building and associated maintenance repairs shall be conducted in an area that is visually screened with landscaping from public view.

Building Design Standards

- 49) The resort hotel shall contain the following principal visitor-serving structures and uses, and shall substantially comply with, and not to exceed, the following square footage numbers:

- a) Conference Center / Banquet Facilities – 60,000 square feet
- b) Restaurant, bar and lounge - approximately 22,500 square feet
- c) Resort related retail, visitor services and guest amenities – approximately 20,000 square feet.
- d) Spa Facilities – 25,000 square feet
- e) Swimming pools - Three for the resort hotel (including the lower pool facility), one for the West Casitas, one for the Resort Villas, and one within the spa facility
- f) Pool Cabanas: - commensurate with size of adjacent pool
- g) Lower Pool Facility – 1,400 square feet (hotel guest area: 680 square feet of restroom facilities, 350 square feet of pool kitchen area, 6,400 square feet of deck area including the 2,400 square foot pool / public area: to be no less than 2,900 square feet of deck area and 370 square feet of restroom room facilities)
- h) ~~Tennis Courts—two tennis Courts~~
- i) Golf School / Club house – 8,000 square feet.
- j) Golf Cart and Maintenance Facility (adjacent to tennis courts) – 4,000 square feet.
- k) ~~Parking Structure—180,000 square feet (459 parking spaces; 239 spaces on the lower level and 197 on the upper level).~~
- l) Lookout Bar – 3,500 square feet
- m) Resort Hotel Entry Trellis – 250 square feet of roof area

(REVISED PER CITY COUNCIL MINUTE ORDER ON MARCH 21, 2006)

- 50) A Square Footage Certification prepared by a registered surveyor shall be submitted to the Director of Planning, Building and Code Enforcement, prior to a framing inspection, indicating that the buildings, as identified in the previous condition, do not exceed the permitted square footages.
- 51) The maximum heights of the buildings approved for the project site shall not exceed the following criteria:

Hotel Building

- a. Maximum roof ridgeline 153 feet above sea level – plus fireplace chimney to the minimum height acceptable by the Uniform Building Code.
- b. Maximum height of 86 feet at eastern elevation, as measured from adjacent finished grade located in the middle of the elevation, 53 feet at the inland most end of the elevation, and 50 feet from the seaward most end of the elevation.
- c. Maximum height of 50 feet at northern elevation, as measured from adjacent finished grade, 30 foot maximum at western most end of the elevation, and 40 foot maximum at the eastern most end of the elevation.
- d. Maximum height of 85 feet, as measured from lowest finished grade at the highest point along the southern elevation, 40 feet at the eastern most end of the elevation, and 50 feet at the western most end of the elevation.
- e. Maximum height of 90 feet, as measured from lowest finished grade elevation along the western elevation, 60 feet at the seaward most end of the elevation, and 50 feet at the inland most end of the elevation.

Resort Villas – Maximum height shall not exceed 26 feet, as measured from the lowest adjacent finished grade to the top of the highest roof ridgeline for those villa structures located outside of the visual corridor of Vertical Zone 1. If any Villa structure is located within the visual corridor of Vertical Zone 1, as identified on the site plan, it shall not exceed a maximum height of 16 feet, as measured from the lowest adjacent finished grade to the top of the highest roof ridgeline

Casitas - Maximum height of the casitas located outside of the visual corridor of Vertical Zone 1 shall not exceed 26 feet as measured from the lowest adjacent finished grade. The Casitas located within the Coastal Specific Plan's Vertical Zone 1 shall not exceed 16 feet in height, as measured from the lowest adjacent finished grade to the top of the highest roof ridgeline.

Bungalows - Maximum height of the bungalows shall not exceed 26 feet as measured from the lowest adjacent finished grade to the top of the highest roof ridgeline.

Clubhouse – Maximum height of the clubhouse shall not exceed 16 feet as measured from the lowest adjacent finished grade to the top of the highest roof ridgeline.

Golf Maintenance Facility - Maximum height of the maintenance facility shall not exceed 16 feet as measured from the lowest adjacent finished grade to the top of the highest roof ridgeline.

Lookout Bar – Maximum height of the Lookout Bar shall not exceed 19 feet as measured from the lowest adjacent finished grade to the top of the highest roof ridgeline.

Lower Pool Facility – Maximum height of the lower pool facility shall not exceed 16 feet, as measured from the lowest adjacent finished grade to the top of the highest roof ridgeline.

~~Parking Structure – Maximum height of the parking structure shall not exceed 16 feet, as measured from the lowest adjacent finished grade to the top of the highest parapet wall and railing thereon.~~

(REVISED PER CITY COUNCIL MINUTE ORDER ON MARCH 21, 2006)

Accessory Structures – Maximum height of all accessory structures shall not exceed 12 feet, as measured from the lowest adjacent finished grade to the top of the highest roof ridgeline.

Architectural Features – architectural elements (cupolas, rotundas, and towers) may exceed the foregoing height limits with the prior written approval of the Director of Planning, Building and Code Enforcement, provided that such elements are generally consistent with the plans reviewed by the City Council.

Chimneys - Fireplace chimneys shall be limited to the minimum height acceptable by the Uniform Building Code

- 52) A Building Pad Certification shall be prepared by a licensed engineer and submitted to Director of Planning, Building and Code Enforcement prior to final inspection of grading activities. A Roof Ridgeline Certification, indicating the maximum height of each building, shall be prepared by a licensed engineer and submitted to Director of Planning, Building and Code Enforcement prior to the final framing certifications for each building.
- 53) In no event shall any structure, including architectural features, exceed the elevation height of Palos Verdes Drive South, as measured from the closest

street curb, adjacent to the Resort Hotel Area. This condition shall not apply to chimneys built to the minimum standards of the Uniform Building Code.

- 54) Glare resulting from sunlight reflecting off building surfaces and vehicles shall be mitigated by such measures as incorporating non-reflective building materials and paint colors into the design of the hotel architecture, as well as landscaping around the buildings and parking lots.
- 55) ~~The design of the parking structure shall resemble the hotel architecture and shall be subject to review and approval by the Director of Planning, Building and Code Enforcement. The materials used for the parking structure shall be reviewed and approved by the Director of Planning, Building and Code Enforcement prior to issuance of building permits.~~

(REVISED PER CITY COUNCIL MINUTE ORDER ON MARCH 21, 2006)

- 56) The applicant shall submit an Architectural Materials Board for review and approval by the Director of Planning, Building and Code Enforcement prior to issuance of building permits. The Materials Board shall identify, at the least, a sample of the proposed exterior building materials, such as roof tile materials and paint colors.
- 57) The hotel buildings, and ancillary structures, shall be finished in a muted earth-tone color, as deemed acceptable by the Director of Planning, Building and Code Enforcement during the review of the Materials Board.
- 58) The roof materials for all pitched roofs of the hotel buildings, including but not limited to the Villas, Casitas, Bungalows, Golf Clubhouse and all other ancillary structures, shall be tile, consisting of a muted color, as deemed acceptable by the Director of Planning, Building and Code Enforcement during the review of the Materials Board. The material for all flat roofs shall be a color that is compatible with the color of the tiles used on the pitched roofs throughout the resort hotel, as deemed acceptable by the Director of Planning, Building and Code Enforcement.
- 59) All trash enclosure areas shall be designed with walls six (6) feet in height with the capability of accommodating recycling bins. The enclosures shall be consistent with the overall building design theme in color and material, and shall include self-closing / self-latching gates. The enclosures shall integrate a trellis type roof cover to visually screen and to reduce their visibility from all public rights-of-way and surrounding properties.
- 60) In accordance with the Commercial Recreational zoning district, the Resort Hotel Area shall not exceed a maximum lot coverage of thirty (30%) percent. For the

purpose of this project, the definition of Lot Coverage shall adhere to the residential standards set forth in Section 17.02.040(A)(5) of the RPVMC.

- 61) In addition to the Coastal Setback line, as required by the RPVMC, all other building setbacks shall comply with the Commercial-Recreational zoning requirements, unless otherwise noted herein. A Setback Certification shall be prepared by a licensed engineer and submitted to Building and Safety prior to the framing inspection on each structure.

Public Amenities (Trails and Parks)

- 62) Prior to the issuance of any building or grading permits for the hotel, casitas, spa, villas, or clubhouse, the applicant shall submit and receive approval for a Public Amenities Plan which shall include specific design standards and placement for all trails, vista points, parking facilities, signs, and park areas within the project site, as specified in the conditions herein. Additionally, the Plan shall include the size, materials and location of all public amenities and shall establish a regular maintenance schedule. City Staff shall conduct regular inspections of the public amenities. The Plan shall be reviewed and approved by the City Council at a duly noticed public hearing, as specified in the RPVMC.
- 63) Prior to the issuance of any Certificate of Occupancy or the operation of the golf practice facility, whichever occurs first, the applicant shall complete the construction of the following public access trails, public parks and other public amenities within the project site, except for the Lookout Bar, which shall be constructed within six (6) months after the issuance of the first Certificate of Occupancy for the resort hotel:
- a. Implementation of the Public Amenities Plan (such as benches, drinking fountains, viewing telescopes, bicycle racks, fences, signs, irrigation, and landscaping)
 - b. Public trails and trail signs to the satisfaction of the City (The Marineland Trail Segment (C5), Long Point Trail Segment (D4), Flowerfield Trail Segment (E2), and Café Trail Segment (J2) improvements).
 - c. Bicycle paths along southern lane of Palos Verdes Drive South adjacent to the project site.
 - d. The coastal public parking area within the resort hotel project area serving the coastal access points.
 - e. The expansion of the Fishing Access Parking Lot.
 - f. Improvements to the existing Fishing Access Parking lot.
 - g. Improvements to the Public Restroom facility at the Fishing Access site.
 - h. Public section of the Lower Pool Facility (consisting of outdoor tables and seating, men and women restroom and changing facilities, planter boxes

with trees that provide shaded seating areas, access to the pool kitchen facility, outdoor showers and drinking water fountains).

- i. The 2.2 acre Bluff-Top park.
 - j. Habitat Enhancement area.
- 64) The City encourages incorporation of a marine theme into the project's public trails and park area.
- 65) The applicant shall upgrade the Los Angeles County Fishing access parking lot, fencing, signs, and landscaping to be consistent with the proposed 50 space parking lot expansion on the project site. Said improvements shall be reviewed and approved by the County of Los Angeles or the subsequent landowner of the Fishing Access, and shall be constructed prior to issuance of any Certificate of Occupancy for the resort hotel.
- 66) The applicant shall improve, to the satisfaction of the Director of Planning, Building and Code Enforcement and Public Works Director, the existing public restroom facility located at the Los Angeles County Fishing Access to architecturally and aesthetically resemble the resort hotel buildings and related public amenities. Said improvements shall be reviewed and approved by the County of Los Angeles or the subsequent landowner of the Fishing Access, and shall be constructed prior to issuance of any Certificate of Occupancy for the resort hotel.
- 67) Prior to the issuance of any Certificate of Occupancy, or prior to recordation of Final Parcel Map No. 26073, whichever occurs first, the applicant shall dedicate easements over all public trails, habitat areas, vista points, and public amenities to the City of Rancho Palos Verdes.
- 68) Prior to issuance of any Certificate of Occupancy, the applicant shall dedicate the 2.2 acre Bluff-Top park and 1.0 acre adjacent Fishing Access parking lot expansion (50 parking spaces) to the City. Maintenance of the trails, park grounds and landscaping, including but not limited to the landscaping located within the Fishing Access Parking Lot shall be maintained by the applicant as long as a hotel is operated on the property.
- 69) Prior to issuance of any Certificate of Occupancy, the applicant shall dedicate an easement to the City and construct two Public Vista Points along the Long Point Trail Segment (D4) in locations to be approved by the Director of Planning, Building, and Code Enforcement in the review of the Public Trails Plan. Habitat fencing, as well as habitat protection signs shall be posted in and around any vista point. The square footage of any Habitat Enhancement Area or the 50-foot transitional area that is used for the vista points shall be replaced at a ratio of 1:1.

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- 70) Prior to recordation of any final map or issuance of any building or grading permits, the applicant shall submit to the Director of Public Works a Public Trails Plan which identifies the on-site and off-site pedestrian and bicycle trails proposed for the project for review and approval by the City Council. The plan shall include details regarding trail surface, trail width, and trail signage. Furthermore, all trail segments shall be constructed with appropriate trail engineering techniques, as approved by the City's Director of Public Works, to avoid soil erosion and excessive compaction. The public trails, as identified in the city's Conceptual Trails Plan shall include: the Marineland Trail Segment (C5); the Long Point Trail Segment (D4); the Flower Field Trail Segment (E2); and the Café Trail Segment (J2). Furthermore, the beach access trail at the southeast corner of the project site shall also be kept open to the public and shall be maintained by the applicant.
- 71) Prior to issuance of any Certificate of Occupancy, the applicant shall construct a Class II bikeways along Palos Verdes Drive South, adjacent to the project site, to the satisfaction of the Director of Public Works. In the event any drainage grates are required, all grates shall be installed in a manner that is perpendicular to the direction of traffic to the satisfaction of the Director of Public Works.

(REVISED PER RESOLUTION NO. 2005-107 ON OCTOBER 4, 2005)

- 72) All project related trails, as identified in the City's Conceptual Trails Plan, shall be designed to the following minimum standards for trail widths, with easements extending an additional foot on either side of the trail:
- a. Pedestrian Only – 4 foot improved trail width, 6 foot dedication
 - b. Pedestrian/Equestrian – 6 foot improved trail width, 8 foot dedication
 - c. Pedestrian/Bike - 6 foot improved trail width, 8 foot dedication
 - d. Joint Pedestrian/Golf Cart – 10 foot improved trail, 12 foot dedication.

Standard golf cart-only paths, if constructed, shall be 6 feet wide, and require no easement dedication.

If a golf cart path is parallel, but not immediately abutting, a pedestrian path, a 2-foot minimum separation between the two paths shall be incorporated into the design of the paths in question and shall be maintained at all times thereafter. If a golf cart path is a immediately abutting a pedestrian path without separation, the golf cart path shall be curbed.

- 73) Where feasible, the applicant shall design, to the satisfaction of the Director of Planning, Building, and Code Enforcement, public trails, public restrooms and

public park facilities that are in compliance with the American Disabilities Act requirements.

- 74) The Lower Pool Facility and the trail from the public parking lot nearest the hotel building to the Lower Pool Facility shall be constructed in compliance with all the standards established by the American with Disabilities Act (ADA).
- 75) Where feasible, the applicant shall design trails, to the satisfaction of the Director of Planning, Building and Code Enforcement, that do not exceed a maximum gradient of twenty (20%) percent.

Landscaping/Vegetation

- 76) Prior to issuance of any building or grading permits, the applicant shall record a conservation easement covering the Bluff-face/Habitat Enhancement Area. The conservation easement shall be recorded in favor of the City of Rancho Palos Verdes, and shall first be reviewed and accepted by the City Attorney.
- 77) The Habitat Enhancement Area shall extend from the Los Angeles County Fishing Access Parking Lot to the toe of the slope immediately north of the Lookout Bar . The Habitat Enhancement Area shall be thirty (30) feet wide, as measured from the inland limits of the coastal bluff scrub, as specified in the Mitigation Measures adopted by the City Council by Resolution No. 2002-34. All public trails in this portion of the site shall not encroach into the Habitat Enhancement Area.
- 78) A Landscape Plan shall be prepared by a qualified Landscape Architect in accordance with the standards set forth in RPVMC. The Landscape Plan shall be reviewed and approved by the Director of Planning, Building and Code Enforcement, a qualified Landscape Architect and a qualified botanist, hired by the City, prior to the issuance of any building or grading permits. The applicant shall establish a Trust Deposit account with the City prior to the submittal of Landscape Plans to cover all costs incurred by the City in conducting such review. During the Director's review, the Landscape Plan shall also be made available to the public, including but not limited to representatives from the California Native Plant Society, for review and input.

The Ornamental Landscape Plan shall comply with the water conservation concepts, the View Preservation Ordinance, the planting requirements, the irrigation system design criteria, and all other requirements of the RPVMC. The Plan shall identify the plant and seed sources and the required lead time that will be needed to implement the plan. The plan shall also take into account protected view corridors as identified in the project EIR such that future impacts from tree

or other plant growth will not result. A colorful plant palette shall be utilized in the design of the hotel landscaping where feasible, provided that impacts to native and protected vegetation will not occur. No invasive plant species shall be included in the plant palette, except for the following species which exist on-site or within the immediate area: Eucalyptus, Nerium Oleander, Olea Europia (olive tree), Phoenix (all species), Shinus Molle (California Pepper Tree), Shinus Terebinthifolius (Florida Pepper Tree).

The Habitat Enhancement Area, which serves as a plant buffer for the El Segundo Blue Butterfly and the Bluff Habitat shall consist of suitable, locally native plants. In addition, the 50-foot wide planting area inland of the Habitat Enhancement Area, as specified in the adopted Mitigation Monitoring Program (5.3-2c) attached as Exhibit "C" of Resolution No. 2002-34, shall also be planted with suitable, locally native plants and grasses. When available, it is recommended that seeds and plants for both areas come from local sources.

