

Eduardo Schonborn

From: Leanne Twidwell [leetwid@yahoo.com]
Sent: Tuesday, May 15, 2012 10:53 PM
To: Eduardo Schonborn
Subject: re: Point View Agriculture and Golf Course Project

Dear Mr. Schonborn,

I am writing to voice my opposition to this latest project presented by Mr. York. He can call this project whatever he wants, but a reading of his proposal shows it to be his previously proposed Event Center, wrapped in avocado trees and an organic garden. I, among many other residents of Portuguese Bend, objected to this project when he presented it a year ago and we will continue to do so, no matter what label Mr. York applies to it.

Thirty events a year, with between 300 and 700 guests, as called for in the proposal, means between 300 and 700 people partying in Portuguese Bend every weekend between April and September. It means noise, music, wandering drunks, flipped cigarettes and at worst, 700 shouting people doing the Chicken Dance at top volume in our community every weekend. We do not need the noise, the invasion of our private community or the fire danger.

Furthermore, Mr. York is asking for legalization of an after-the-fact roadway to provide secondary access to the site from the Narcissa gate. The records will show, I believe, that a law suit some years back, settled the question of Mr. York's access to the Narcissa gate. The court said "no." I certainly don't see any reason to re-visit this decision. Do you?

I understand that Mr. York wants to make money on his considerable investment. However, his acreage is non-commercial, and as far as I know, it has not been re-zoned. So I don't understand how your office or the Planning Commission could even consider allowing this project to proceed any further than the May 22 meeting. I hope you agree with me. If I have any of my facts wrong, I would appreciate hearing from you.

Sincerely,

Leanne Twidwell
32 Sweetbay Road
Rancho Palos Verdes, CA
310 541-1003

Eduardo Schonborn

From: Marva Burt [marvabrt@cox.net]
Sent: Tuesday, May 15, 2012 4:22 PM
To: Eduardo Schonborn

Subject: Point View Conditional Use Permit Hearing

We live adjacent to Point View Property in Portuguese Bend and support Jim York's CUP and all his plans for his Point View Property. There have been parties in the past and the traffic and sound level issues are minimal. We would rather see open space with agriculture, habitat for animals and birds and deal with a few parties than 86 homes built impairing the views and adding more traffic on the PBCA roads. In the past few years the communication with Jim York has greatly improved with PBCA and the Board Members have been advised of any events that have occurred so far. His property is well maintained for fire prevention and accessible for fire trucks and emergency vehicles which benefit our Community.

Sincerely, Pat and Marva Burt
31 Sweetbay Rd., RPV
310-541-5127



May 14, 2012

Eduardo Schonborn
Senior Planner
City of Rancho Palos Verdes
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275

Re: Point View Agriculture and Golf Course Project

Dear Eduardo,

This letter is in regards to the proposed Point View Agriculture and Golf Course Project, scheduled to be reviewed by the Planning Commission on May 22, 2012.

We have read the Mitigated Negative Declaration (MND) dated April 2012, reviewing the potential impacts of the Point View Master Plan, and agree with Staffs determination. While we cannot opine upon the technical aspects of the MND, we have determined that York Point View Properties plan will not have a negative impact on Terranea or its business. Furthermore, we believe that the proposed uses specified in the Point View Master Plan are consistent with the goals established in the City's' General Plan, are in accord with Rancho Palos Verdes long agricultural history and represent a very significant gesture to protect open space.

We appreciate the consideration of our letter by both Staff and the Planning commission.

Should you have any questions or require any additional explanation, please feel free to contact me at your earliest convenience so that we may respond as needed.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Todd Majcher". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

J. Todd Majcher
Vice President
Resort Development and Design

A handwritten signature in blue ink, appearing to read "Terri Haack". The signature is cursive and elegant, with a prominent loop at the beginning.

Terri A. Haack
Executive Vice President
Managing Director

Eduardo Schonborn

From: suzanne black [suzannejoyblack@yahoo.com]
Sent: Tuesday, May 15, 2012 11:16 AM
To: pc@rpv.com; Eduardo Schonborn
Cc: Suzanne Griffith
Subject: Opposition to Conditional Use Permit Application - Point View
May 15, 2012; 11:15 a.m.

To whom it may concern:

I am respectfully writing in opposition to the Conditional Use Permit application for the "Point View Agriculture and Golf Course Project." I live at 13 Fruit Tree Road, Portuguese Bend. Our Street is perpendicular to the property in question.

I have been a resident of Portuguese Bend for over 43 years. My parents moved to Portuguese Bend because of the tranquil nature of the area and the privacy it provides. The private gates furthered the privacy and peacefulness of the place they chose for their home.

I find it very interesting that the project is now called "Point View Agriculture and Golf Course Project" with no mention of an Event Center. If we are all honest, this is a CUP for the York Event Center Project. The applicant wishes to make a profit on his investment of residential property. As he isn't building homes at the moment, he would like to have an Event Center on his property to earn income. While I can understand that desire, it is not appropriate for the residential area where his property is located. Mr. York knew of the zoning constraints when acquiring the property.