The applicant shall submit for review and approval by the Director of Planning, Building and Code Enforcement and a qualified biologist, at the expense of the applicant, a Habitat Enhancement Management Plan that shall ensure regular maintenance to prevent propagation of invasive plants into the Habitat Enhancement or buffer areas and that any invasive plants that do propagate into the Habitat Enhancement Area will be immediately removed. Said Management Plan shall be submitted for review and approval at the same time as the Landscape Plan.

- 79) Landscaping proposed surrounding the Resort Villas shall be situated in a manner that, at maturity, visually screens the buildings from Palos Verdes Drive South, as well as visually separates the dense appearance of the Villas. Said landscaping shall also be permitted to grow beyond the maximum height of the Villas' roof ridgeline, only when such landscaping is able to screen the roof materials and not block a view corridor, as determined by the Director of Planning, Building and Code Enforcement at the time the Landscape Plan is reviewed.
- 80) Reasonable efforts shall be made by the applicant to preserve and replant existing mature trees, as deemed acceptable by the Director of Planning, Building and Code Enforcement. Any replanted trees, if invasive, shall not be located in the native plant area (30-foot Habitat Enhancement Area and 50-foot transition area). Any such replanted or retained trees shall be noted on the required landscape plans.

- 81) Where practical, landscaping shall screen the hotel building, ancillary structures, and the project's night lighting as seen from surrounding properties and/or public rights-of-way, as depicted on the Landscape Plan.

Lighting

- 82) The applicant shall prepare and submit a Lighting Plan for the Resort Hotel Area in compliance with the RPVMC. The Lighting Plan shall clearly show the location, height, number of lights, wattage and estimates of maximum illumination on site and spill/glare at property lines for all exterior circulation lighting, outdoor building lighting, trail lighting, parking lot lighting, landscape ambiance lighting, and main entry sign lighting. The Lighting Plan shall be submitted for review and approval by the Director of Planning, Building and Code Enforcement prior to issuance of any building permit for the Resort Hotel Area. Furthermore, prior to the Director's review, the Lighting Plan shall be reviewed and approved by a qualified biologist for potential impacts to wildlife.
- 83) Parking and Security lighting shall be kept to minimum safety standards and shall conform to City requirements. Fixtures shall be shielded so that only the subject property is illuminated; there shall be no spillover onto residential properties or halo into the night sky. A trial period of ninety (90) days from the installation of the project exterior lighting for the hotel, spa, west casitas, east casitas, villas, clubhouse, golf practice facility, tennis courts, surface parking lots, and parking structure shall be assessed for potential impacts to the surrounding environment. At the end of the ninety (90) day period, the Director of Planning, Building and Code Enforcement may require additional screening or reduction in the intensity or number of lights which are determined to be excessively bright or otherwise create adverse impacts.
- 84) Outdoor tennis court lighting shall be permitted on individual timers up to 10:00 p.m. Light poles for such lighting shall not exceed an overall height of 16 feet, including the light fixture.
- 85) No ~~golf course practice facility~~ lighting shall be allowed other than safety lighting for the use of trails through the golf practice facility areas and lighting for the clubhouse and adjacent parking lot.

(REVISED PER RESOLUTION NO. 2006- ON MARCH 21, 2006)

Signs

- 86) Prior to the issuance of any building, a Uniform Sign Program shall be submitted to the Planning Department for review and approval by the City Council, at a duly

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noticed public hearing. The Sign Program shall include all exterior signs including resort identification signs, spa identification signs, golf practice facility signs including routing signs and any warning signs, public safety signs for trails and park areas, educational signs about habitat or wildlife and any other proposed project signs. Furthermore, the Sign Program shall indicate the colors, materials, locations and heights of all proposed signs. Said signs shall be installed prior to issuance of any Certificate of Occupancy.

Utilities/Mechanical Equipment

- 87) Prior to issuance of any Certificate of Occupancy, all utilities exclusively serving the project site shall be placed underground including cable television, telephone, electrical, gas and water. All appropriate permits shall be obtained for any such installation. Cable television, if utilized, shall connect to the nearest trunk line at the applicant's expense.
- 88) Prior to issuance of any Certificate of Occupancy, all existing above ground utilities serving the project site within the public right-of-way adjacent to the property frontage of the project site shall be placed underground by the applicant. In addition, the two (2) power poles on either side of Palos Verdes Drive South, and the lines thereon, shall be placed underground.
- 89) No above ground utility structures cabinets, pipes, or valves shall be constructed within the public rights-of-way without prior approval of the Director of Public Works.
- 90) Mechanical equipment, vents or ducts shall not be placed on roofs unless the applicant demonstrates, to the satisfaction of the Director of Planning, Building and Code Enforcement, that there is no feasible way to place the equipment elsewhere. In the event that roof mounted equipment is the only feasible method, all such equipment shall be screened and/or covered to the satisfaction of the Director of Planning, Building, and Code Enforcement so as to reduce their visibility from adjacent properties and the public rights-of-way. Any necessary screening or covering shall be architecturally harmonious with the materials and colors of the buildings, and shall not increase any overall allowed building height permitted by this approval. This condition shall apply to all buildings in the Resort Hotel Area, including but not limited to, the hotel, bungalows, casitas, villas, spa, and golf clubhouse.
- 91) Use of satellite dish antenna(e) or any other antennae shall be controlled by the provisions set forth in the RPVMC. Centralized antennae shall be used rather than individual antennae for each room, building or accommodation.

- 92) Mechanical equipment, regardless of its location, shall be housed in enclosures designed to attenuate noise to a level of 65 dBA at the project site's property lines. Mechanical equipment for food service shall incorporate filtration systems to eliminate exhaust odors.
- 93) All hardscape surfaces, such as the parking area and walkways, shall be properly maintained and kept clear of trash and debris. The hours of maintenance of the project grounds shall be restricted to Mondays through Fridays from 7:00 a.m. to 5:00 p.m., and on Saturdays from 9:00 a.m. to 4:00 p.m. Said maintenance activities shall be prohibited on Sundays and National holidays.
- 94) The storage of all goods, wares, merchandise, produce, janitorial supplies and other commodities shall be permanently housed in entirely enclosed structures, except when in transport.

Fences, Walls, and Gates

- 95) No freestanding fences, walls, or hedges shall be allowed, unless a Uniform Fencing Plan is reviewed and approved by the Director of Planning, Building, and Code Enforcement, except as otherwise required by these conditions or the mitigation measures set forth in the Mitigation Monitoring Plan attached as Exhibit "C" to Resolution No. 2002-34. Said Fencing Plan shall be reviewed and approved prior to issuance of any building permit and shall be installed prior to issuance of any Certificate of Occupancy. No entry gates shall be permitted.
- 96) The design of the fencing required along the bluff top park, bluff top trails, and the Habitat Preserve Areas shall be included in the Public Amenities Plan, as required herein. Said fencing shall be modeled to generally resemble the wood / cable fence installed in City parks, such as Shoreline Park and Ocean Trails.
- 97) All pools and spas shall be enclosed with a minimum 5' high fence, with a self-closing device and a self-latching device located no closer than 4' above the ground.
- 98) All fencing surrounding the Lower Pool Facility, including pool and spa security fencing, shall be constructed in a manner that meets the minimum fence standards for pool safety, as noted in the above condition, and shall minimize a view impairment of the coastline as determined by the Director of Planning, Building and Code Enforcement.

- 99) No safety netting for the golf course or practice facility shall be permitted.
- 100) Any on-site fencing along Palos Verdes Drive South shall be no higher than two (2) feet in height and shall be modeled to generally resemble the fencing installed along Palos Verdes Drive West for the Ocean Front Estates project. The landscaping along said fence shall be limited to 1-foot in height.

Source Reduction and Recycling

- 101) Prior to issuance of any Certificate of Occupancy, the applicant shall prepare and submit to the Director of Public Works for review and approval a comprehensive Integrated Waste Management Plan that addresses source reduction, reuse and recycling. The Plan shall include a description of the materials that will be generated, and measures to reduce, reuse and recycle materials, including, but not limited to, beverage containers, food waste, office and guest room waste. The Plan shall also incorporate grass cycling, composting, mulching and xeriscaping in ornamental landscaped areas. Grass cycling, composting, or mulching shall not be used in the Habitat Areas. It is the City's intention for the project to meet Local and State required diversion goals in effect at the time of operation. The specifics of the Plan shall be addressed by the applicant at the time of review by the Director of Public Works.
- 102) Prior to issuance of any building or grading permits, an approved Construction and Demolition Materials Management Plan (CDMMP or the Plan) shall be prepared and submitted to the Director of Public Works for approval. The CDMMP shall include all deconstruction, new construction, and alterations/additions. The CDMMP shall document how the Applicant will divert 85% of the existing on-site asphalt, base and concrete, through reuse on-site or processing at an off-site facility for reuse. The Plan shall address the parking lots, concrete walkways, and other underground concrete structures. The Plan shall also identify measures to reuse or recycle building materials, including wood, metal, and concrete block to meet the City's diversion goal requirements as established by the State Integrated Waste Management Act (AB 939). In no case shall the Plan propose to recycle less than the state mandated goals as they may be amended from time to time.
- 103) Prior to issuance of any Certificate of Occupancy, a Construction and Demolition Materials Disposition Summary (Summary) shall be submitted to the Director of Public Works upon completion of deconstruction and construction. The Summary shall indicate actual recycling activities and compliance with the diversion requirement, based on weight tags or other sufficient documentation.

- 104) Where possible, the site design shall incorporate for solid waste minimization, the use of recycled building materials and the re-use of on-site demolition debris.
- 105) The project site design shall incorporate areas for collection of solid waste with adequate space for separate collection of recyclables.

Street and Parking Improvements

- 106) Prior to issuance of any Certificate of Occupancy, emergency vehicular access shall be installed at the project site, specifically to the hotel, villas, casitas, and the golf club house and golf practice facilities. A Plan identifying such emergency access shall be submitted to the Fire Department and the Director of Public Works for review and approval prior to issuance of any grading or building permit.
- 107) Prior to issuance of any building permit, the applicant shall prepare an Emergency Evacuation Plan for review and approval by the Director of Planning, Building and Code Enforcement. Said plan shall comply with the City's SEMS Multihazard Functional Plan.
- 108) The applicant shall construct and retain no fewer than 875 parking spaces on the resort property, of which 50 parking spaces shall be dedicated for public use during City Park Hours, which are from one hour before sunrise until one after sunset. The 50 dedicated public parking spaces on the resort hotel property nearest to the hotel building may be used by the hotel to accommodate its overflow valet parking needs when the City parks are closed for those wishing to use hotel amenities but who are not staying overnight. Additionally, these 50 public parking spaces may be used by the operator of the resort hotel for special events during City park hours, provided that a Special Use Permit is obtained from the Planning Department, which shall be processed pursuant to the provisions of the RPVMC. The applicant shall install signs in the public parking lot nearest to the hotel building stating that additional public parking is available at the Fishing Access parking lot. The applicant shall also expand the Fishing Access Parking Lot by constructing 50 additional public parking spaces that shall be deeded to the City as a public parking area.
- 109) Prior to issuance of any Certificate of Occupancy, an appropriate public access easement in favor of the City across the resort entry drive from Palos Verdes Drive South to the designated public parking area adjacent to the main hotel building, in a form acceptable to the City Attorney, shall be recorded.
- 110) A Parking Lot Plan shall be reviewed and approved by the Director of Planning, Building and Code Enforcement prior to issuance of project-related grading

permits. The Parking Lot Plan shall be developed in conformance with the parking space dimensions and parking lot standards set forth in RPVMC or allowed in this condition of approval, and shall include the location of all light standards, planter boxes, directional signs and arrows. No more than 20% of the total parking spaces shall be in the form of compact spaces. The filing fee for the review of the Parking Plan shall be in accordance to the City's Fee Schedule as adopted by Resolution by the City Council.

Valet parking shall be permitted as part of the hotel operation provided it is operated and managed 24-hours a day by the hotel operators. No more than 203 (23%) of the required 875 parking spaces shall be designated as valet parking spaces. ~~Each~~The designated valet parking lot shall be on the lower floor of the parking structure, unless otherwise noted in the conditions herein, and each vehicle parking stall shall be a minimum of 8½' wide by 18' deep. Tandem parking stalls for use by a maximum of three vehicles, shall be permitted for the designated valet parking lot. All valet employees who operate a motor vehicle shall have in their possession a valid driver's license.

(REVISED PER RESOLUTION NO. 2005-107 ON OCTOBER 4, 2005)
(REVISED PER CITY COUNCIL MINUTE ORDER ON MARCH 21, 2006)

- 111) Prior to the recordation of any final map, or issuance of any grading permit, the applicant shall submit security, in a form reasonably acceptable to the City, to cover any damage caused to existing public roadways during construction. The amount of said security shall be determined by the Director of Public Works.
- 112) Prior to issuance of any Certificate of Occupancy, the applicant shall replace all damaged curbs, gutters, and sidewalks along the project's Palos Verdes Drive South frontage, as determined by the Director of Public Works. Prior to approval of the Street Improvement Plan, the applicant shall post a security bond in an amount sufficient to ensure completion of such improvements, including, without limitation, the costs for labor and material. The amount of such security shall be determined by the Director of Public Works
- 113) All proposed driveways shall be designed in substantially the same alignment as shown on the approved site plans, subject to final design review and approval by the Los Angeles County Fire Department and the Director of Public Works.
- 114) Any on-site raised and landscaped medians and textured surfaces shall be designed to standards approved by the Director of Public Works.

- 115) Handicapped access ramps shall be installed and or retrofitted in accordance with the current standards established by the Americans with Disabilities Act. Access ramps shall be provided at all intersections and driveways.
- 116) If excavation is required in any public roadway, the roadway shall be resurfaced with an asphalt overlay to the adjacent traffic lane line to the satisfaction of the Director of Public Works.
- 117) Prior to commencing any excavation within the public rights-of-way, the applicant shall obtain all necessary permits from the Director Public Works.
- 118) Prior to the recordation of a final map or issuance of any building or grading permits, whichever comes first, the applicant shall construct or enter into an agreement and post security guaranteeing the construction of the following public and/or private improvements in conformance with the applicable City Standards: street improvements, medians, sidewalks, drive approaches, bus turnouts and shelters, bikeways, trails, signing, striping, storm drain facilities, sub-drain facilities, landscape and irrigation improvements (medians, slopes, parks, and public areas including parkways), sewer, domestic water, monumentation, traffic signal systems, trails, and the undergrounding of existing and proposed utility lines. If security is posted it shall be in an amount sufficient to ensure completion of such improvements, including, without limitation, the costs for labor and materials. The amount of such security shall be determined by the Director of Public Works. The security referred to in this condition may be grouped into one of the following categories, provided that all of the items are included within a category: 1) Landscape and Irrigation; 2) On-site Street Improvement Plans and Parking, and 3) Palos Verdes Drive South Improvements.
- 119) Prior to the issuance of any Certificate of Occupancy, the applicant shall complete the street improvements to Palos Verdes Drive South as identified in the Mitigation Measures set forth in the Mitigation Monitoring Plan attached as Exhibit "C" to Resolution No. 2002-34. The improvements shall include the following: Installation of a new traffic signal on Palos Verdes Drive South at the project entrance, a right turn lane for south-bound traffic to facilitate ingress into the project and a lengthened left turn lane for north-bound traffic to facilitate ingress into the project.
- 120) Prior to issuance of any Certificate of Occupancy, the applicant shall improve with landscaping and irrigation the median and parkway along Palos Verdes Drive South, in the area generally located in front of the project site's entrance driveway, including the portion of the median that is to be improved with an expanded left-turn pocket, up to the eastern most driveway of the Fishing Access Parking Lot. If available, -said landscaping shall consist of non-invasive plant

species, except the permitted invasive species listed in Condition No. 78, as deemed acceptable by the Director of Public Works.

- 121) The design of all interior streets shall be subject to review and approval by the Director of Public Works.
- 122) The applicant shall dedicate vehicular access rights to Palos Verdes Drive South to the City, except as provided for private driveways and emergency access as shown on the site plan.
- 123) Prior to the approval of Street Improvement Plans, the applicant shall submit detailed specifications for the structural pavement section for all streets, both on-site and off-site including parking lots, to the Director of Public Works for review and approval.

Traffic

- 124) Prior to the issuance of any Certificate of Occupancy, the applicant shall pay the City of Los Angeles for its fair share of the following improvements to the intersection of Western Avenue (NS) at 25th Street (EW): Provide east leg of 25th Street with one left turn lane, two through lanes, and one right turn lane.
- 125) Prior to the issuance of any Certificate of Occupancy, the applicant shall pay the City of Rolling Hills Estates for its fair share of the following improvements to the intersection of Hawthorne Boulevard (NS) at Palos Verdes Drive North (EW): Provide west leg with one left turn lane, one shared left and through lane, one through lane, and one right turn lane.
- 126) Prior to the issuance of any Certificate of Occupancy, the applicant shall pay The City of Rolling Hills Estates for its fair share of the following improvements to the intersection of Silver Spur Road_(-NS) at Hawthorne Boulevard (EW): Provide north leg with one left turn lane, two through lanes, and one right turn lane; and re-stripe south leg with two left turn lanes, one through lane, and one right turn lane.
- 127) Prior to issuance of building or grading permits, the applicant shall provide security, in a form reasonably acceptable to the Director of Public Works, in the amount of \$100,000 to cover the cost of mitigating any impacts caused by this project that would require the installation of any new traffic signal that may be required along Hawthorne Boulevard, Palos Verdes Drive South, or Palos Verdes Drive West. This security will be held by the City in accordance with the provisions of Government Code Section 66001 for a minimum five-year period, from the date of the main hotel building's Certificate of Occupancy.

- 128) Upon the opening of the resort hotel or golf practice facility, whichever occurs first, the hotel operators shall implement a shuttle service between the Long Point Resort Hotel and the Ocean Trails Golf Course. The use of low emissions vehicles shall be used for the shuttles. The hotel operators shall design the schedule of the shuttles so as to encourage and maximize its use by hotel guests.
- 129) The applicant shall comply with all applicable provisions of the City's Transportation Demand Management and Trip Reduction Ordinance as set forth in RPVMC Section 10.28.

GRADING PERMIT NO. 2229

Grading

- 130) The following maximum quantities and depths of grading are approved for the Resort Hotel Area, as shown on the approved grading plans received by the City on May 21, 2002, and prepared by Incedon Kirk Engineers:
- a. Maximum Total Grading (Cut and Fill): 784,550 cubic yards.
 - b. Maximum Cut: 411,889 cubic yards (392,275 cubic yards with 5% shrinkage).
 - c. Maximum Fill: 392,275 cubic yards.
 - d. Maximum Depth of Cut: 35 feet (located in the area of the western most bungalow units).
 - e. Maximum Depth of Fill: 21 feet (located in the area of the more inland row of Western Casitas).

Any modifications resulting in additional grading in excess of the above amounts shall require approval of an amendment to the grading permit by the City Council. This is a balanced grading project. No import or export of earth shall be permitted, except as provided in Condition No. 155.

- 131) All recommendations made by the City Geologist, the City Engineer, and the Building and Safety Division during the ongoing review of the project shall be incorporated into the design and construction of the project.
- 132) All recommendations made by the project's geologist, as modified by comments from the City's reviewers, shall be incorporated into the design and construction of the project.

- 133) If applicable, as determined by the City Geologist, prior to the issuance of grading permits, a bond, cash deposit, or combination thereof, shall be posted to cover costs for any geologic hazard abatement in an amount to be determined by the Director of Public Works.
- 134) Prior to issuance of a grading permit by Building and Safety, the applicant shall submit to the City a Certificate of Insurance demonstrating that the applicant has obtained a general liability insurance policy in an amount not less than five million dollars per occurrence and in the aggregate to cover awards for any death, injury, loss or damage, arising out of the grading or construction of this project by the applicant. Said insurance policy must be issued by an insurer that is authorized to do business in the State of California with a minimum rating of A-VII by Best's Insurance Guide or a rating of at least A by Standard & Poors. Such insurance shall name the City and the members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. A copy of this endorsement shall be provided to the City. Said insurance shall be maintained in effect for a minimum period of five (5) years following the final inspection and approval of said work by the City and shall not be canceled or reduced during the grading or construction work without providing at least thirty (30) days prior written notice to the City.
- 135) All on-site public improvements (Parking lots, sidewalks, ramps, grading) shall be bonded for with the appropriate improvement bonds in amounts to be deemed satisfactory by the Director of Public Works.
- 136) Prior to issuance of a grading permit, the applicant shall provide the Director of Planning, Building and Code Enforcement a plan that demonstrates how dust generated by grading activities will be mitigated so as to comply with the South Coast Air Quality Management District Rule 403 and the City's Municipal Code Requirements which require watering for the control of dust.
- 137) Prior to the issuance of a grading permit, the applicant shall prepare a plan indicating, to scale, clear sight triangles, which shall be maintained at each roadway and driveway intersection. No objects, signs, fences, walls, vegetation, or other landscaping shall be allowed within these triangles in excess of three feet in height.
- 138) Prior to the issuance of a grading permit, the following improvements shall be designed in a manner meeting the approval of the Director of Public Works: 1) all provisions for surface drainage; 2) all necessary storm drains facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and 3) all water quality related improvements. Where determined

necessary by the Director of Public Works, associated public street and utility easements shall be dedicated to the City.

- 139) Prior to the issuance of any precise grading permit, the applicant shall submit to the Director of Public Works, a plan for the placement of traffic signing, pavement delineation, and -other traffic control devices.
- 140) Prior to the issuance of grading permits, the applicant shall submit to the Director of Public Works, for his review and approval, a construction traffic management plan. Said plan shall include the proposed routes to and from the project site for all deliveries of equipment, materials, and supplies, and shall set forth the parking plan for construction employees. All construction related parking must be accommodated on-site. No construction related parking shall be permitted off-site.
- 141) If applicable, as determined by the City Geologist, prior to the issuance of a grading permit, all geologic hazards associated with this proposed development shall be eliminated, or the City Geologist shall designate a restricted use area on the Final Parcel Map where the erection of buildings or other structures shall be prohibited.
- 142) Prior to the issuance of building permits, an independent Geology and/or Soils Engineer's report on the expansive properties of soils on all building sites shall be submitted for review and approval by the City Geologist in conformance with the accepted City Practice.
- 143) Prior to the issuance of a building permit, an as-built geological report shall be submitted for structures founded on bedrock, and an as-built soils and compaction report shall be submitted for structures founded on fill as well as for all engineered fill areas.
- 144) Prior to the issuance of a grading permit, the applicant's project geologist shall review and approve the final plans and specifications and shall stamp and sign such plans and specifications.
- 145) Prior to the issuance of a grading permit, a grading plan review and geologic report, complete with geologic map, shall be submitted for review and approval by the City's Geotechnical Engineer.
- 146) Except as specifically authorized by these approvals, foundations shall be set back from the Coastal Setback Line in accordance with the RPVMC and shall extend to such a depth as to be unaffected by any creep-prone surficial soil

and/or weathered bedrock. Field review and certification by the project geologist is required.

- 147) All grading shall be monitored by a licensed engineering geologist and/or soils engineer in accordance with the applicable provisions of the RPVMC and the recommendations of the City Engineer. Written reports, summarizing grading activities, shall be submitted on a weekly basis to the Director of Public Works and the Director of Planning, Building, and Code Enforcement.
- 148) The project shall comply with all appropriate provisions of the City's Grading Ordinance, unless otherwise approved in these conditions of approval.
- 149) Grading activity on site shall occur in accordance with all applicable City safety standards.
- 150) Prior to final grading inspection by Building and Safety, the graded slopes shall be properly planted and maintained in accordance with the approved landscaping plan. Plant materials shall generally include significant low ground cover to impede surface water flows, and shall be non-invasive, except the permitted invasive species listed in Condition No. 78
- 151) Prior to final grading inspection by Building and Safety, all manufactured slopes shall be contour-graded to achieve as natural an appearance as is feasible.
- 152) Any water features (lakes, ponds, fountains, and etc.) associated with the golf practice facility, excluding the bioswales used in the water quality treatment train, shall be lined to prevent percolation of water into the soil. Designs for all water features shall be included on the grading plans submitted for review by the City's Building Official and Geotechnical Engineer.
- 153) The City's Building Official, Geotechnical Engineer and Biologist shall determine in their review of the grading plans whether water features associated with the water quality treatment train, such as the bioswales or catch basins, shall be lined to prevent water percolation into the soil, and potential impacts to nearby sensitive habitat areas.
- 154) The proposed swimming pool and spa for the Lower Pool Facility shall be double lined and shall contain a leak detection system, subject to review and approval by the City's Building Official.
- 155) Should the project require removal of earth, rock or other material from the site, the applicant shall first obtain City approval in the form of a revised Conditional Use Permit and Grading Permit application. Said review shall evaluate potential

impacts to the surrounding environment associated with export or import. If the revised grading impacts are found to be greater than identified in the Certified EIR that cannot be mitigated to an insignificant level, a Supplemental EIR shall be prepared and reviewed by the City, at the expense of the applicant. Furthermore, the applicant shall prepare and submit a hauling plan to the Public Works Department for review and approval prior to issuance of grading permits.

- 156) The use of a rock crusher on-site shall be conducted in accordance with the project's mitigation measures and shall be contained to the area analyzed in the project's Environmental Impact Report.
- 157) During the operation of the rock crusher, a qualified biologist shall monitor noise levels generated by the activity for potential impacts to nearby wildlife. Said specialist shall be hired by the City at the cost of the applicant, in the form of a trust deposit account provided by the applicant.
- 158) Retaining walls shall be limited in height as identified on the grading plans that are reviewed and approved by the City. Any retaining walls exceeding the permitted heights shall require the processing of a revised grading permit for review and approval by the Director of Planning, Building and Code Enforcement.

Drainage

- 159) The irrigation system and area drains proposed shall be reviewed and approved by the City's Geotechnical Engineer and Director of Public Works.
- 160) A report shall be prepared demonstrating that the grading, in conjunction with the drainage improvements, including applicable swales, channels, street flows, catch basins, will protect all building pads from design storms, as approved by the Director of Public Works.
- 161) All drainage swales and any other at-grade drainage facilities, including gunite, shall be of an earth tone color, as deemed necessary by the Director of Building Planning and Code Enforcement.
- 162) Prior to issuance of any building or grading permits, the applicant shall submit a Local Grading and Drainage Plan identifying how drainage will be directed away from the bluff top, natural drainage courses and open channels to prevent erosion and to protect sensitive plant habitat on the bluff face. Said Plan shall be reviewed by the Director of Public Works and the Director of Planning, Building and Code Enforcement. Said review shall also analyze whether potential impacts to the bluff top or bluff face may be caused by the proposed drainage concept.

- 163) Drainage plans and necessary supporting documents that comply with the following requirements shall be submitted for review and approval by the Director of Public Works prior to the issuance of grading permits: A) -drainage facilities that protect against design storms shall be provided to the satisfaction of the Director of Public Works and any drainage easements for piping required by the Director of Public Works shall be dedicated to the City on the Final Map; B) sheet overflow and ponding shall be eliminated or the floors of buildings with no openings in the foundation walls shall be elevated to at least twelve inches above the finished pad grade; C) drainage facilities shall be provided so as to protect the property from high velocity scouring action; and D) contributory drainage from adjoining properties shall be addressed so as to prevent damage to the project site and any improvements to be located thereon.
- 164) Prior to the issuance of the Certificate of Occupancy, the applicant shall upgrade the drainage facility that currently is located on the Fisherman's access property and construct a pipe that will convey this water to the proposed drainage system terminating at Outlet No. 2 to the satisfaction of the Director of Public Works.
- 165) Prior to the issuance of any grading or building permit, the applicant shall prepare and submit a Master Drainage Plan for review and approval by the Director of Public Works. The Plan shall demonstrate adequate storm protection from the design storm, under existing conditions, as well as after the construction of future drainage improvements by the City along Palos Verdes Drive South immediately abutting the project site.
- 166) Prior to the issuance of any grading permit, the applicant shall demonstrate to the satisfaction of the Director of Public Works that the design storm can be conveyed through the site without conveying the water in a pipe and without severely damaging the integrity of the Urban Stormwater Mitigation Plan (USMP), especially the bioswale system. If such integrity cannot be demonstrated, the applicant shall redesign the USMP to the satisfaction of the Director of Public Works, which may require offsite flows to be diverted into a piped system and carried though the site. If the piped system is used, the applicant shall dedicate a drainage easement to the City to the satisfaction of the Director of Public Works.
- 167) Prior to the issuance of a grading permit that proposes to convey off-site drainage through the subject property, the applicant shall execute an agreement with the City that is satisfactory to the City Attorney that defending, indemnifying and holding the City, members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials,

(collectively, "Indemnitees") harmless from any damage that may occur to the subject property or any improvements, persons or personal property located thereon due to the conveyance of offsite design storm flows through the site.

NPDES

- 168) Prior to acceptance of the storm drain system, all catch basins and public access points that cross or abut an open channel, shall be marked with a water quality message in accordance with City Standards.
- 169) Prior to the issuance of any grading or building permits, the applicant shall furnish to the Director of Public Works, for review and approval, the project's Water Quality Management Plan and Maintenance Agreement outlining the post-construction Best Management Practices (BMPs).
- 170) Prior to issuance of any building or grading permits, the applicant shall submit for review and approval by the Director of Public Works a Storm Water Pollution Prevention Plan (SWPPP) describing the construction phase Best Management Practices (BMPs) to ensure compliance with the NPDES General Permit for Storm Water Discharges associated with construction activity (Grading Permit), No. CA s000002.
- 171) Prior to issuance of any building or grading permit, the applicant shall submit to the Director of Public Works a Water Quality Management Plan ("Plan"), for review and approval by the City Council at a duly noticed public hearing. The Water Quality Management Plan, which shall remain in effect for the life of the project, shall identify the Best Management Practices (BMPs) used to minimize and reduce project storm water and runoff pollutants. The Plan shall include project water quality parameters that meet the objectives of the California Ocean Plan for non-point discharges in receiving water bodies. Additionally, all storm water treatment systems shall be designed in accordance with the Los Angeles County Department of Public Works "Manual for the Standard Urban Stormwater Mitigation Plan(SUSMP)". The specific BMP design criteria in the SUSMP (May 2002), as developed by the U.S. EPA and American Society of Civil Engineers, shall be followed.

The Plan shall contain the operation, maintenance and monitoring procedures, including Fire and Argentine ant management. The Plan shall indicate potential impacts of the storm water treatment train to surrounding plants and wildlife. The monitoring of the treatment train shall include the bioswales and catch basins for the accumulation of pollutants through sampling and testing of both soil material and vegetation. The Plan shall indicate the frequency of the required monitoring and the frequency of the removal and replacement of plant material and soil from

the bioswale. Said report shall be reviewed and approved by the City's Biologist and/or Chemists. Said monitoring shall be required for the life of the project. All costs associated with the review, installation and maintenance of the Plan and project related BMPs shall be the responsibility of the applicant. If the plan requires construction of improvements, such plans shall be reviewed and approved by the Director of Public Works.

- 172) Prior to the issuance of any Certificate of Occupancy, the Water Quality Management Plan Maintenance Agreement, outlining the post-construction Best Management Practices, shall be recorded with the Los Angeles County Recorders Office.
- 173) Prior to issuance of any building or grading permits, the applicant shall file any required documents, including the Notice of Intent, and obtain all required permits from the California Regional Water Quality Control Board.
- 174) Prior to issuance of any building or grading permits, the applicant shall submit for review and approval by the Director of Public Works an Erosion Control Plan. Said Plan shall be designed in conformance with the City standards and the requirements of the Regional Water Quality Control Board.
- 175) Prior to issuance of any Certificate of Occupancy, the applicant shall implement the project in full compliance with the standard urban storm water mitigation plan adopted by the Regional Water Quality Control Board.
- 176) Prior to the City Council's review of the Water Quality Management Plan, the City's Geotechnical Engineer shall review and approve the Plan. In the event the City's Geotechnical Engineer determines that additional improvements need to be constructed, the applicant shall revise the Plan accordingly.

Sewers

- 177) Prior to issuance of any building or grading permits, the applicant shall prepare sewer plans in accordance with the Countywide Sewer Maintenance District. The applicant shall be responsible for the transfer of sewer facilities to the Countywide Sewer Maintenance District for maintenance.
- 178) A sewer improvement plan shall be prepared as required by the Director of Public Works and the County of Los Angeles.
- 179) Prior to issuance of building or grading permits, the applicant shall submit to the Director of Public Works, a written statement from the County Sanitation District accepting any new facility design and/or any system upgrades with regard to

existing trunk line sewers. Said approval shall state all conditions of approval, if any.

- 180) Prior to the issuance of any Certificate of Occupancy, the applicant shall dedicate sewer easements to the City, subject to review and approval by the Director of Building, Planning and Code Enforcement and the Director of Public Works with respect to the final locations and requirements of the sewer improvements.
- 181) Sewer Improvement plans shall be approved by the County of Los Angeles, the County Sanitation Districts, and the Director of Public Works.
- 182) A sewer connection fee shall be paid to the County Sanitation Districts of Los Angeles County prior to the issuance of a permit to connect to the sewer line.

Water

- 183) Prior to the construction of any water facilities, the Director of Public Works shall review and approve the water improvement plan. Any water facilities that cannot be constructed below ground shall be located on the subject property and screened from view from any public rights-of-way, to the satisfaction of the Director of Public Works and the Director of Planning, Building and Code Enforcement. In addition, an easement to California Water Service shall be dedicated prior to issuance of any grading or building permits.
- 184) The project site shall be served by adequately sized water system facilities which shall include fire hydrants of the size and type and location as determined by the Los Angeles County Fire Department. The water mains shall be of sufficient size to accommodate the total domestic and fire flows required for the development. Domestic flow requirements shall be determined by the City Engineer. Fire flow requirements shall be determined by the Los Angeles County Fire Department and evidence of approval by the Los County Fire Department is required prior to issuance of building permits.
- 185) Framing of structures shall not begin until after the Los Angeles County Fire Department has determined that there is adequate fire fighting water and access available to said structures.
- 186) The applicant shall file with the Director of Public Works an unqualified "will serve" statement from the purveyor serving the project site indicating that water service can be provided to meet the demands of the proposed development. Said statement shall be dated no more than six months prior to the issuance of the building permits for the main hotel structure. Should the applicant receive a qualified "will serve" statement from the purveyor, the City shall retain the right to

require the applicant to use an alternative water source, subject to the review and approval of the City, or the City shall determine that the conditions of the project approval have not been satisfied.