The biggest issue is the Noise. Interestingly, I noticed that the Noise Study did not even test on our street. Fruit Tree Road is probably one of the most affected areas due to the unique "tunnel" from the location of the Event Center. A few examples of the noise issues:

Mr. York held a personal Wedding reception at the Event Center site for his friend's daughter in 2011. I had the opportunity to speak to Mr. York that evening and invited him to walk up to my home so he could hear what it sounded like from my perspective. His comment to me was **"this is too loud."** While I appreciate his honesty, I am still concerned that the mitigation he proposes (Mr. York has promised that only Bands and DJs adhering to site-specific controls would be utilized to entertain guests) will not provide the deterrent needed to stop a DJ from "turning the volume up" at the request of a beautiful young bride. Mr. York will not be in attendance for each party and will not be able to control the situation.

Mr. York recently (in the last couple of weeks) held a party/wedding at the Point View location. I don't know whether he was in attendance, but the noise was again – TOO LOUD. I could not be outside. I had to close all of my doors and all of my windows. I heard the screams of the guests I heard the DJ's announcements ... I heard conversations ... and most of all, I heard all of the Wedding Songs – very clearly. As a result, again, I am not confident that Mr. York's method of dealing with the noise will be successful. I may be forced to call the police each weekend if the noise is too loud. I should be able to enjoy the outdoor living of our home without having to hear KC and the Sunshine Band.

5/15/2012

If the Planning Commission votes to approve the CUP, I strongly request that the number of events be reduced. Thirty Events each year represents approximately two parties each weekend for four months. That is simply too many.

While I may be more affected than others in our community, the majority of residents in Portuguese Bend are not in favor of the Event Center Project. Please note that in 2009, a petition was circulated in Portuguese Bend with 80 percent of the residents in opposition to the Event Center Project. Having an Event Center near our homes will devalue our property and decrease our enjoyment of our homes.

I ask you to consider the following questions. Would you want an Event Center in your neighborhood? Do you want to hear loud music, screaming, laughter and talking until 10:00 pm every weekend in the spring/summer/fall? Shouldn't Rancho Palos Verdes citizens be allowed to enjoy the tranquility of their home and neighborhood, especially since it is all zoned residential? I invite all of you to come to our home to hear what these parties sound like. You will be amazed at the noise.

I respectfully request that you deny the CUP in question. Thank you for your time and consideration.

Best Regards,
Suzanne Black Griffith

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MAY 15 2012

COMMUNITY DEVELOPMENT DEPARTMENT May 14, 2012

Rancho Palos Verdes Planning Commission
30940 Hawthorne Blvd.
Rancho Palos Verdes, California 90275
Senior Planner Eduardo Schonborn

Re: York's Point View Conditional Use permit.

Dear Commissioners,

My name is Mike Cooper I live at 3 Ginger Root Lane in Portuguese Bend with my wife Sharon and our four children. I am writing this letter in support for Jim York's proposed development at his Point View site. I served on the Portuguese Bend Community Assoc. board from 2004 – 2010 and worked with Jim York on issues that were sensitive to the Portuguese Bend Community, I found Jim York to be very agreeable and accommodating in working with the community and willing to alter and sometime completely change his plans when having private events on his property.

When Jim York proposed his plans to develop his property into residential homes a few years ago I wrote and spoke before the City Counsel in opposition to this plan on a grading stand point. In looking at the development potential of his property and recent rulings by the appellate courts concerning building in the Portuguese Bend area, I find his new proposal to be very modest to say the least, allowing the city to permit use of the property but still keeping with the rural nature of the property, which is very important to many in the Portuguese Bend Community.

I know there are some in my community that are opposed to any development of the Point View property, I would like to share one observation I noticed while serving on the board. Jim York would always inform the board when he was having an event on his property, on some occasions the board would inform the community via email of these events which always resulted in complaints of noise, traffic etc. on the occasions the board didn't inform the community of York's events we didn't receive any complaints of noise, traffic etc. I feel the proposed event center will have little effect on the quality of life in Portuguese Bend especially with the access being from Palos Verdes Drive South and not Narcissa Drive. Thank You for your consideration.

Sincerely,



Mike Cooper

Eduardo Schonborn

From: Dr. Theresa Tarcha [olliver8@msn.com]
Sent: Tuesday, May 15, 2012 8:00 AM
To: Eduardo Schonborn; pc@rpv.com
Subject: FW: Opposition to York Point View Plan: ZON2010-00087

Dear Staff and Planning Commission,

I am opposed to allowing the York Point View Project to proceed, because it definitely will have a significant negative impact on the residents of Portuguese Bend. Mr. York's event center is the main objective of his plan, which basically is an outdoor nightclub. That will destroy the quality of life of many residents of Portuguese Bend and Barkentine, and negatively impact the property values of the homes that are subjected to the obnoxious noise.

His parties over the past 2 years have angered a significant number of residents, as documented in the signatures that were obtained opposing this and submitted to you, and the large turnout of residents at the last city council meeting regarding this issue. His plan was ultimately defeated.

I live close to Mr. York's event center, and he recently had a party on April 21, 2012. The noise was so loud, the windows and French doors of my house were reverberating. The pounding noise from the base in the sound system was unbearable. It finally stopped because a neighbor on the next road over from me called the sherriff.