- 187) Prior to the issuance of building or grading permits, the applicant shall file with the Director of Public Works, a statement from the purveyor indicating that the proposed water mains and any other required facilities will be operated by the purveyor, and that under normal operating conditions the system will meet the needs of the project.

TENTATIVE PARCEL MAP NO. 26073

- 188) The proposed parcel map shall result in the creation of four (4) parcels (resort hotel parcel, west casita parcel, east casita parcel, and villa parcel). The 2.2 acre Bluff Top park and Fishing Access Expansion Parking Lot shall be separately deeded to the City prior to recordation of the Final Map.
- 189) The applicant shall record a restrictive covenant or other document that is satisfactory to the City Attorney that requires all of the various parcels that are within the boundaries of the parcel map to be fully managed by the resort hotel operator.
- 190) The applicant shall supply the City with one mylar and ten copies of the map no later than thirty (30) days after the final map has been filed with the Los Angeles County Recorders Office.
- 191) All improvement plans shall be as-built upon completion of the project. Once the as-built drawings are approved, the applicant shall provide the City with a duplicate mylar of the plans.
- 192) The improvement plans shall be prepared by a Registered Civil Engineer, and shall be prepared on standard city size sheets. Plans shall be in substantial conformance with the approved tentative map and site plan as approved by the City Council and stamped by the Planning Department with the effective date of this approval.
- 193) This approval expires twenty-four (24) months from the date of approval of the parcel map by the City Council, unless extended per Section 66452.6 of the California Government Code and Section 16.16.040 of the RPVMC. Any request for extension shall be submitted to the Planning Department in writing at least sixty (60) days prior to the expiration of the tentative map.

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- 194) This development shall comply with all requirements of the various municipal utilities and agencies that provide public services to the property.
- 195) According to Section 16.20.130 of the RPVMC and the Subdivision Map Act (California Government Code Section 66410 *et seq.*), at the time of making the survey for the final parcel map, the engineer or surveyor shall set sufficient durable monuments to conform with the standards of the Subdivision Map Act. Prior to recording the final map, the exterior boundary of land being subdivided shall be adequately monumented with no less than a two (2) inch iron pipe, at least eighteen (18) inches long, set in dirt and filled with concrete at each boundary corner. The parcel lot corners shall be monumented with no less than one-half inch iron pipe for the interior monuments. Spikes and washers may be set in asphalt pavement and lead and tacks may be set in concrete pavement or improvements in lieu of pipes. All monuments shall be permanently marked or tagged with the registration or license number of the engineer or surveyor under whose supervision the survey was made.
- 196) The applicant shall be responsible for repair to any public streets which may be damaged during development of the subject parcels.
- 197) Easements shall not be granted within easements dedicated or offered for dedication to the City until after the final map is filed and recorded with the County Recorder. No easements shall be accepted after recording of the final map that in any way conflict with a prior easement dedicated to the City, or any public utility. All existing easements shall remain in full force and effect unless expressly released by the holder of the easement.
- 198) Any easement that lies within or crosses public rights-of-way propose to be deeded or dedicated to the City, shall be subordinated to the City prior to acceptance of the rights-of-way, unless otherwise exempted by the Director of Public Works.

Prior to Submittal of the Final Map

- 199) Prior to submitting the final map to the City Engineer for examination, the applicant shall obtain clearance from all affected departments and divisions, including a clearance from the City Engineer for the following items: mathematical accuracy, survey analysis, correctness of certificates and signatures.

Prior to Approval of the Final Map

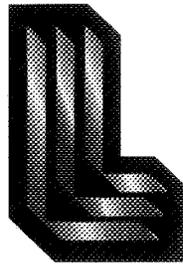
- 200) Prior to approval of the final map, any off-site improvements, such as rights-of-way and easements, shall be dedicated to the City.
- 201) Prior to approval of the final map, all existing public or private easements, including utility easements, shall be shown on the final parcel map.
- 202) Prior to the issuance of any Certificate of Occupancy, the parkland dedication requirement shall be fulfilled by the applicant in the form of either dedication of land for park purposes or the payment of in-lieu fees, or a combination thereof, as determined by the City Council pursuant to the RPVMC.
- 203) Prior to the issuance of any Certificate of Occupancy, the applicant shall pay the affordable housing fee required in accordance with the RPVMC.
- 204) The final map is subject to review and approval by the City Engineer. The applicant shall establish a trust deposit with the City to cover any costs incurred by the City in conducting this review.
- 205) The proposed parcel map shall adhere to all the applicable dedications and improvements required per Chapter 16.20 of the RPVMC.

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MAR 15 2006

PLANNING, BUILDING &
CODE ENFORCEMENT



LOW E
DESTINATION DEVELOPMENT

December 21, 2005

Ara Michael Mihranian, AICP
Senior Planner
City of Rancho Palos Verdes
30940 Hawthorne Blvd
Rancho Palos Verdes, CA 90275

Re: Long Point Resort –Conditional Use Plan Amendment: 9 Hole Golf Academy

Dear Ara:

This letter is in regards to the Terranea Resort Golf Practice Academy, approved on August 27, 2002. Since that approval, we have continued to revise our drawings and designs to meet the City of Rancho Palos Verdes and California Coastal Commission Conditions of Approval. In addition, we have continued to analyze and diversify the program of our resort to accommodate the wide range of experiences and opportunities required for both the community and our guests. As a result of this analysis and ongoing design we are requesting the amendment of the Long Point Conditional Use Permit to accommodate the revision of a Nine Hole Short Game Golf Academy. A design that will improve golf safety, enhance planting opportunities and provide for a viable amenity for local community residents and guests of Terranea Resort.

To facilitate the design of the Golf Academy we retained the services of acclaimed Golf Course Designer Todd Eckenrode. Mr. Eckenrode has redesigned the previously approved plan to accommodate nine par-three holes, while retaining the same acreage and safety zones as the previously designed three-hole course with driving range.

Consequently, the nine-hole design is a significant improvement to the previous plan as it pertains to errant ball safety. The primary reason for this is the required shots are far shorter. As such, they do not carry the same potential for dispersing off line as the previous plan. The main safety issues in the previous plan were a result of the tee shots that were to be a part of the play. These shots, or "drives", are the types of shots that have the widest dispersion pattern. This is due to many factors, including but not limited to the facts that they travel the farthest, carry the most velocity off impact, and have more potential to sidespin. Additionally, the previous plan contained a Par 4, Par 5, and Driving Range. All of which are where most players would hit long "drives" off the tee areas. Of particular concern was the Driving Range, as its left boundary was dangerously close to the resort's entry road. A shot hit down the left side need only travel approximately 150 yards before entering this road area. In addition, without a fence or similar containment structure, its far or north end would be susceptible to shots carrying beyond its

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perimeter, particularly considering the increasing technology improvements in the golf club industry as they pertain to distance.

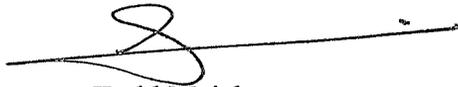
While shortening the length of players' shots, the revised Eckenrode design retains the standard safety setbacks of the previous design's holes. In addition, efforts were made to align tee boxes to play away from any boundary conditions to encourage the containment of golf balls within the greater golf envelope. Subtle mounding and landscaping will also surround the new golf holes, further aiding in attempts to contain errant shots.

In addition to golf safety the revised Eckenrode Design uses less turf as previous plan. With the remainder of acreage planted in a palette that improves resort landscape with varied textures, colors and improves wildlife. This results in decreased water use, improved site ecology and aids in meeting our overall water quality objectives. Additionally, the design will require less maintenance thereby decreasing noise for residents and guests.

Overall we feel that a short game learning facility is popular amenity, appealing to a wide audience and will further enhance Terranea's natural settings.

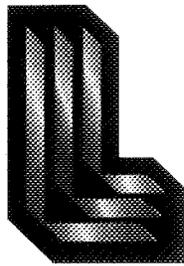
Included with this letter is the revised Golf Academy document. Please contact me at your earliest convenience if you have any questions or concerns.

Sincerely,



Todd Majcher
Long Point Development, LLC

cc: Joel Rojas – Planning Director
Michael Hardisty



LOWE
DESTINATION DEVELOPMENT

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February 23, 2006

Ara Michael Mihranian, AICP
Senior Planner
City of Rancho Palos Verdes
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275

MAR 15 2006

PLANNING, BUILDING &
CODE ENFORCEMENT

Re: **Terranea Resort – Design Update Submittal**

Dear Ara:

This letter is in regards to the ongoing design development and continuing refinement of the Terranea Resort Project. As the design and engineering continue to advance from the conceptual to construction level design, adjustments became available that will provide significant benefits to both the project and the public. All are compliant with all conditions of approval.

We hereby request that the City Council confirm that the current plans and exhibits for development of the Terranea Resort, are in substantial conformance with the approved Conditions of Approval for the Long Point Resort Project. The City of Rancho Palos Verdes Condition of Approval #17 for the Long Point Resort project states;

“These approvals authorize the construction and operation of a resort hotel, a golf practice facility and other related amenities. Any significant changes to the operational characteristics of the development, including, but not limited to, significant changes to the site configuration or golf practice facility; number of guest rooms, (increases or decreases); size or operation of the conference center, banquet facilities, spa, restaurants, or other ancillary uses or significant alteration shall require an application for revision to this Conditional Use Permit pursuant to the provisions stated in the RPVMC. At that time, the City Council may impose such conditions, as it deems necessary upon the proposed use resulting from operations of the project. Further, the Council may consider all issues relevant to the proposed change of use.”

Our goal throughout this process has been to mitigate site costs and the extraordinary inflation of construction costs experienced throughout the country during the past eighteen months, through the reduction of the massing and hotel support areas or the “back of house”, while maintaining the world class quality of the resort.

(66)

The plans and drawing we are submitting for your review achieve these goals and further illustrate our commitment to provide a beautiful, high quality, community resource indicative of both Lowe Destination Development and the Rancho Palos Verdes Community.

Terranea's refinements are visible in three areas of the Resort. Those areas include: surface parking configuration, hotel building square footage, and Villa site design. The footprints of the Casitas, Spa, Lookout Bar, Lower Pool, Fine Dinning Restaurant, Resort Entry Drive, Public Paths and Amenities, and Fisherman's Parking Lot are not affected

Terranea Resort Hotel Building

The primary reductions to the overall Hotel building are located in the Hotel support and administration areas, "back of house". This refinement allows us to reduce excavation and grading by limiting the amount of material removed from beneath the hotel and to the southern areas below the ballroom. As a result of these improvements and centralizing the reduction of total area within the building back of house, we have limited noticeable effects on the buildings massing to the service areas and front entry.

Additional refinements have been achieved by reconfiguring the guestroom wings to reduce overall area with out compromising the size or number of guestrooms. This new configuration of the overall footprint and guestroom wings, stays within the entitled and previous footprints approved by the City of Ranch Palos Verdes and is consistent in the overall appearance of the Hotel component of the Resort.

Despite these improvements the building heights remain unchanged and overall massing and appearance is consistent with previously approved drawings.

Surface Parking Configuration

The reductions to the overall Hotel building area and elimination of the tennis courts adjacent to the Hotel entry provided us with an opportunity to remove the multi level parking structure and provide surface level parking for the entire Resort.

Without increasing the overall percentage of site impervious surfaces the parking structure was removed, and the surface lot in that location was split into two tiers. The bulk of the valet parking remained in this area.

With the removal of the Tennis Courts, the parking lot directly in front of the loading dock was reconfigured to maximize the stall count, while allowing for truck turnaround and required Los Angeles County Fire Department staging.

The one hundred public parking spaces required by the Resorts Conditions of Approval remain in there current locations, split between the fisherman's point lot and the lot adjacent to the Hotel; as delineated in the previously approved Parking Plan.

Other parking spots have been accommodated along the east side of the Entry Drive. The entry drive remains at 40 feet wide, with two 15.5 foot drive isles and a 9 foot lane providing parallel parking on the east side of the road. These dimensions and the design are consistent with CRPV Parking Standards and LA County Fire Department Regulations.

This refined parking scheme provides 1075 full size parking stalls, eliminating all compact stalls; increases the areas available for planting, does not increase the Resorts impervious surface ratio and further enhances the resort experience and aesthetics.

Terranea Villas

To address the significant costs associated providing a site plan that adheres to the CRPV and California Coastal Commission Conditions of approval, we have refined the Villa design to accommodate a four key unit unit, and a single story two key unit. The improved architecture has allowed for one less Villa and thereby eliminates the need for significant and costly site walls and increased excavation. The three key units remain on the southern portion of the 6.2 acre parcel, while the revised four key units and two key unit have been placed in the middle and upper northern sections respectively. Although finish floor elevations have been revised to accommodate the revised driveway entry's and street configurations, all building ridge line elevations continue to be consistent and in accordance with the Point Fermin and Catalina View Corridors and remain at or below previously approved finished floor elevations.

The Villa Site Plan now includes 10 buildings, one less than previously approved, with 32 keys remaining.

The matrix below provides a comparison of the current, detailed plans to the preliminary site plan submitted to the City in early 2003.

OPERATIONAL CHARACTERISTIC	APPROVED SITE PLAN 08/28/02 (AMENDED 04/07/05)	SUBMITTAL 03/21/06	DIFFERENCE
Villas	11 buildings, 32 units on approx. 6.2 acre parcel west of main entry	10 buildings, 32 units on approx. 6.2 acre parcel west of main entry.	<ul style="list-style-type: none"> • Created 4-plex and deleted one Unit, reduced site costs, increase view opportunities. • Improved architecture and views from Units
Casitas	Two parcels of approx. 6.3 and 2.0 acres east and west of hotel south of parking lots with 13 buildings, 50 units and 150 keys.	Same	None
Main Hotel	Central location on site at termination of main entry drive, meeting, ballroom and banquet spaces to west of lobby core and guestroom wings running north south east of lobby core.	Same	Decreased Overall Hotel Building Square Footage.

OPERATIONAL CHARACTERISTIC	APPROVED SITE PLAN 08/28/02 (AMENDED 04/07/05)	SUBMITTAL 03/21/06	DIFFERENCE
Parking Lot and Drive Aisles	1075 spaces in total with 50 dedicated public spaces in main parking lot and 50 dedicated public spaces in the Fisherman's parking lot.	Same.	<ul style="list-style-type: none"> • Minor change in general layout and location. • Incorporates Fire Department required access lanes • Increased landscape islands and buffers • Parking along Entry Drive and in front of Service Area.
Parking Garage	Located due north of main hotel immediately adjacent to south edge of western portion of golf facility.	Eliminated Parking Structure	Decreased Hotel Building Square Footage allowed for the removal of Parking Structure.
Fisherman's Parking Lot Expansion	Located at northern and western most point of property adjacent to existing parking lot.	Same	None
Tennis Courts	Located east of parking garage	Eliminated from Site Plan	Eliminated from Current Site Plan

OPERATIONAL CHARACTERISTIC	APPROVED SITE PLAN 08/28/02 (AMENDED 04/07/05)	SUBMITTAL 03/21/06	DIFFERENCE
Golf Course	Approx. 32 acres located within primary view corridors east and west of main entry drive containing 3 golf holes (par 3, par 4, par 5), chipping and short game practice area, putting green, driving range	See Attached Golf Course Amendment.	See Attached Golf Course Amendment.
Lower Pool	Located on existing graded bench seaward of the Coastal setback Line	Same	None
Bungalows	5 buildings, 20 units, 40 keys located in bowl area south of the lobby and meeting room areas of the main hotel.	Same	None
Spa	20,000 sq. ft. 2-story building located in bowl area south of hotel lobby core.	Same	None
Pool, Pool Bar, Pool Deck	Located east of guestroom wings.	Same	None
Lookout Bar	Located in location of existing structure close to southern point.	Same	None

OPERATIONAL CHARACTERISTIC	APPROVED SITE PLAN	03/21/05 SUBMITTAL	DIFFERENCE
Number of Guestrooms			
Main Hotel	360 rooms	Same	None
Bungalows	40 rooms	Same	None
Casitas	50 units, 150 keys	Same	None
Villas	11 Units, 32 keys	10 Units, 32 Keys	None
Size or Operation of Conference, Meeting, Other Facilities			
Conference and Meeting Facilities	60,000 square feet	Same	None
Restaurants and Banquet Facilities	Main Dining Room, Fine Dining, Lobby Bar, Conference Dining	Same	None
Spa	25,000 sq. ft.	Same	None
Public Benefits Provided			
Lot Coverage	No more than 30% Lot Coverage	Same	None
Paths and Trails	Extensive public pathway and trails system.	Same	None
Habitant enhancement	Specific areas of dedicated habitat enhancement.	Same	None
Public Restrooms and Nature Interpretive Center	Lower Pool	Same	None

This letter shall serve as a transmittal of the items listed below for the purpose of completing the Design Update hearing by the City Council on March 21, 2006.

Site Plan Information

- Approved vs. Proposed Site Plan and Revised Surface Parking configuration and Coastal Setback Line.

Resort Hotel Building

- Approved and Proposed Elevations Plotted on the Same Page with Building Heights to Ridgelines Indicated
- Approved Building Footprints with Proposed Building Footprints as an Overlay and Coastal Setback Line.

Villas

- Approved Building Footprints with Proposed Building Footprints as an Overlay and Coastal Setback Line.
- Approved and Proposed Elevations Plotted on the Same Page with Building Heights to Ridgelines Indicated

Site Parking and removal of Parking Structure

- Approved vs. Proposed Site Plan and Revised Surface Parking configuration and Coastal Setback Line.

As noted in the attached matrix the submitted plans are in conformance with the approved Conditions of Approval and do not change or deter from the operational nature or character of the project, the numbers or types of guestrooms and for sale units, or the area of approved conference, dining, meeting and other spaces. Long Point Development continues to be dedicated and committed to building a beautiful, high quality, community resource and World Class Resort indicative of both Lowe Destination Development and the Rancho Palos Verdes Community.

Please contact me at your earliest convenience if anything here is contrary to your understanding so that we may remedy the matter.

We look forward to the City Council's adoption of the Terranea Resort Design Update Submittal

Sincerely,



Todd Majcher

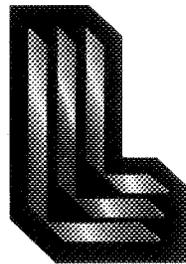
Long Point Development, LLC

cc: Joel Rojas – Planning Director
Timi Hallem
Rob Lowe
Michael Hardisty

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MAR 15 2006

PLANNING, BUILDING &
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LOWE
DESTINATION DEVELOPMENT

March 10, 2006

Ara Michael Mihranian, AICP
Senior Planner
City of Rancho Palos Verdes
30940 Hawthorne Blvd
Rancho Palos Verdes, CA 90275

Re: **Long Point Resort –Conditional Use Plan Amendment: Impervious Surfaces**

Dear Ara:

The lot coverage for Terranea Resort does not exceed the maximum lot coverage of the 30%, per Condition 60 of Resolution No. 2004-78. The lot coverage on the March 21st 2006, Design Update Submittal Site Plan is approximately 25.78% of the 102.1 acre site. This is well within the maximum 30% permitted by the Municipal Code.

Sincerely,

Todd Majcher
Long Point Development, LLC

cc: Joel Rojas – Planning Director
Michael Hardisty

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FEB - 7 2006

PLANNING, BUILDING &
CODE ENFORCEMENT

MEMORANDUM

To: Ara Michael Mihranian – City of Rancho Palos Verdes, CA
From: Kipp Schulties
Date: February 6, 2006
Re: Safety Analysis – Terranea Resort

Please find the safety analysis enclosed. Should you have any questions about the information contained within the report or need any additional analysis, please call me at any time (561-373-1975).

An invoice for services rendered is also included.

KS



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Safety Analysis Terranea Resort Golf Practice Academy

Rancho Palos Verdes, CA

Document Author:

Kipp Schulties Golf Design

February 2, 2006

The purpose of this report is to review the current plan documents relative to the proposed practice facility additions at the Terranea Resort in Rancho Palos Verdes, California. Specifically, the task is to review the golf course design documents to insure that the design meets (or maximizes) all safety requirements relating to players on the course, residential units and public walkways.

This analysis will reference the following plans and documents which makes up the entire set of documents provided to us for this analysis:

- Terranea Golf Academy Routing Plan (dated 10-06-05). Plan received from Origins Golf Design via City of Rancho Palos Verdes
- Terranea Golf Academy Grading Plan (untitled with no date). Plan received from Origins Golf Design via City of Rancho Palos Verdes

Golf Course Design: General Guidelines

There are currently no formal laws which govern the profession of golf course architecture. This is primarily due to the fact that the profession is so specific that there is no formal training to become a golf course architect. Would-be "designers" typically start out as an apprentice to an established designer and learn the trade through years of practical experience (as compared to other professions which are learned in school or in the classroom through well written books and governed by specific guidelines). The American Society of Golf Course Architects (ASGCA) is the only organized association within the profession. The ASGCA helps organize the profession, but has yet to define professional guidelines other than that for ethics.

There are, however, several non-written standards and recommendations that have been developed which architects will follow when routing and designing a golf course. There are also studies available that provide information for the typical shot pattern from a set location (such as a tee area). This type of information helps determine how far adjacent buildings, residential units, public walkways, adjacent holes, etc. should be from the center of the playing area of a golf course. These standards and studies, sometimes more appropriately called recommendations, are what most golf course architects consider to be their guidelines. They are not legally binding, but they are used to form the basis for the design of a golf course. It is these guidelines that we will use to evaluate the proposed Terranea Golf Academy.

Four years ago, we completed a very similar analysis for a proposed project on the same property at Long Point Resort. That project, while never constructed, had many of the same issues that are in question via this safety analysis. For that reason, we will refer to some (and even copy some) of same reference materials that were used to evaluate the Long Point project.

We, during a prior analysis of this property, contacted several organizations to locate any written documentation for the guidelines that were mentioned in the prior paragraphs. These organizations included the American Society of Golf Course Architects (ASGCA), the National Golf Foundation (NGF), the Urban Land Institute (ULI) and the United States Golf Association (USGA). The ULI has written recommendations on corridor widths per a book that they co-authored with golf course architect Desmond Muirhead. In addition, one highly recognized golf course architect, Dr. Michael Hurdzan, has published a book entitled Golf Course Architecture in which some basic guidelines are recommended.

The ASGCA (in the past) refused to provide any information in writing relative to ideal corridor widths for golf holes or driving ranges for liability reasons (the same reason why the profession does not have any formal guidelines on this topic). The NGF sent copies of sections of the aforementioned book by the ULI. This information is seen in the appendix of this report along with some copies of items of particular interest from within the book authored by Dr. Michael Hurdzen. All of this information is highly informative for the purpose of this report.

Design Comment:

The purpose for this analysis is to make sure that the proposed layout optimizes safety, thus, keeping errant golf shots that leave the playing area to an absolute minimum. As a golf course designer, we all view safety as the most important consideration when designing a course. However, it must be understood that it would be nearly impossible to control the human factor when it comes to playing the game.

As an architect, we can meet every reasonable guideline for safety and still have injuries. We can make corridor widths much wider than any recommended width and still have errant golf balls land outside the design corridor. It is simply not feasible to completely eliminate every safety concern relative to the golf course. We simply must use basic design guidelines to reduce the probability of an accident as much as is feasible.

Dr. Michel Hurdzan describes it very well in his book (please see the appendix section entitled: Basic Golf Course Design Criteria – page 24 of the copy). In the section titled “Safety”, the following is stated: “Having occasionally watched people hit the ball between their legs, shank one 90 degrees off line, or slice the ball 200 yards off the target line, we all realize that no golf course can be made totally safe. Of course, no home, highway, or office can be made totally safe either. But proper design that respects common playing patterns can markedly reduce the probability of a serious accident. There are no golf course design standards, so each golf course architect must prudently set his own guidelines for safety based upon the foreseeability of where and how golfers will hit their shots.”

We absolutely agree with the writings of Dr. Hurdzan. It is this belief that we review the attached plan. However, rather than using our own guidelines that we use as architects (as Dr. Hurdzan suggested), we also use all of the available information that is in books and other printed material. We do this so that the analysis is considered fair as if any golf course architect were to write this report rather than simply using our own individual opinions on the safety considerations of golf course design.

SAFETY ANALYSIS

Hole # 1

This 135 yard hole plays uphill from tee elevations between 125 feet and 131 feet to a green elevation of approximately 140 feet. The uphill nature of this hole provides for better containment of errant shots around the green on the high side. Bunkers frame the right and back right of the green. These bunkers, in addition to the elevation change between the first green and the adjacent seventh tees of nearly twenty feet, allow for the closer proximity (only 120 feet of horizontal separation center to center) between the two features.

The distance between the center of the green and the pedestrian trail (sidewalk) behind is a little close (90 feet). There is a small rise in elevation in the form of a berm or ridge that is about five feet in height behind the green to help contain shots. Because this is an uphill hole, we are not as concerned with the close proximity of the path behind. However, it would be worth noting that some light screening directly behind the green of the pathway via some vegetation might be worthy of consideration. Also consider adding or extending the bunkers on back right of the green more around the back side to create additional containment for those longer shots.

The sand bunker that is short and left of the green will visually steer players slightly to the right of center. There is also a small mound feature behind the bunker that creates some separation between the first green area and the practice green to the left. The only other comment worth noting relative to this hole is the slope between the first green and the practice area. Any player that pulls a shot to the left which lands on the slope to the left of the green may end up in the practice area. Not a major concern, just worth a comment and possibly a second look by the golf course architect.

Hole # 2

This 193 yard hole also plays slightly uphill from tee elevations of 130 feet and 132 feet to a green elevation of 143 feet. Given the design of this hole, especially the location of the sand bunkers, we have very little concern with safety.

If there is a concern at all, it would be for those players that missed the green long on the fifth hole while players are teeing off on the second hole (a long hole with the common "slice" side towards the fifth green). However, it appears that much of the low area between the fifth green and the bunkers to the right of the second hole is a non-turf area. Thus, in theory, this potential conflict would be minimal. Again, this is just one of those areas where the designer needs to pay attention to as the holes are built.

Hole # 3

This 177 yard hole has relatively the same elevation at the tee and green. The hole plays over a low sand area providing a feeling of height while on the tees as well as a good visual definition of the approach and green.

We have no real concerns with safety on this hole. The only place where there is a concern of separation between the hole and the sidewalk is directly behind. There is 130 feet of separation behind while on the left there is an adequate 150 feet of separation. However, there is a slight elevation increase off the sidewalk (shown on the grading plan between the green and sidewalk) which makes up for any loss of separation difference.

Hole # 4

This is a 132 yard downhill hole. The elevation of tees is as much as ten feet above that of the green. We have no major concerns with this hole as designed.

Hole # 5

This is a 106 yard downhill hole that falls nearly twenty feet between the back tee and the green. The very short nature of this hole makes the possibility of extreme errant shots unlikely. For that reason, we have very little concern with the relationship between this hole and the adjacent third green and fifth tees.

While a very limited concern as well, the only issue would be that which was explained earlier within the second hole description.

Hole # 6

This is a 145 yard hole that is relatively level between tee and green. There is good separation between this green and the adjacent second tees because of the presence of some sand bunkers and mounding between the bunkers and tees. The relationship could even be made better if the green were moved about twenty to thirty feet to the left. While this is not necessary, it is an option that could be considered.

The separation between the green and the sidewalk behind is a little closer than you would wish, however, this is a short hole and there is a slight rise in elevation behind the green that will add necessary containment. Thus, as long as the rise in elevation behind the green exists, this hole is fine.

Hole # 7

This is a 160 yard hole that plays uphill. The difference between the tee and green elevations is about 15 feet. The uphill nature of this hole provides good containment. The close proximity of the eighth tees is not much of a concern because the seventh green has a bunker on the front right (which visually will steer players slightly to the left) and there is a slight rise in elevation between the green and tees providing containment against errant shots.

There appears to be a pedestrian path behind the green that is only 110 feet from the center of the green. If this were a flat or level hole, we would take issue with this. However, this path is more than ten feet higher than the green and there is a sand bunker between the green and path to contain errant shots.

Hole # 8

This is a 180 yard hole that plays downhill. The elevation difference between the back tee and the green is approximately 26 feet. Accordingly, there may be many shots that go long of the green as player's underestimate the length of time that the ball is in flight.

There is really no concern with the relationship between this hole and the first hole. However, we do have some concern with the relationship between this hole and the ninth tee. While the two-dimensional separation distance between the eighth green and ninth tee of 150 feet is adequate if the hole were either level or uphill, additional considerations need to be made for a long downhill hole. There does exist (on the grading plan) a gentle swale between the green and the ninth tee which will aid in containment. However, we are going to make some other recommendations.

There exists, on the grading plan, a notation of a higher point behind the ninth tee of elevation 139.00. If possible, we would recommend that this point be higher, say 142 plus, which will also tighten the swale between the green and tee. This landform will extend to the right of the back tee on the ninth hole through the 142.00 elevation point that is also indicated on the grading plan. It also might be worthy of consideration to drape this landform with some low profile decorative vegetation that will also serve to knock down long errant shots from the eighth hole.

Hole # 9

This is a short downhill hole of 125 yards. We have no major concerns with safety on this hole. We will mention that there exists a pedestrian path behind the green (much lower than the green). It meets the two-dimensional separation distance requirements of 150 feet, but as with the previous hole, additional considerations should be given to a downhill hole as errant shots are typically more exaggerated on downhill holes because of the length of time that the ball is in flight.

The difference, however, between this hole and the eighth hole is that the ninth hole is much shorter. Accordingly, the ball will not be in flight near as long as a shot on the eighth hole. There also exists on the grading plan a level area behind the green with even a slight rise in elevation to the back and back left of the green that will help contain shots. Lastly, there appears to be a native area between the green and the pedestrian path that will also contain errant shots. All in all, we have very little concern on this hole.

SUMMARY

This analysis does not take into consideration wind effects on the flight of the ball as we have no information on this. Wind can certainly be a factor especially on a course such as Terranea that has such close proximity to the ocean. This factor should be considered by the golf course architect.

Typically, holes that are uphill are of the least concern (assuming all acceptable separation distances are met). Holes that are level and especially those that play downhill are studied more in depth because the longer an errant ball is in flight, the more that it will miss its intended target.

The following list summarizes those areas where, while the course is being constructed, the designer should pay special attention to make sure that what is on plan is not compromised such that safety would become more of a concern.

- 1) The relationship between # 1 green and the sidewalk
- 2) The relationship between # 1 green and practice green
- 3) The relationship between # 2 and # 5 green
- 4) The relationship between # 8 green and # 9 tee

Of this list, only points # 1 and # 4 might require further study by the golf course architect prior to construction of the course.

All this being said, we think this is a well thought out plan that will work well for both the resort and the community.

KS

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2-2-06

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Appendix

Terranea Resort

Golf Facility Safety Analysis

Golf Course Safety Corridor Information

National Golf Foundation



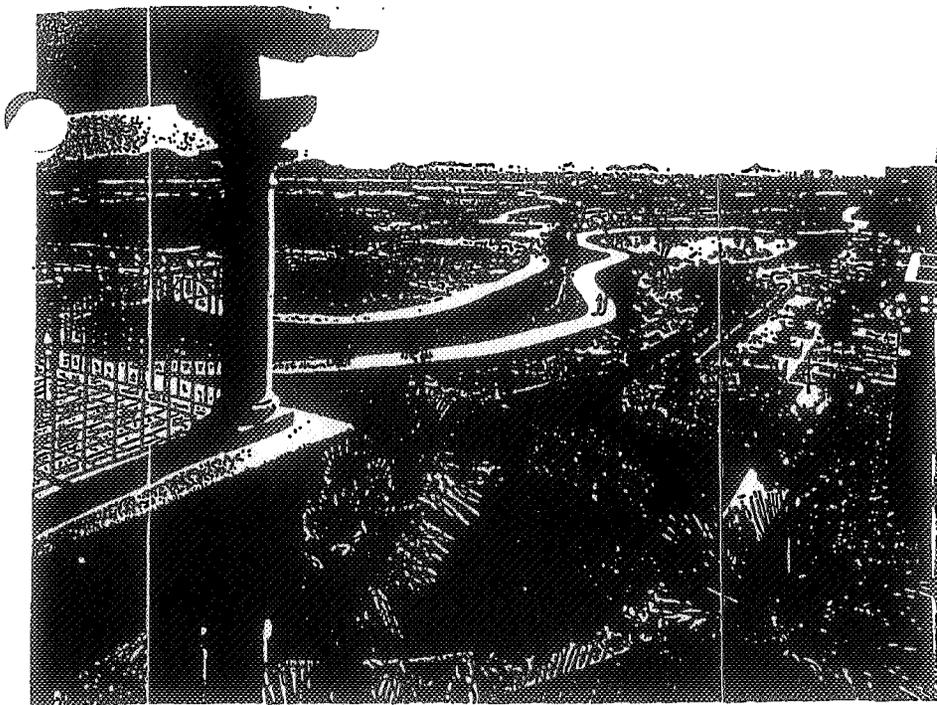
National Golf Foundation
1150 South U.S. Highway One
Suite 401
Jupiter, Florida 33477

Web site: www.ngf.org

DARRIN B. DAVIS
Senior Project Director
NGF Consulting

Tel: (561)744-8006 • Fax (561)744-9085 • E-Mail: ddavis@ngf.org

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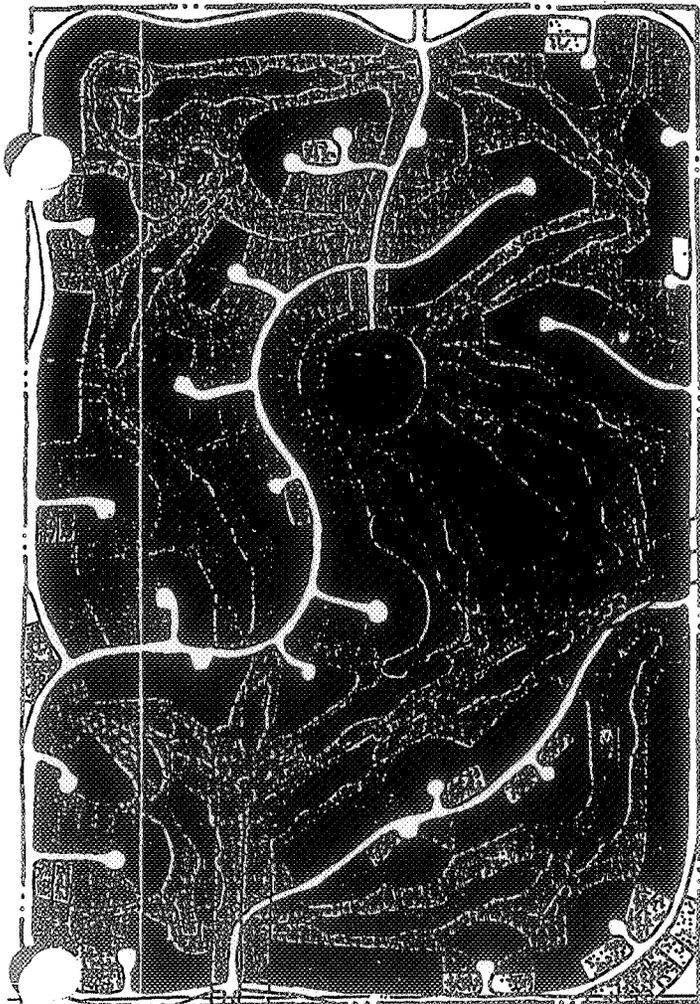
© BILL BAILEY/COURTESY, PRINCESS HOTEL, SCOTTSDALE, ARIZONA

The view from the third floor of the Princess Hotel in Scottsdale, Arizona, illustrates the course's visual access.

ferred. This combination provides the preferred length for the golf course with moderate flexibility in operations and maintenance and maximum golf frontage for real estate development.