His planting of organic fruit and vegetables is a fine idea, and compatible with the semi-rural nature of the area. The proposed golf course appears to be a ruse. Revenue from renting out the area for wedding receptions and parties is his main objective. Please don't allow our property values and the serene quality of life of our community be destroyed.

Sincerely,

Dr. Theresa Tarcha
RPV Resident.

Eduardo Schonborn

From: Lee Jester [leejester@verizon.net]
Sent: Monday, May 14, 2012 11:26 PM
To: Eduardo Schonborn
Subject: Point View Agriculture and Golf Course Project

May 14, 2012

Planning Commission
City of Rancho Palos Verdes

Dear Sirs:

I am opposed to the golf course component and the ancillary Event Garden of the Conditional Use Permit application of the Point View Agriculture and Golf Course Project.

On September 22, 2009, the Planning Commission upheld the Community Development Department's interpretation that an application for a conditional use permit cannot be submitted to conduct a commercial enterprise on any Residentially-zoned property for the purpose of holding events.

The Event Garden with its proposal to conduct 30 events per year would adversely affect the semi-rural nature of the Portuguese Bend neighborhood. Noise, traffic and nighttime lights would disrupt the tranquility of the community, with attendance at events of possibly 300 to as many as 750 people. Additionally, the potential of a fire occurring through carelessness should be considered.

I would like the Planning Commission to deny the Conditional Use Permit for the components other than agricultural use and roadway improvement.

Sincerely,

Lois Jester
20 Narcissa Dr.
Rancho Palos Verdes, CA

Eduardo Schonborn

From: Marlene Black [marleneblack@yahoo.com]
Sent: Monday, May 14, 2012 11:02 PM
To: pc@rpv.com; Eduardo Schonborn
Subject: Point View CUP

To Whom it May Concern:

This is in regard to the Point View CUP petition. I have lived on Fruit Tree Road in the Portuguese Bend area for almost 40 years. Every time there was a party in the stable area or the pony club area, the noise level was unbelievable. You would swear the party was in our front yard. Thank heaven there weren't very many, so we never complained. The thought of having something every weekend is almost unbearable. The value of my home will be definitely negatively impacted. Who would want to buy a home near an Event Center with the amount of noise it produces? I plead with you to deny this Petition.

Thank you.

Marlene C. Black
13 Fruit Tree Road
Rancho Palos Verdes, CA 90275

Eduardo Schonborn

From: Mike Griffith [mikegrif@aol.com]
Sent: Monday, May 14, 2012 10:04 PM
To: planning@rpv.com; Eduardo Schonborn; pc@rpv.com
Subject: Point View CUP

TO WHOM IT MAY CONCERN:

I am writing in opposition to the Conditional Use Permit (CUP) applied for by the Point View Agriculture and Golf Course Project. I am the property owner of 11 Fruit Tree Rd., in Portuguese Bend and feel that my property will be negatively impacted if this development is allowed to proceed.

Mr. York bought his Point View property many years ago with the understanding that it was zoned residential (R2) and was not for use as a commercial venture. Over the past few years, he has tried to submit plans and develop his property for commercial use. The entire community of Portuguese Bend is impacted by having this proposed commercial venture being allowed to exist so close to houses that have made up a tranquil neighborhood for more than 40 years. During all of the testing and the parties he has held at the location, the level of noise experienced in my neighborhood has been unacceptable.

This application for a CUP is a pathetic and last-ditch effort to force a project into an area that was never zoned for such activity. The only acceptable use of this property was supposed to be houses. Then it was for an organic vineyard. Then it was for a wedding and event center. When all of these were rejected for not conforming to the current rules, a "golf course" was proposed to allow development. The "golf course" does not conform to any standard of a regulation course as recognized by the Professional Golf Association, will not be open to the public and will not even have regular hours. This is an obvious attempt of a scofflaw who has been told so many times before that this type of development is not wanted. Remember, this development is between the Trump Course and the Terranea golf courses and there does not need to be a fake golf course added to the mix in such a short distance on Palos Verdes Drive.

I urge you to vote NO on this CUP for the reasons above, and the obvious illegitimate reasons of trying to force a commercial venture into a residential neighborhood.

Thank you.

Michael Griffith
11 Fruit Tree Road
Rancho Palos Verdes, CA 90275

Eduardo Schonborn

From: Claire Monks [b.claire.m@gmail.com]
Sent: Monday, May 14, 2012 10:01 PM
To: Eduardo Schonborn
Subject: York Long Point Support

Dear Mr. Schonborn,

Mr. York's property is visible from our property on Plumtree Road (RPV) and because it is, we have felt it necessary to pay close attention to his plans for the outdoor venues.

On balance, we feel Mr. York is making a great effort to be a good neighbor locally by listening to our concerns about excessive noise being detrimental to our at home enjoyment and to our property values. We observed his professional noise testing and have read the contract he will use with organizations/parties to mitigate abuse of noise limits during evening events. (During the day, the machinery noise from the Stables is so loud, all else is not noticeable.) He proposes control of lighting as well—another issue we care about.

Further, creating road access from the front of his property ensures that unnecessary traffic through Portuguese Bends roads is eliminated and for us to have emergency egress over his roads is a great benefit.

We therefore support Mr. York's use permit application.

The Monks Family
4 Plumtree Road

To: The Planning Commission via pc@rpv.com
From: Victoria Pinkham
Date: 5/14/2012

Comments on the York Event Garden/Orchard/Golf Course application request before the Planning Commission 5-22-2012

1) There is a problem within the Project description within the MND

A) The MND clearly states that Mr. York paved this section of gravel road without permits and is now seeking with this proposal to formally permit this driveway.

The project description is misleading when it describes this road as an "Existing paved road off of Narcissa" and does not clarify that this is part of the proposed improvements in which the project seeking approval. For the reasons below, a full analysis of the impacts of creating an impervious surface may in fact be cause for this Planning Commission to require DG or some other pervious surface to be required. By describing this as "existing" conditions misleads the Planning Commission in to believing that this component of the application is not discretionary.

B) There is an incorrect description of the Event garden and Avocado orchard as "existing". When was either the "event garden" or the "avocado orchard" approved by this City? The MND as well as the staff report must be clear as to what is existing and what is under the project description so that the Planning Commission can make a clear, consistent decision.

2) Drainage issue onto Narcissa Dr.

The above described hardscape road is sloped to drain onto Narcissa Rd. Narcissa Rd. is part of the storm drain system for the PBCA community.

A) The PBCA storm drain system has suffered flooding as well as severe property damage in the Altimira Cyn. areas. There is no analysis of the contribution of storm drain runoff from this project and its impact to the PBCA.

B) The area of Narcissa across from where this newly paved road on York's project site has created a flooding situation into the neighboring PB Horse Club that did not exist before when there was a porous gravel road. Sand bags have had to be used during rain events to prevent flooding. There has been no hydrologic study to determine the impact of this hardscaping has to the PBCA storm drain system and/or contribution to water infiltration into the Horse Club's open corrals, its impact to the PB Horse Club and what contribution this water might have by shifting the site of infiltration into this landslide area.

3) Definition of "public" verses "private" events

How will the CUP distinguish between public or private? The project description includes Mr. York's "invited guests" to the golf course. When does "invited guests" become "the public" for any proposal here, including the event garden? The limit set on "events" needs to be clearly defined.

There is proposed 119 parking stalls. How many would that allow?

The project now proposes a commercial operation of agricultural uses. Is the community being subjected now to an unprecedented heavy use of Narcissa Dr. as a result of this project including this commercial operation? Where is the impact analysis for this?

4) Court decision – Access on Narcissa Dr.

The Courts have ruled that York cannot have access to his Filiorum property via the PBCA private streets (including Narcissa Dr.) for public use. He only has access for his own personal use.

Figure A-9 shows the main entrance to the entry fountain coming off of the Narcissa Dr. with no other planned road entrance for the parking lot. It appears by the map, and some description, that Narcissa will be used as an entrance for public events and/or commercial operations. There needs to be clarification that access to this site for either events and/or commercial agricultural operations must come from PVDS only.

5) Previous Planning Commission decision

The Planning Commission denied a previous application for an event garden on this same site. This decision must be consistent with that decision. The Planning Commission does not want to open the door for other RS-1 residents to make their properties an “event” center.

6) Fire hazards

There have been numerous fire incidents on this site and fire trucks have had difficulty accessing those fires on this site. For this reason, increasing public use of this site places the public to additional risks. In addition, by increasing public use, a greater risk is being passed along to the local residents in terms of both increased fires and impeding emergency evacuation.

7) Geological issues

In 2011 the Abalone Cove Landslide Abatement District (ACLAD) noticed a an unprecedented increase of well production on WW14 on this site. Mr. York indicated he had checked his irrigation system and there were not leaks. The well production increase continued until Mr. York had discovered the leak.

This clearly indicates two problems:

- 1) a mitigation of the owner monitoring for leaks may not be enough prevention for this to occur in the future and
- 2) the addition of a commercial scale water component of this proposed project could have serious effects on infiltration of water into a known landslide area.

This 2011 leak occurrence was significant enough to show a huge amount of water infiltrating to the landslide planes below despite the installation of drip irrigation. It was the main supply for that drip irrigation that has the potential of causing serious problems in triggering a known landslide in this area that could affect many homeowners. Drip irrigation as a mitigation does

not address the large quantities of pressurized water in the supply lines to the drip irrigation system.

8) Point View DEIR dated July 2005

There are many issues raised with a previous development on this same site that were discussed in a DEIR in July of 2005. Any applicable concerns and/or mitigations must be addressed in this MND.

9) Compliance with other city or government agency documents

The project must be in compliance with any city documents or policies such as the Conceptual Trails Plan, and must comply with any other government documents affecting this property such as the NCCP.

Thank you for your time in thoroughly addressing this application and the potential impacts it may have on the general public and the PBCA residents.

A handwritten signature in black ink that reads "Victoria Pinkham". The signature is written in a cursive, flowing style.