Land use plans that are designed merely to maximize golf frontage do not necessarily maximize overall real estate values. A number of other factors must be considered when integrating golf and real estate. The single-fairway, returning nines configuration for an 18-hole golf course is ideal for maximizing golf frontage and therefore maximizing the opportunity to enhance real estate values. In some cases—a hotel resort or high-density development, for example—where real estate values are enhanced by views of the golf course from a high-rise building rather than actual frontage, a core course might provide greater advantages.

Whatever strategy is used to place a value on golf-oriented real estate, valuation must consider local market factors. Comparative marketability studies can aid in determining real estate values and which pricing strategies yield the best results in a particular location.



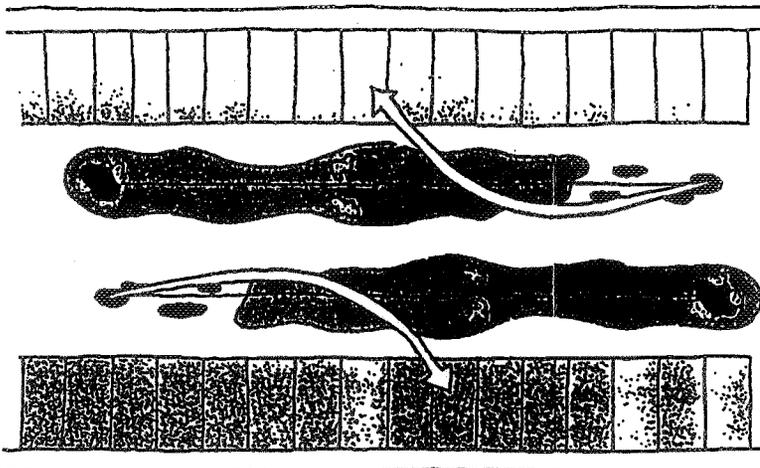
A typical diagram used for analyzing real estate premiums.
Source: Diamond Muirhead, Inc.



Safety in the Golf Corridor

One of the most significant factors to consider in delineating the golf corridor is safety. Like many sports, golf is not inherently safe. A well-hit golf ball can reach an initial velocity of 250 feet per second or over 170 miles per hour, and a range of 250 yards or more. The golf ball thus has the potential for greater speed and range than a bullet from a shotgun, and the potential for injury can be considerable. This factor is augmented by the wide range of physical and psychological variables inherent in any golf course and the range of players' abilities. Golf is not easily mastered, and even the most accomplished players can hit a ball poorly. People have been seriously, even fatally, injured by errant golf balls, golf clubs, and golf cars. Being on a golf course during an electrical storm has resulted in many players' being struck by lightning. And the threats are not confined to golfers: pedestri-

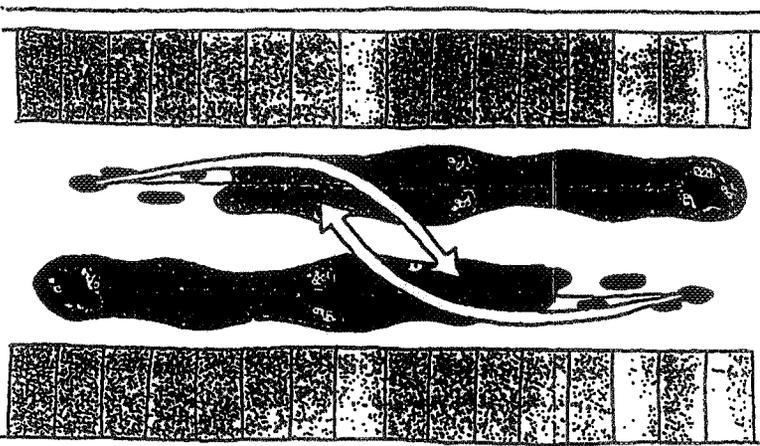
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NOTE THIS

This relationship between fairway and lot should be avoided, because most golfers are right-handed and tend to slice the ball to the right.

Source: Desmond Muirhead, Inc.



AS PER USED REPORT

The preferred relationship between fairway and lot allows holes to "slice" into each other rather than into houses.

Source: Desmond Muirhead, Inc.

ans and motorists walking or driving by a course have been struck by errant golf balls. Golf, like life, is a challenge with risks. Thus, safety is a critical concern to anyone involved in the design, development, construction, maintenance, and operation of a golf course, or to anyone charged with responsibility for the safety of people on or near the course, or to anyone who could be injured or suffer damages from golf.

To design a totally risk-free, "safe" golf course is impossible, because numerous factors simply are beyond the control of the designer: the climate, the weather, the ability and skill of individual players. Even if a list of safety criteria could be determined for the design of a totally "safe" golf course, the cost of building such a course would be prohibitive. It is possible, however, to anticipate a few factors

that can present an undue hazard. And it is possible to find economically feasible ways to mitigate the danger.

No hard and fast rules can be associated with safety in golf course design simply because the range of variables from course to course, hole to hole, and even player to player is so vast. The increasing integration of golf courses with adjacent real estate results in conflicts in land use, and safety becomes a greater concern. Today, all areas of the golf course industry, including owners, developers, design professionals, operations and maintenance personnel, managers, material suppliers, equipment manufacturers, and individual players, must address it. Further, technical advances in the design of golf balls and golf clubs have translated into greater speed and distances, with the atten-

dant greater potential for danger from poorly hit balls or slices, hooks, and shanks. All of these factors have influenced the way golf courses are designed today, and a prudent developer would keep the following points in mind:

- ❑ Recognize and understand that land planning and the design of golf courses are intricately related to each other. The potential impact of one on the other can significantly enhance or diminish the value of a golf-oriented real estate development.
- ❑ The developer or its agent is involved as a key member in planning and design. The integration of various disciplines is ultimately the developer's responsibility.
- ❑ Regular safety reviews are part of the planning process. Additional reviews are required after any major change. Safety reviews should be made part of standard operating procedures, and they should involve all members of the design team.
- ❑ Recognize that safety is ongoing. Include allowances for fine-tuning play of the course in the budget to address any unanticipated issues after the course is put into play.

"Golf course safety" is a relative term, requiring judgment based on some mutually agreed criteria. The following brief overview summarizes a few basic, common-sense criteria for safety in designing golf courses.¹ The design standards developed from these criteria or from the consensus of experienced designers and developers serve only as guidelines and must be weighed case by case for specific sites.

- ❑ Golfers must use reasonable care commensurate with the known hazards inherent in the game.²
- ❑ Golfers assume reasonable risk.³
- ❑ The design of the golf course should reflect standards that do not expose golfers to undue risk.⁴
- ❑ The public has a right to free and unobstructed use of the highways. Golf balls landing on or across a highway render the owner liable for maintaining a public nuisance that resulted in injuries from the hazardous condition.⁵
- ❑ A golf ball in flight beyond the perimeter of the golf course is the same as

an object falling from a structure, and the liability is comparable.⁶ A pivotal standard cited in many court cases renders a liability if the possibility of an accident was clear to the ordinarily prudent eye.⁷

- Golf-related restrictions on adjacent private property are justifiable for reasons of safety. It is therefore reasonable to restrict the use of private property (building setback lines and so on) adjacent to a golf course.
- Owners of houses and other real estate fronting a golf course assume more risk than the public on a highway but less risk than golfers. The homeowner's uninformed and unsuspecting guests are not included, however.
- Spectators at a golf tournament assume more risk than homeowners but less risk than golfers.

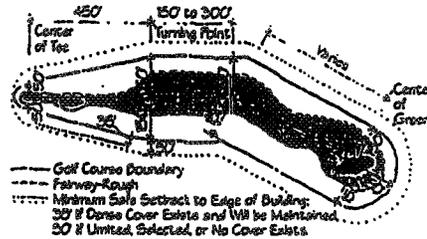
Legal terms like "reasonable care," "reasonable" or "undue" risk, "foreseeable" hazards, and "ordinarily prudent eye" provide criteria for defining and judging safety and for allocating liability. Beyond these legal concepts, however, no measurable design standards can be applied in a blanket formula that satisfies legally defined criteria for safety.

★ The standard 300-foot through-the-green width that became a rule of thumb in design of a single-fairway layout during the 1960s and 1970s is seriously outdated in terms of current safety concerns. It was rationalized by two concepts:

- The average golfer who hit a ball poorly (did not follow the ideal path as reflected by the centerline) did not hit the ball as forcefully as possible; therefore, the ball would not travel as fast and as far as it might.
- The farther away from the centerline, the less force powering the ball, and therefore the ball will travel even less distance.

In the double-fairway layout, the rule of thumb was that, where possible, the parallel centerlines should be no less than 200 feet apart. These dimensions are now outdated, however, with the advent of new technology and new designs for golf equipment (particularly golf clubs) to gain

more distance and the desire of many golfers to "smack the ball" as far as they can without regard for safety.



Outdated 1970s single-fairway standards.
Courtesy: Patrick Shane Mulligan.

The standards of the 1960s and 1970s were coupled with caveats to consider such factors as topography, vegetation, elevation, temperature, humidity, wind, location of hazards, and elevated features like tees and greens. They are still critical, but safety is not a cookie-cutter process. Defining parameters for safety on a golf course could be a major issue confronting today's golf course developers, and any member of the team could make a decision that would directly affect safety. Golf integrated with real estate development requires the establishment of a team to review every stage of planning and design. The temptation to encroach on the safety perimeter for the golf course to gain frontage for real estate, enhance real estate values, or economize on the golf course is always considerable, and it is heightened by the fact that contemporary golf courses require substantially larger areas of land to accommodate safety in an age of high-tech equipment. Golf course architects and land planners must work with the development team to resolve the problems involved in siting a golf course next to real estate. The professional expertise, knowledge, and experience of every member of the design team must be applied toward ensuring that the public is not exposed to undue risk. In a society prone to litigation, it is in the best interests of any development project to establish the best standards and criteria for safety. Because design and construction often span long periods of time, the intent of the design and safety considerations developed during the planning process should be carefully documented to ensure that it is not compromised by later decisions.

The Safety Perimeter

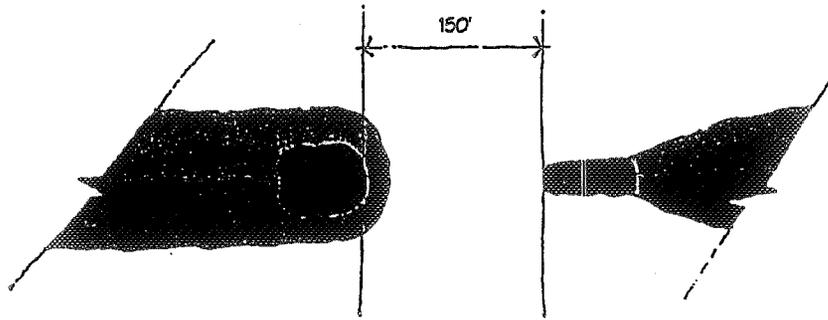
★ Defining the safety corridor for a golf course is not necessarily synonymous with establishing the boundary of the golf course, although the two can be related. The following definitions are used in this text. The golf course boundary is the legal description of the property boundary for that area of land dedicated to the golf course and its facilities. If the operation were to be sold, this legal description would be used to describe the property in the sales documents. The golf course safety corridor is that area of land required to play the game plus the area of land that can be affected or threatened by golfing such that limits are placed on the use of that area. For example, the golf course safety corridor might include the area within the golf course boundary plus an area around that boundary where construction of any buildings is restricted (often called a building setback line or building restriction line). The restrictions on use within the setback area must be clearly stated in legal documents (covenants, for example) describing the affected properties.

Largely because of legal implications, professionals and their attendant organizations have been reluctant to adopt any specific written criteria for golf course safety corridors. The official approach of the American Society of Golf Course Architects (ASCCA) is verbal and very general, and strongly emphasizes site-specific criteria. The prudent course of action is to contract with an experienced, reputable golf course architect early during the planning process.

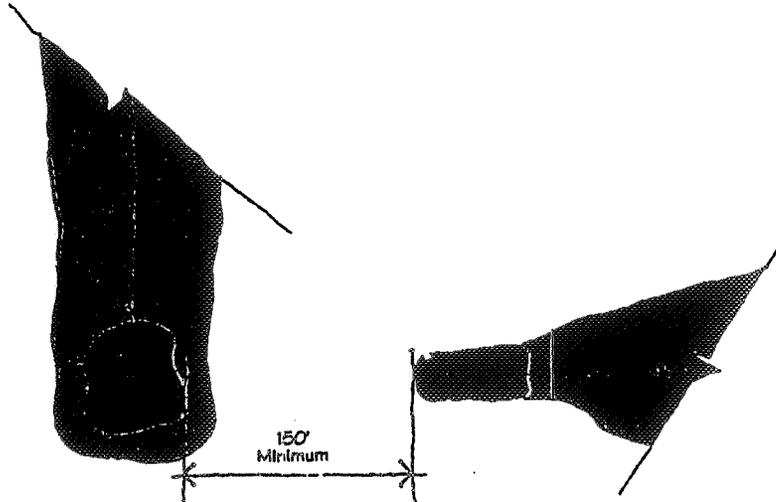
The following dimensions for the golf course safety corridor are provided solely to illustrate this discussion; they are not to be applied arbitrarily. The dimensions are based on an unrestricted flat site, and they must be adjusted to accommodate site-specific features like topography, vegetation, and elevation. Applicable local building and land use regulations could preclude the use of any dimension used in the illustrations, and this information is not a substitute for consultation

NOTE / THIS

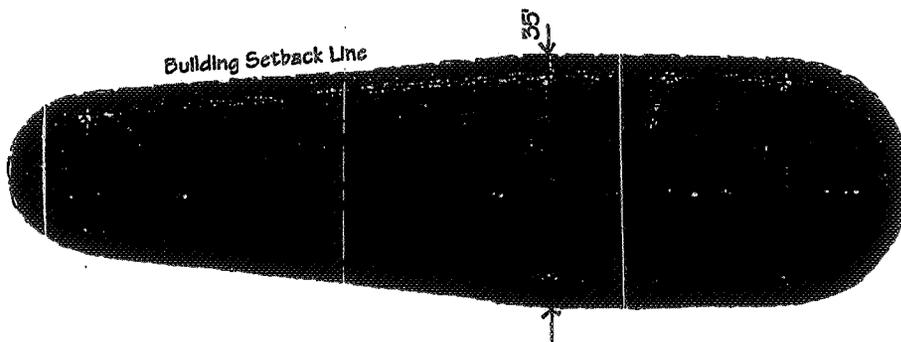
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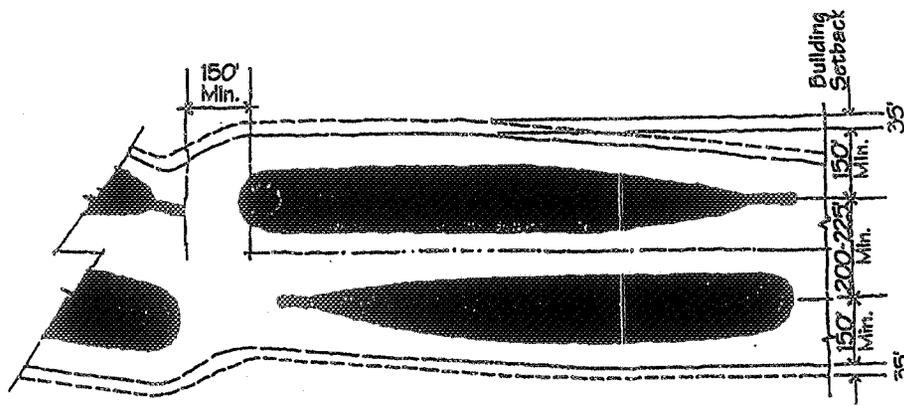
Minimum clearance between the green and the next tee.