Victoria Pinkham
#1Narcissa Drive
Rancho Palos Verdes, CA 90275

The City of Rancho Palos Verdes

May 14, 2012

Attn: Mr. Eduardo Schonborn

Subject: Point View Agriculture and Golf Course Project
Conditional Use Permit Application ZON2010-00087

Planning Commission Staff;

The Portuguese Bend Community Association Board of Directors, in accordance with community member's comments in open board meeting, offers the following comments:

* We oppose any access to the Point View property, other than that defined in the California State Superior Court Judgment of July 27, 2001, regarding case No. YC036521.

* As previously communicated to the RPV Planning commission, after the initial submission of this application in 2010, a significant faction of community residents object to the request to allow large public events the existing event garden. Recent private events of this type of activity have proven to be more disquieting than that associated with normally accepted residential activities.

Respectfully submitted;

Robert Cumby

President

PBCA Board of Directors

Eduardo Schonborn

From: Elaine [erahn@earthlink.net]
Sent: Monday, May 14, 2012 9:42 AM
To: Eduardo Schonborn
Subject: In support of Mr. York
Agriculture/Special Activities

I support the agricultural uses by Mr. York on his Point View property. Where else in our community can young people experience real vegetable gardens, an avocado orchard or pick their own artichoke? Mr. York has always welcomed visitors interested in what he is growing (especially kids) and shares his knowledge about the various gardens. It seems to me that the Palos Verdes community will benefit a great deal from agricultural uses over more houses.

We should welcome, encourage and support more efforts like those of Mr. York into our community.

E. Rahn

28846 Crestridge Road

RPV

Eduardo Schonborn

From: meridian [dimensional.3@gmail.com]

Sent: Monday, May 14, 2012 8:00 AM

To: Eduardo Schonborn

Subject: York Event Garden

Dear Mr. Schonborn,

Although we do not live in Rancho PV, we have benefitted from use of the York Event Garden through his willingness to allow local non-profit or charity organizations to use this property at very little or no cost. What this has meant is that the funds raised for our children's programs goes to the programs and not to overhead.

Please accept this letter of support for York Point View.

LM Dennen
813 Via Somonte
PVE

May 01, 2012
Mr. Eduardo Schonborn
30940 Hawthorne Blvd
eduardos@rpv.com
City of Rancho Palos Verdes, CA 90275

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MAY 14 2012
COMMUNITY DEVELOPMENT
DEPARTMENT

RE: Point View-Master Use Plan

Mr. Schonborn,

Based on the review of the Point View Master Use Plan and my personal knowledge of the past use of the subject property, I am in favor of the continued use of Point View with all main access for use through the all-weather, paved driveway from the Palos Verdes Drive South Gate to the Event Garden area.

The Assets for the community:

- Emergency road
- Environmental friendly by restoring the agricultural uses of the property
- Maintaining of the Ocean View
- Securing the concern of the neighborhood that no homes will be built in the Point View area

The agricultural use of plantings of Avocado orchards, Olive trees and two vineyards keeps the land open as it has been for years

The historic use by the U.S. Pony club and camping on the grounds for one week each year with their horses, as well as Walk on the Wild side were some of the events that utilized this beautiful piece of land.

The proposed all weather road from PV Drive south to Point View is an advantage to the neighborhood as long as it is used as the "main access" road. The road will provide emergency access as well as keep additional traffic off the sub-standard road of Narcissa.

In my opinion the "**Planned neighborhood garage sale day**" that opens our roads to the public is more concerning than allowing the construction of an all weather road that will assist in keeping traffic off of our private roads.

Corinne Gerrard
22 Narcissa Drive
Rancho Palos Verdes
CA. 90275

RECEIVED

4101 Torrance Boulevard
Torrance, CA 90503
t: 310.303.5340
f: 310.540.8664
www.providence.org

MAY 14 2012

COMMUNITY DEVELOPMENT
DEPARTMENT



May 10, 2012

Mr. Eduardo Schonborn
Senior Planner
City of Rancho Palos Verdes - Planning Department
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275

Subject: Point View Agriculture and Golf Course Property

Dear Mr. Schonborn,

Providence Little Company of Mary Foundation is honored to have an on-going relationship with York Properties. Jim and Kathy York have generously shared their hillside patio and gardens on Palos Verdes Drive South on multiple occasions.

This "one of a kind" meticulously landscaped hillside is a profound benefit to the community. Point View Property should be shared and used in ways that would allow others to enjoy its magnificent beauty. We urge you to consider approving the use permit for Point View – the ability to continue hosting events on this property would greatly benefit local charities and the community at large.

We look forward to continuing our partnership with York Properties and we truly appreciate all the York family does to enhance and support the South Bay.

Sincerely,

A handwritten signature in black ink, appearing to read "S. W. Wallace", written in a cursive style.

Steven W. Wallace
Vice President of Development

MAY 14 2012

COMMUNITY DEVELOPMENT
DEPARTMENT***Y*** ***ORK POINT VIEW PROPERTIES, LLC***

550 SILVER SPUR RD., SUITE 250, RANCHO PALOS VERDES, CA 90275 (310)544-6177

May 11, 2012

VIA U.S. MAIL & E-MAIL

Mr. Eduardo Schonborn, AICP
City of Rancho Palos Verdes
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275-5391

RE: POINT VIEW MASTER USE PLAN - MITIGATED NEGATIVE DECLARATION

Dear Mr. Schonborn:

Pursuant to the Public Notice issued on April 17, 2012, York Point View Properties (YPVP) has reviewed the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Point View Master Use Plan. Based on a thorough examination of this comprehensive document, we believe the City, PCR Services, and its technical consultants have prepared an accurate and adequate description of our proposed project and its potential impacts.

While we believe the document is both adequate and accurate as required by CEQA, we offer the following comments and questions:

- Page A-1, paragraph B.1, fourth sentence (Project Location and Surrounding Uses): There is a reference to the "*Portuguese Bend Riding Club, a private commercial recreational facility*". We believe it would be instructive to note that this private commercial recreational facility is zoned for residential single family uses, which is comparable to the zoning on the Point View property.
- Page A-1, paragraph B.1 (Project Location and Surrounding Uses): Please note that the land to the west of Point View also includes the Barkentine portion of the NCCP Reserve, in addition to the Upper Abalone Cove Community.
- Page A-5, fourth full paragraph (Existing Conditions): Note that a revised plan for the Greenhouse was approved in April 2012 (not a part of this CUP).
- Page A-25, first paragraph (amplified sound): The reference that speakers will be set for a "maximum sound level of 85 dB" should be changed to "dBA". We also recommend that the noise level needs to be specified at a location or distance from the speakers. Finally, and most important, the reference to setting the speakers to 85 dBA isn't really

consistent with mitigation measure NOISE-6 (page B-102) which limits the speaker setting to "8".

- Page A-26, second full paragraph, last sentence (amendments): In addition to adding fertilizers and amendments to the tanks or injected at valve stations, some fertilizers and amendments may be added by hand at individual trees, vines, etc.
- Page A-29, first full paragraph, last sentence (irrigation): Irrigation in the evening is not planned. We anticipate that irrigation will be limited to daylight hours, when watering can be accurately monitored.
- Page A-33, paragraph 7, third sentence (Noise Containment): Note that the speakers will be tilted "downward" at 7.5 degrees.
- Page A-35, paragraph E (Project Construction): While some plantings may occur this year, we anticipate that a majority of the avocado trees and vines will be planted in the Spring of 2013.
- Page B-7, third full paragraph, third sentence (vine height): It is anticipated that the mature grape vines will reach an average height of about 7 feet.
- Page B-8, first full paragraph and Mitigation Measure AES-1 (driveway): . While it is clear that the driveway will be visible and will contrast to some extent with the existing semi-rural character, we disagree that the visual character of the proposed driveway would represent a "potentially significant impact". The driveway has been designed to rural standards (20 feet wide, no concrete curbs/gutters, curvilinear character, etc.). Moreover, it will be bordered by vegetated buffer strips and ornamental plants/trees (citrus, avocados, etc.) on both sides that will help mitigate any aesthetic concerns.
- Page B-40, paragraph E (septic tank): Please note that the Point View restroom and cook shack are served by the Abalone Cove Sewer System, not a septic system. The structures were connected to the public sewer in 2007, pursuant to a permit (PLM2007-00115) issued by the City. This error also occurs on pages B-129, B-130, B-133, etc.
- Page B-50, paragraph B (hazardous materials): The cook shack and restrooms were originally constructed in the late 1960s. In 2008-9, the restroom was remodeled, pursuant to permits issued by the City.
- Page B-66, Policy 4 (Natural Environment): Policy 4 is not applicable since no part of the property is located in the active landslide (RM4). This policy statement should be deleted or the "Analysis of Project Consistency" should state that no portion of the property is in the active landslide.
- Page B-71, Policy 2 (Urban Environment): The "Analysis of Project Consistency" should also state that the property is served by the Abalone Cove Sewer, a public infrastructure facility.
- Page B-84, first full paragraph, third sentence (existing noise environment): The reference to Table B-9 should be changed to Table B-10.