Minimum clearance between adjacent tees and greens.



Minimum dimensions for a single-fairway golf corridor.



Minimum dimensions for a double-fairway golf corridor.

Minimum safety guidelines for a windless site on flat topography. Other conditions require additional clearances.

Source: Nicklaus Design.

with a qualified, experienced golf course architect.

- Minimum horizontal clearance between the green and the next tee is 150 feet. If the adjacent green and tees are separated by a change in elevation, the distance might be greater or less.
- Minimum clearance between adjacent tees and greens is 150 feet.
- Adjacent landing areas should be no less than 200 to 250 feet apart (from centerline to centerline).
- ★ The centerline of a golf hole should be no less than 150 feet from any road right-of-way or boundary.
- ★ The centerline of a golf hole should be no less than 175 feet from any boundary with adjacent development. A setback of no less than 35 feet from the boundary line should also be added.
- ★ The minimum safety corridor for a single-fairway course with development on both sides of the fairway is 420 feet between any building in the landing and greens areas. The minimum safety corridor for a course with surrounding development in other than the landing and greens areas is 370 feet, which allows for a 300-foot corridor with 35-foot building setbacks on either side.
- On a double-fairway course, the centerlines of parallel fairways should be no less than 200 to 225 feet apart in wooded areas (where vegetation is present between the fairways) and no less than 250 feet apart in open areas (no buffering vegetation between fairways). Adding a minimum of 150 feet from each centerline to the property line yields a minimum corridor of 500 to 550 feet for a double-fairway course. If the course is surrounded by development, a building setback of 35 feet from the property line on either side yields a total minimum safety corridor of 570 to 620 feet. The safety corridor can be narrower in the area between the green and the next tee—approximately 400 feet (a 100-foot buffer off the center point of the tee, a 150-foot minimum on the green's centerline, and 150 feet between the green and the next tee).⁸

Safety on the Golf Course

The responsibility of a golfer for the safety of others, such as shouting "Fore!" to warn that a ball is approaching, is defined by rules of etiquette and enforced by golf associations. These rules and responsibilities should be posted in a readily visible location on the golf course. Handbooks specifically addressing rules and responsibilities should also be made available to every golfer and key points printed directly on scorecards. Designing a safe golf course includes not only concern for the safety of players, but also for guests, maintenance personnel, and spectators. Many design guidelines involve common sense:

*
NOTE
#3

- Blind shots should be avoided, and holes should be designed so that players can clearly see the target area, hazards, and other players on the course. While several mitigating measures to reduce the risk of blind shots have been developed—special flags, caddies as target indicators, and even traffic lights—they are at best only mitigating measures. Shelters should be provided at key locations on the course for golfers seeking safe shelter from inclement weather, particularly lightning storms.
- Specific safety guidelines and procedures regarding lightning storms should be readily visible to every golfer, employee, or visitor.
- Circulation patterns should be readily apparent and organized to minimize conflicts between autos and pedestrians, golf cars and pedestrians, maintenance vehicles or equipment and golfers, and golfers and non-golfers, for example. A golf course, for example, is not a safe or appropriate place for a nature walk while play is in progress. Security measures should be in place to prevent intentional or unintentional trespassing on the golf course by non-golfers while play is in progress.
- Paths for golf cars should be specifically engineered as roads for vehicular traffic, not sidewalks, but the fact that the path is often a hard surface (usually asphalt or concrete) should be given due consideration when locating it. Such paths

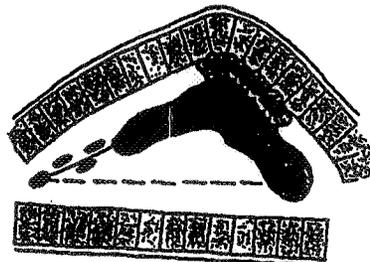
are potentially dangerous if a ball bounces or ricochets off the pavement, and for this reason it is inadvisable to have the car path cross the fairway. The path should be out of the area of play (see further discussion later in this chapter).

- If spectator galleries are anticipated, the course's design should specifically provide for them. Measures should be implemented to make the inherent risks of watching golf on the golf course readily apparent to the ordinarily prudent eye.
- Buildings of any type should not be used as the obstacle that forces a dogleg hole, and the inside angle of a dogleg hole should be treated as a hazardous zone. Obstacles or barriers of sufficient height, density, and width should be located on the in-

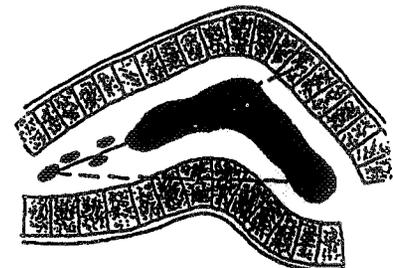
NOTE
#3

side angle of the dogleg to prevent players from attempting to hit the ball across the inside angle. Housing or any other buildings, playgrounds, recreational facilities, paths, or parking lots should never be located on the inside angle of a dogleg where injury or damage to property is possible!

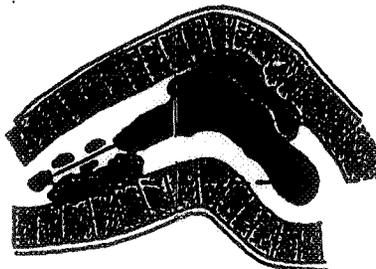
- Clear sightlines and visibility of players on the course should be maintained, particularly near landing areas and paths for golf cars.
- Signs, benches, tee markers, and other furnishings can cause a ball to ricochet, injuring people or damaging property. Their placement on the golf course and design should be seriously considered and constantly reviewed for safety.



A. An acceptable design but wastes land. Trees protect lots, but golfers are likely to drive the green.



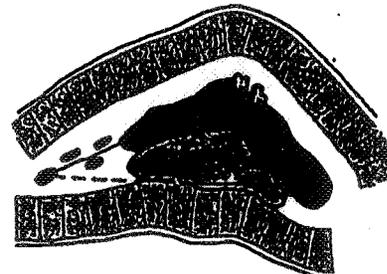
B. A layout to be avoided. Golfers are likely to overshoot the landing area or drive the green.



C. An acceptable layout if trees are large and dense. Some golfers might still drive the green, putting lots at risk.



D. An acceptable design but wastes land. Lake protects lots, but most golfers are likely to drive the green.



E. An acceptable design, because traps discourage overshooting the landing area and the lake adds value while discouraging driving the green.

Hazards must be considered when development surrounds a dogleg hole.
Source: Walter Stewart/Desmond Whisthead, Inc.

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- Trees should not be considered an effective means of catching errant balls, particularly between the golf course and adjacent real estate development.

Topography and Safety

A sloped lie directly affects the distance and direction a golf ball will fly. The more severe the slope, the greater the impact on the distance and direction of the ball. Therefore, the design of a golf hole and its associated safety corridor must be adjusted to accommodate the tendencies for balls to fly right, left, short, or long despite a golfer's best efforts.

On long approach shots, the ball's trajectory tends to be low, and the ball tends to bounce and roll on impact unless the golfer can put a backspin on the ball. If a long approach shot is coupled with a downhill lie, the ball tends to travel lower and farther than if the lie is flat. The inherent danger of overshooting the target must be considered and the safety clearance between the green and the next tee or land use beyond the green increased accordingly. On short approach shots, the ball's trajectory tends to be high and to bounce and roll little on impact. If a

short approach shot is coupled with a downhill lie, the ball tends to fly lower and farther than for a flat lie. Again, the margin of safety must be increased.

On side-sloping lies, the ball tends to fly left or right, depending on whether the ball is above or below, respectively, the golfer's feet. The margin of safety between adjacent fairways and between the golf course and adjacent land uses must be increased and configured to accommodate the ball's flight pattern.

Paths for Golf Cars

The driving ability of golfers varies with the number of individuals playing golf, and it is virtually impossible to judge their ability to drive a golf car on appearance alone. Understanding the abilities, limitations, and tendencies of both vehicles and drivers provides some basis for planning and designing safe paths for golf cars.

Golfers tend to drive golf cars along the path of least resistance—along the most direct route to where the ball lands, whether paved or not—and sometimes the chosen route is not the safest route. The sensible guideline therefore is to align the path where

most golfers will find it convenient and to provide physical and regulatory means to encourage golfers to stay on the path. A majority of players are right-handed and tend to slice the ball (to the right), particularly off the first tee. Therefore, paths for golf cars should generally be aligned to the right side of the fairway, where most golfers hit their shots. An exception occurs when the hole is designed to encourage play toward the left of the fairway—where a water hazard is located on the right side of the fairway, for example. In this case, aligning the path to the left side of the fairway would be more convenient. The National Golf Foundation suggests that the path be located at least 25 feet from the edge of the fairway, a compromise between keeping the path out of play but close enough for convenient use.

The shared use of a path between two adjacent golf holes might appear to be an economical and more cost-efficient means of accommodating golf cars, but it is highly inadvisable. Shared use of a path presents a higher risk of unsafe conditions, and rarely does the shared path serve both holes with the same convenience for both golfers. If the path is not conveniently

Additional Thoughts on Safety

Include an insurance underwriter as a member of the development team.

The developer might wish to forge a link with the insurance company that will provide public liability insurance for the golf course. While no substitute exists for safe design criteria, to the extent that risks are unavoidable, perhaps they can also be insurable. Having a representative of an insurance company involved at the inception increases the likelihood that appropriate coverage can be obtained. Input from the insurance company can shed light on safety criteria based on actual claims as well as information about costs for budgeting. It is important to select a representative who is actually involved in underwriting and claims rather than a sales broker whose primary interest is a commission.

Give thought during planning to defenses for negligence.

Part of the application for a golf course adjacent to a public road, for example, should point out the issue of errant golf balls and the built-in safety criteria to minimize this risk. After entitlements are received, a planning department's signing off can be characterized as an impartial judgment of a safe design. Similarly, regarding the sale of houses adjoining a golf course, a part of the purchase agreement should be the acknowledgment of the proximity of the golf course and an assumption of the buyer's risk and/or waiver of claims. This type of provision can also be built into a community's covenants and restrictions, which attach to the title and bind succeeding owners.

Publish rules and regulations governing conduct on the course.

Consider prohibiting or limiting the consumption of alcoholic beverages on the course. Post signs prohibiting nonlicensed drivers from operating golf cars.

Alert golfers to potentially unsafe areas without admitting to an unsafe condition.

For example, a sign might say "Reduce Speed—Downhill Grade" rather than "Dangerous Grade" or "Snakes In Stream" rather than "Watch for Poisonous Snakes."

Physical safety features are generally more effective than cautionary signs alone.

Speed bumps or textured rumble strips should be considered where control of golf cars' speed is needed. On long downhill grades, safety features like "turnouts" for runaway golf cars should be considered, similar to gravel turnouts for runaway tractor-trailers on long downhill grades.

The factory's safety criteria and performance specifications for golf cars should be considered during design of the course.

If a manufacturer has published safety guidelines for the operation of its product, then the design team should consider them during design.

Safety should be an integral part of employee training programs.

Employees should be required to attend regular meetings on safety policies and practices. They should provide written acknowledgment that they understand all policies, procedures, and rules, including wearing hard hats on the course, who is permitted to handle chemicals, and the procedures for handling them.

Golf Course Development and Real Estate

Desmond Muirhead
and
Guy L. Rando

 the Urban Land Institute

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ULI sponsors educational programs and forums to encourage an open international exchange of ideas and sharing of experience; initiates research that anticipates emerging land use trends and issues and proposes creative solutions based on this research; provides advisory services; and publishes a wide variety of materials to disseminate information on land use and development.

Established in 1936, the Institute today has some 13,000 members and associates from 46 countries representing the entire spectrum of the land use and development disciplines. They include developers, builders, property owners, investors, architects, public officials, planners, real estate brokers, appraisers, attorneys, engineers, financiers, academics, students, and librarians. ULI members contribute to higher standards of land use by sharing their knowledge and experience. The Institute has long been recognized as one of the country's most respected and widely quoted sources of objective information on urban planning, growth, and development.

Richard M. Rosan
Executive Vice President

This book is dedicated to my children, Marco, Tony, and Gaetano, with special thanks to my colleague Desmond Muirhead for his trust and support.—C.L.R.

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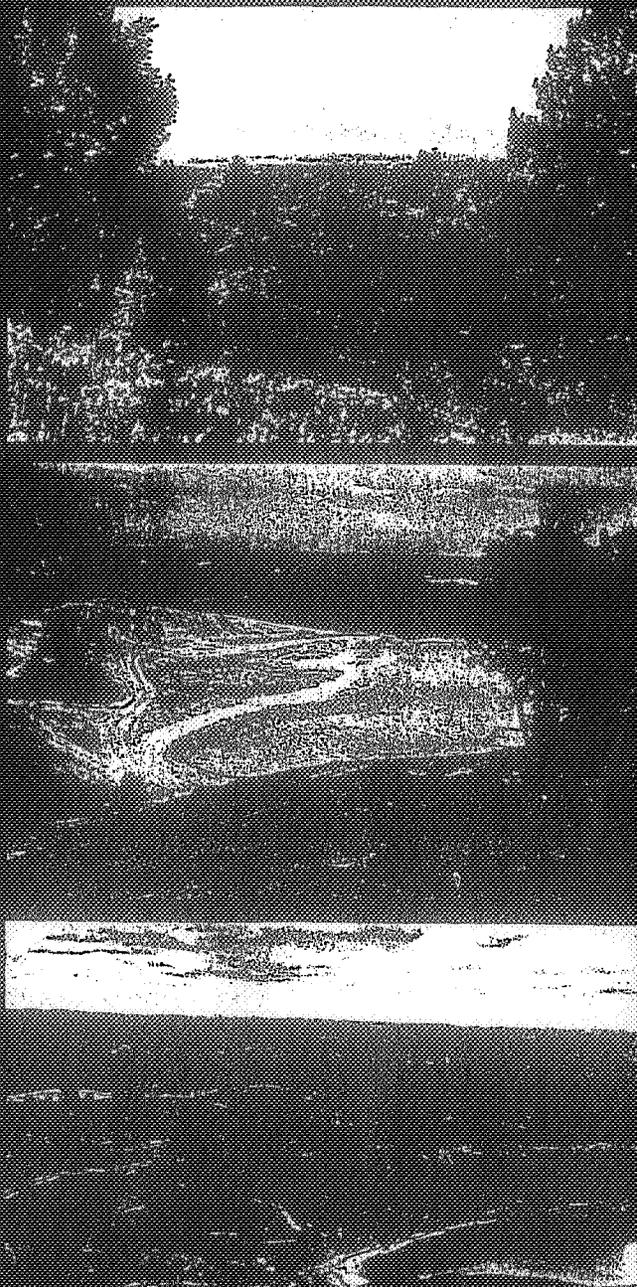
Basic Golf Course Safety Criteria

Golf Course Architecture

Dr. Michael Hurdzan

GOLF COURSE ARCHITECTURE

Design, Construction & Restoration



Dr. Michael J. Hurdzan

BASIC CRITERIA

No matter which design concept is used, the end result of any golf course design is supposed to be one that is enjoyable, relaxing, and a fair test of shot-making ability (see figure 24). But these rather subjective criteria are largely dependent upon the condition of a course and the skill level of the golfer, and therefore are not useful or meaningful to a golf course architect. Instead, architects use criteria that are more objective in nature and are less emotionally generated. These criteria, listed in their order of importance, are:

- 1) Safety (to golfers and to adjacent land users)
- 2) Flexibility (variation in length to accommodate all abilities)
- 3) Shot value (variety in required shots, lengths, and targets)
- 4) Fairness (severity of hazards and placement in order to offer risks and rewards)
- 5) Progression (sequence of holes and their associated shot values)
- 6) Flow (the overall movement of golfer traffic)



Doug Ball

Figure 24. *The golf course should take on ethereal qualities, but also remain a fun place to play golf.*

- 7) Balance (equality in distribution of par, shot values, and progression)
- 8) Maintenance cost (long-term problems, long-term costs, problems or limitations, cost-benefit ratios)
- 9) Construction planning (projected total cost, problems or limitations, cost-benefit ratios)
- 10) Aesthetics (the look, feel, impression of the golf course)
- 11) Tournament qualities (match vs. medal play, accessibility for galleries)

This list is akin to the activity chart of elements used in chemistry. The criterion that is higher on the list takes precedence when conflicting with a criterion (or element) below it. In general, the most important criterion for a golf course, the one that should take precedence over all others, is safety. This concern should be both to the golfer and maintenance staff using the course and any person or property adjacent to the course. The next six criteria deal with making a golf course as pleasant and pleasurable to the golfer as possible, and presenting the golfer with a fair challenge. These six considerations should take precedence over the long-term maintenance factors. Long-term maintenance, since it is a never ending process, should be more important than construction considerations, which are a one-time cost. Then come the purely aesthetic considerations, which, while not meant to be minimized, must be sacrificed before any criterion above it. Lastly comes tournament qualities of a course, for at best, only one or two weeks will be devoted to tournament play. The remainder of the year the course must properly serve those golfers who routinely play it and foot the bill. Because each of these is an important element, more explanation of each is necessary.