- Page B-84, second full paragraph, first sentence (existing noise environment): The reference to Table B-9 should be changed to Table B-10.
- Page B-89, Mitigation Measure NOISE-2: This mitigation measure would unnecessarily preclude the periodic use of a mid-size tractor from mowing the grass and cover crops adjacent to Vineyard #2 and Orchard #2. We request, that the mitigation measure be modified to allow use of a mid-size tractor for limited mowing operations within 120 feet of residential areas during mid-day hours and a maximum of three times a year.
- Page B-93, second full paragraph, second to last sentence (site cleanup): Please note that in some cases site cleanup or "take down" may occur on the following Monday, at the direction of the owner.
- Page B-94, first paragraph, last sentence (site access): We generally concur with the last sentence, but for clarity and to avoid future misunderstandings, we request that the statement be expanded to permit event guests access to the primary and overflow parking areas, the vegetable garden, the future greenhouse, and golf course (by invitation only).
- Page B-97, last paragraph (speaker test): There is a statement that during speaker tests increasing the speaker loudness "did not noticeably increase levels at R1 through R4". However, the data in Table B-14 shows that the noise did increase from 44 dBA to 51 dBA for R2. Given the location of R2 and the large increase, we doubt that the increase was due to the speakers.
- Page B-101, Mitigation Measure NOISE-5: The mitigation measure should be modified to allow the sound absorption panels or blankets to be placed on the pony wall temporarily for any event authorized by the CUP.
- Page B-101, Mitigation Measure NOISE-6: A Draft Entertainment Agreement (*York Point View Properties, LLC (YPVP) Entertainment Vendor Policies and Code of Conduct Agreement*) is attached for discussion purposes.
- Page B-102, last paragraph and Mitigation Measure NOISE-7: This mitigation measure is unclear. We request that the narrative and mitigation measure be modified to allow activities on the "ceremony" lawn until 8:00 p.m. on weekend evenings (Friday, Saturday, and Sunday). In addition, we request that the mitigation measure be modified to permit amplified sound during weddings for clergy and ceremonial music (e.g., recorded music, string quartet, guitar, vocalist, etc.). All sound equipment would be provided by the Owner and speakers would be directed toward the ocean.
- Page B-102, Mitigation Measure NOISE-8: We concur with the mitigation measure, but it is unclear whether we are required to provide two reports per year or one report that would cover both sets of measurements during the year.
- Page B-106 (Public Services) and Page B-128, paragraph E (Emergency Access): We agree with the overall conclusions in these sections regarding emergency access, however, we believe it should be noted that with the construction of the all-weather driveway, emergency access for fire, police and public utilities will be greatly enhanced. In fact, we believe that proposed driveway will benefit the Portuguese Bend Community by providing an additional egress from the community during times of emergencies.

- Page B-134, paragraph F, second sentence (compost): For clarification, there is no formal composting program contemplated nor is there any composting being done on the property at this time. Currently, green waste is "mulched" and spread in select areas on the property or disposed of by a private disposal company. We anticipate that these practices will continue in the future.

Thank you for your consideration of these comments.

Respectfully,

A handwritten signature in black ink that reads "GARY S. WEBER". The signature is written in a cursive style with a long horizontal stroke at the end.

Gary S. Weber

*C: Jim York
Attachment*

DRAFT

Client Name: _____
Event Date: _____

YORK POINT VIEW PROPERTIES, LLC ("YPVP") ENTERTAINMENT VENDOR POLICIES AND CODE OF CONDUCT AGREEMENT

This agreement between YPVP and _____
is made with reference to the following facts.

- 1) _____, has authority to enter into contracts/agreements on behalf of the musical group _____ (hereinafter "PERFORMER").
- 2) YPVP (YPVP also refers to the property owned by York Point View Properties, LLC) is located in a residential environment and is subject to noise restrictions.
- 3) Violation of the noise restrictions could jeopardize YPVP's ability to remain in business.
- 4) As a material condition of YPVP permitting live or amplified music, PERFORMER must agree to abide by all direction or instruction of YPVP, regarding all aspects of any musical performance.

IT IS HEREBY AGREED:

- 1) When performing at YPVP, PERFORMER will adhere to the instructions of the management of YPVP. Although PERFORMER is not the direct client of YPVP, PERFORMER agrees that YPVP has the absolute right to specify the types of music performed, the noise level and the location of any set up, including, but not limited to the following:
 - a) The noise level shall never exceed 84dBA, and all speakers must face the south and be pointed towards the Pacific Ocean.
 - b) PERFORMER shall utilize YPVP sound system, which include the decorative "rock" speakers and other on-site fixed speakers, and the QSC-8 stand-mounted sound-minimizing speakers.
 - c) PERFORMER shall use all pre-approved settings and speaker direction.

DRAFT

- d) When within the assembly area of the event garden PERFORMER shall ensure that stand-mounted movable speakers shall be oriented towards the existing pony wall and the top of the speakers shall be no higher than 5 feet above the ground.
 - e) Stand-mounted, sound-minimizing speakers (QSC-8 or similar) shall be tilted downward at 7.5 degrees and be directed away from the Portuguese Bend Community
 - f) The volume of the stand-mounted movable speakers shall be set no greater than "8" at the volume controller of the speakers.
 - g) All amplified sound and/or musicians shall be limited to the hours when events are permitted.
 - h) PERFORMER shall calibrate sound equipment or musical instruments for low bass and for volumes not to exceed 85 dBA (volume setting of "6") at the source.
 - i) YPVP shall approve all musical instruments and singer(s), including but not limited to acoustic instruments, string instruments, woodwinds. piano, tambourine, choir etc.
- 2) PERFORMER has been made aware of the noise restriction and agrees that if approved to play at YPVP, PERFORMER will respect the residential environment of YPVP.
- 3) Any and all amplified music must be pre-approved and played only through the YPVP sound system and speakers. PERFORMER understands and agrees that PERFORMER is not allowed to furnish any additional amplifiers or speakers. If PERFORMER is approved to utilize amplification, PERFORMER will provide line level feeds either directly from a single instrument, through a non-amplified mixer or by use of a single free standing YPVP microphone.
- 4) It is understood and agreed that the PERFORMER must leave the YPVP premises in a neat and orderly condition, free of debris or refuse. If the YPVP staff must remove materials or debris during, throughout or at the close of any event, additional charges may be charged to PERFORMER, and PERFORMER agrees to pay same directly to YPVP.
- 5) PERFORMER must have its equipment set and ready to perform at least one-half hour before the designated start time. Tardiness will not be tolerated and may be subject to a price reduction or additional charge to PERFORMER if the performance is late.
- 6) All functions are private; non-performing guests are not allowed to accompany any PERFORMER or entertainer.
- 7) YPVP is a place of business and as such, proper behavior and language must be observed. Loud or obscene language, rough housing and horseplay will not be tolerated.
- 8) Absolutely no alcoholic beverages or illegal drugs are to be consumed by PERFORMER (or its staff) while on the YPVP premises. PERFORMER (or any of its staff) appearing to be under the influence of these substances will not be permitted to perform or remain on the YPVP premises.