Safety

As previously mentioned, safety is by far the most important single consideration on a golf course. Golf is a rather passive recreation and its participants should not play the game in fear of being hit or of hitting someone with an errant

shot. Sadly, people have been hit by golf balls and as a result have lost sight in one eye, lost teeth, had bones broken, or even been in danger of losing their life. Sometimes these accidents are a result of negligence on the part of the golfers, but other times it is because the golf course was improperly designed. Having occasionally watched people hit the ball between their own legs, or shank one 90° off line, or slice a ball two hundred yards off the target line, we all realize that no golf course can be made totally safe. Of course, no home, highway, or office building can be made totally safe either. But proper design that respects common playing patterns can markedly reduce the probability of a serious accident.

There are no golf course design standards, so each golf course architect must prudently set his own guidelines for safety based upon the foreseeability of where and how golfers hit their shots. In the event of an accident, designers may have to defend their personal guidelines in a court of law, and perhaps against the views of another expert witness. What follows are the author's personal guidelines (see figure 25).

The most obvious safety measure involves the right side of a hole, since most beginning and casual golfers slice shots off the tee. An architect can reduce danger in slice impact areas by staggering tees so that players on each hole won't slice into the same area. If impact areas cannot be physically separated, then safety buffers, such as bunkers, rough, trees, ponds, or non-turf vegetation can be used. A safety buffer can be anything that will discourage the golfer from swinging away instead of controlling the shot, or anything that stops the mishit ball in flight or on the roll. Some years ago the author did some fairly extensive study of where golfers hit the ball in relation to their aiming point and apparent line of play. Although unpublished and not statistically validated, the data indicated that 92% of golf shots fall within 15 degrees either side of their apparent line of play to a specific aiming point. This observation can be used as a planning rule of thumb which is modified depending upon topography, vegetation, wind direction, altitude, length of shot, etc.

Another method to provide safety is to offset

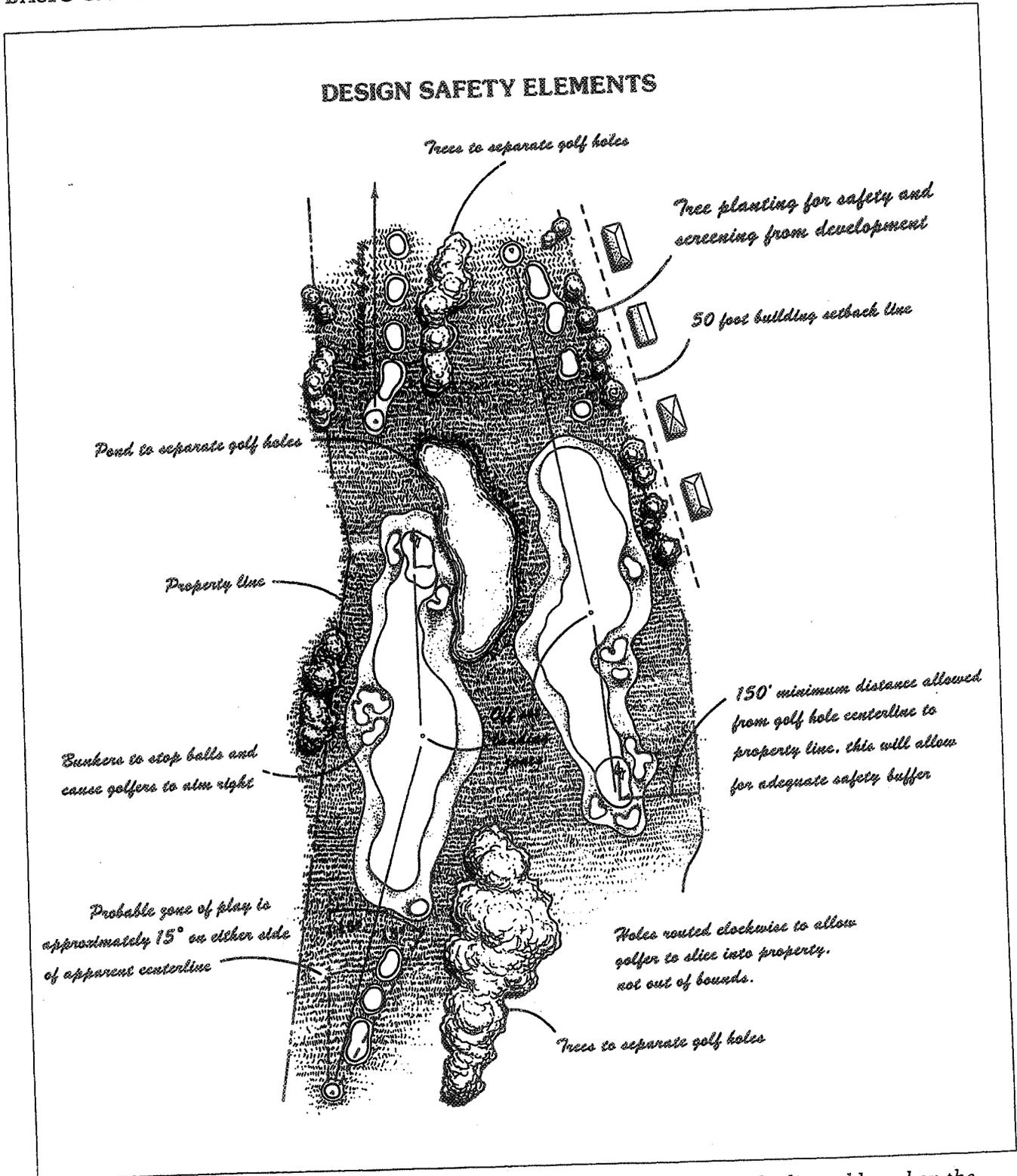


Figure 25. Hurdzan design guidelines can be used as a starting point, and adjusted based on the topography, vegetation, altitude, prevailing winds, adjacent land uses, and anticipated play level of each specific site and project.

the play angles at the tee so that the golfer is forced to set up to hit away from a danger zone. This means placing tees for the poorest golfers closest to the danger zone so they are hitting away from it, not toward it. Experience has shown that it is easiest to control errant shots nearest the tee, when the ball is at a low elevation and has not gone a great distance. Near the tee, wild shots can be controlled by mounds, closely planted trees, dense bushes, or artificial barriers. Barriers such as fences are the least desirable method, for most often they are linear and unsightly. But no matter how ugly, if fences are needed they must be used; aesthetics must always bow to safety. Properly built artificial barriers can be made somewhat attractive by using climbing vines and flowers.

Another situation that cannot easily be tolerated on a golf course is when common play areas are blind to golf shots that may land there. These blind impact areas occur when golfers cannot be seen by the group behind them or by players on an adjacent hole who might hit the ball to the area. This condition is most common on hilly ground, where the horizon line of a ridge or hill is very near the tee. Blind shots are quite common on links or links-type courses, for that is the nature and charm of these sites. However, golfers who play these courses must exercise extreme courtesy and caution to avoid accidents.

There are four solutions to blind impact areas (see figure 26). The optimal solution is to unmask the blind spot by excavating the horizon line down or making a saddle cut, so that the golfers in the danger zone can be seen. Often this is not possible because the offending ridge is underlaid with rock that is too costly to remove. The next best solution is to raise the tee to such an elevation that the line of sight is moved above the horizon line. This solution is not always workable, for it might require such a high tee that it would be too costly to build and maintain. The third solution is the use of a periscope or mirror atop a pole, either of which raises the line of sight up very high without elevating the golfer at all. If properly constructed, painted, and located, periscopes can be made to blend so well with the background that they are

unobtrusive. There is also something to be said for their novelty effect, as long as they are not used more than a few times on any site. The last solution is perhaps the most commonly used, but has many shortcomings. It is the warning device, usually a bell that the group ahead rings to signal the group behind that the impact area is safe. The problem is, many forget to use the bell or the group behind does not hear it. Bells should be avoided, if possible, for the burden should be placed on the group behind to maintain a safe interval, not on the group ahead.

Other areas of safety that should be considered by the golf architect include pathways, steep slopes, stair design, bridges, high cliffs, aging trees, dangerous wildlife, banks, slopes of water hazards, and poisonous plants. In all instances, warnings in the form of signs or written statements should be given to each golfer. Where possible, unsafe conditions should be corrected. If correction is not possible, then fences, markers or guards should be used to remind the golfer of the danger. Nothing is more important than safety.

Frequently the golf course architect can lessen unsafe conditions by his routing of the golf course. One method is to try to keep out-of-bounds limits to the hook side, since fewer golfers hook and thus fewer neighbors will be endangered by errant shots. On rolling ground, a golf course architect can route his course so that slices will bounce into a slope instead of run down one. A good rule of thumb for a safe routing is to have the right side of the impact area higher than the left side (see figure 27). If the ground is flat, mounds should be located and built to control the slice. Of course, the impact area of sliced shots must still be conducive to finding the ball and playing the next stroke, so if possible a good design philosophy is to cut the golf hole down into the ground so the sideslopes create containment. Mounds create rejection of golf balls that bounce off their far sides, thus moving the golfer further off line. If mounds are to be used to create containment, they should be placed outside the 15° angle of probable play, as done at Cook's Creek in Circleville, Ohio (see figure 28).

Golf Course Accuracy Patterns

The United States Golf Association

the hole length falls outside the Transition Zone, then the Transition Zone concept should be applied.

4. Accuracy Pattern

The Accuracy Table below prescribes the dimensions of the area into which a scratch or bogey golfer is expected to hit shots of various lengths 67 percent of the time. It is used to assist in evaluating the effect of obstacles around the target (e.g., if the scratch golfer has a 160-yard [130-yard] approach shot, an obstacle within 8½ yards of the center of the green is considered a significant factor).

ACCURACY TABLE -- Men and [Women]								
(Dimensions of Expected Landing Area 2/3 of the Time -- in Yards)								
Length of Shot	Scratch Golfer				Bogey Golfer			
	Men		[Women]		Men		[Women]	
	Width	Depth	Width	Depth	Width	Depth	Width	Depth
40	--	--	[9]	[13]	--	--	[14]	[17]
50	--	--	[10]	[14]	--	--	[15]	[18]
60	--	--	[11]	[14]	--	--	[16]	[19]
70	9	13	[11]	[14]	14	17	[16]	[18]
80	10	14	[12]	[15]	15	18	[17]	[21]
90	11	14	[12]	[15]	16	19	[17]	[22]
100	11	14	[13]	[15]	16	20	[18]	[23]
110	12	15	[14]	[16]	17	21	[19]	[24]
120	12	15	[15]	[16]	17	22	[20]	[25]
130	13	15	[17]	[17]	18	23	[21]	[27]
140	14	16	[18]	[17]	19	24	[22]	[28]
150	15	16	[20]	[18]	20	25	[24]	[30]
160	17	17	[23]	[19]	22	27	--	--
170	18	17	[26]	[20]	24	28	--	--
180	20	18	[28]	[22]	26	30	--	--
190	23	18	[30]	[24]	29	34	--	--
200	26	19	[32]	[26]	33	37	--	--
210	29	19	[34]	[28]	--	--	--	--
220	32	20	--	--	--	--	--	--
230	35	20	--	--	--	--	--	--
240	38	20	--	--	--	--	--	--
250	41	21	--	--	--	--	--	--

5. Obstacles "Do Not Exist"

Obstacle values normally decrease as their distance from the target increases. If an obstacle is 60 [50] yards to the left or right of the line of play or 50 [40] yards to the left, right or beyond the center of the green, generally it should not be considered a factor for the scratch golfer (i.e., it "does not exist" on the hole and should be rated zero). For the bogey golfer, these distances are 75 [60] yards from the line of play and 65 [50] yards from the center of the green.

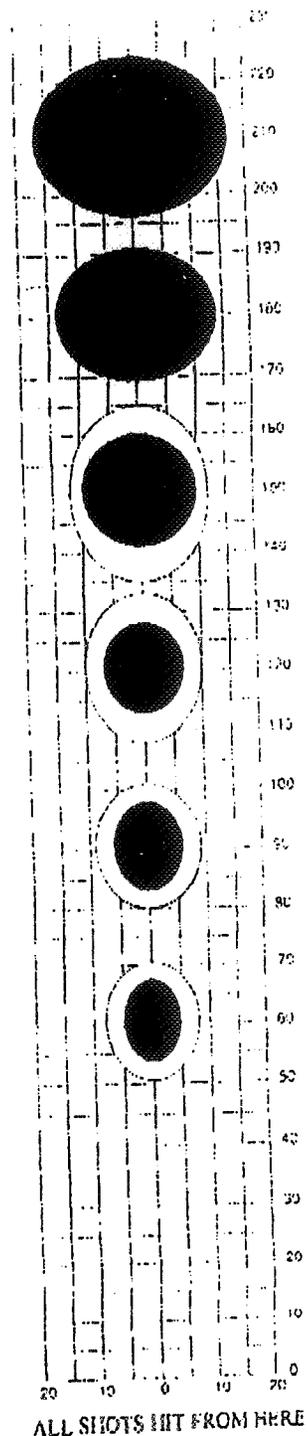
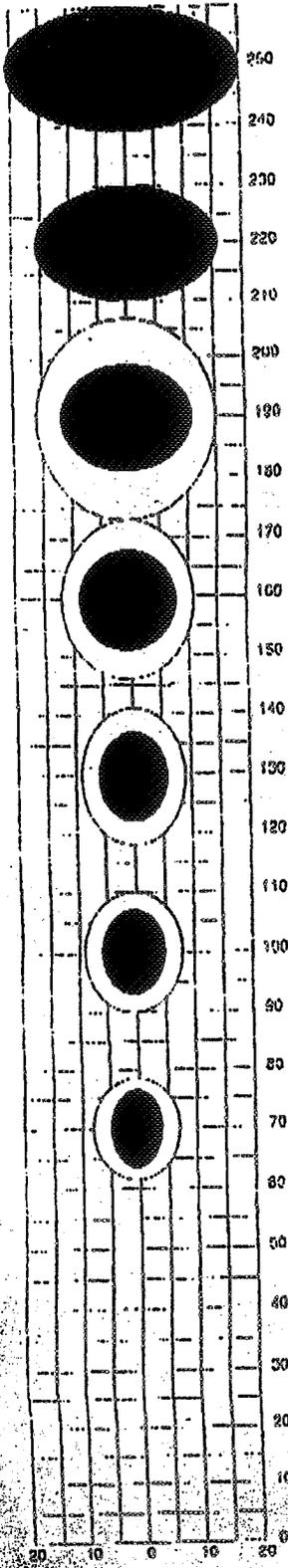
(10)

Section 4 - THE SCRATCH AND BOGEY GOLFER

ACCURACY PATTERNS

MEN

WOMEN

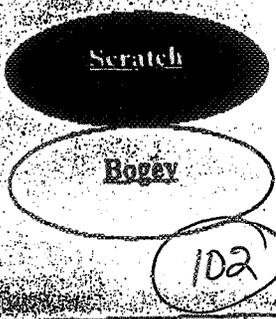


Shot length and shot pattern width and depth (yards)

Each square = 5 yards

Maximum Scratch
Golfer tee shot is 250
(210) yards

Maximum Bogey
Golfer tee shot is 200
(150) yards



SHOT PATTERN WIDTH (YARDS)

SHOT PATTERN WIDTH (YARDS)

ALL SHOTS HIT FROM HERE

ALL SHOTS HIT FROM HERE



RECEIVED

MAR 15 2006

PLANNING, BUILDING &
CODE ENFORCEMENT

March 1, 2006

Mr. Ara Mihranian, AICP
Senior Planner
City of Rancho Palos Verdes
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275

Dear Mr. Mihranian:

We received the Safety Analysis for Terranea Golf Resort Practice Academy by Kipp Schulties Golf Design, dated February 2, 2006. We are please to read, as noted in the Summary, that he had only a few notes of concern and they seem minor and able to be addressed in construction.

Regarding his note on considering wind effects, we certainly did address that in the basic routing of the golf course layout. Wind, however, is ever-changing in direction and velocity, so there is some measure of uncertainty inherent in such analysis.

His specific concerns as noted (items 1-4), if not already remedied, will be taken into consideration during construction, where minor design changes are common to fit the site, conditions, and unknowns that occur during grading. Item #1 has already been addressed by the owners', with the sidewalk shifted to the west side of the entry road.

Pertaining to item #2, and according to his recommendations, we anticipate adding more landscaping between the #1 green and the Practice Area to minimize balls rolling or kicking down.

Pertaining to item #3, and as he alludes to, there is very little turfed area behind the #5 green, which should contain balls and limit golfer's interaction. We will also add a bunker behind the green to further contain shots and further accommodate his recommendations.

Pertaining to item #4, and according to his recommendations, we will try to raise the elevation of a "landform" to 142 elevation if possible, or lower the swale to have similar

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effect if not. In addition, we will add landscaping in this area to further "knock down" errant shots, per recommendation.

Overall, we were pleased that your consultant found our plan "well thought out" and had so few concerns.

Best regards,
Todd Eckenrode – Origins Golf Design

A handwritten signature in black ink that reads "Todd Eckenrode". The signature is written in a cursive, slightly stylized font.

Principal

CC: Joel Rojas, Planning Director, RPV
Todd Majcher, Terranea
Michael Hardisty, Terranea