DRAFT

- 9) Smoking of tobacco products is not permitted at the YPVP premises.
- 10) All decorations and lighting must be approved by YPVP.
- 11) PERFORMER shall not affix any item whatsoever to surfaces including with the use of tape, wire, staples, nails, glue and/or similar damaging adhesives, without approval by YPVP staff. PERFORMER shall in no event penetrate any existing improvements at the YPVP premises.
- 12) Failure to adhere to any of the above will result in the following:
 - a) PERFORMER will be banned from YPVP, including any event already contracted for with a client. Since said banning is due to breach of this agreement, PERFORMER agrees to waive any and all rights, financial or otherwise, to hold YPVP or its/their clients responsible for these events.
 - b) The performance will be shut down and PERFORMER will be required to vacate the premises.
 - c) If the Sheriff and or police are contacted, PERFORMER assumes liability for any legal action by the City of Rancho Palos Verdes.
 - d) PERFORMER's client may have to pay part or all of their \$_____ security deposit.
- 13) PERFORMER hereby agrees to hold YPVP harmless from all accidents, injuries or damages arising wholly or partially due to the negligence of YPVP, its agents or employees. In addition, PERFORMER hereby releases YPVP from any and all claims of liability that may occur while in, on or about the YPVP premises.

DRAFT

I have read and agree to all of the above mentioned terms and conditions of this Entertainment Vendor Policies and Code of Conduct Agreement.

Business Name: _____

Contact: _____

Address: _____

Phone #: _____

Signed _____

: _____

Date: _____

Agreed by Client

Signed _____

Date _____

Approved by Owner

Signed _____

Date _____



SIERRA
CLUB
FOUNDED 1892

Palos Verdes - South Bay Group / Angeles Chapter

May 11, 2012

Eduardo Schonborn, AICP
Senior Planner, Community Development Department
City of Rancho Palos Verdes
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275

Re: Mitigated Negative Declaration for the Point View Master Use Plan

Dear Mr. Schonborn,

The Mitigated Negative Declaration (MND) for the Point View Master Use Plan should not be approved at this time without substantial modifications.

The Point View Master Use Plan is inconsistent with the Rancho Palos Verdes Natural Communities Conservation Plan (NCCP) as approved by the City in 2004. The project site, also known as Lower Filiorum, is very specifically addressed in the NCCP, but the MND both fails to acknowledge that fact and fails to address the requirement established by the NCCP that *any* project on the site dedicate a wildlife habitat corridor to the Palos Verdes Nature Preserve (Preserve).

Furthermore, the MND fails to provide mitigation for numerous direct and indirect impacts to wildlife and wildlife habitat quality that would be incurred by this project plan.

Background

The following considerations need to be made in evaluating impacts to the project site:

1. The Non-native Grassland, Coastal Sage Scrub (CSS), and disturbed Coastal Sage Scrub that exist on the Point View / Lower Filiorum property have important habitat value for Sensitive Species including Gnatcatchers, Cactus Wrens and the Palos Verdes Blue Butterfly which exist, or are likely to exist, on the project site.
2. The California Department of Fish and Game and the United States Fish and Wildlife Service require mitigation for impacts to Coastal Sage Scrub at a 3:1 ratio and mitigation for impacts to Non-native Grassland at a 0.5:1 ratio.
3. Wildlife habitat is most functional when it is in large contiguous blocks and where disturbances are minimized. It is a goal of the approved NCCP to preserve large contiguous areas of natural wildlife habitat.

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4. Fragmentation of habitat areas by project elements, motorized and non-motorized traffic, trails, clearing of vegetation, noise, lighting, and various other human activities can all be considered impacts to habitat areas.
5. Buffer areas need to be provided around impact areas to mitigate impacts to wildlife and habitat.
6. It is a goal of the approved NCCP to restore disturbed and non-native areas to the appropriate mix of native vegetation in order to improve habitat function for native wildlife species.

Inconsistencies with the Rancho Palos Verdes Natural Communities Conservation Plan (NCCP)

The NCCP has always incorporated a functional wildlife habitat corridor through the Lower Filiorum site as an important part of the overall Preserve design in order to insure adequate biological connectivity for the Preserve as a whole. The failure of this MND to designate such a habitat corridor is in direct conflict with that intent of the NCCP.

The entire Point View site is mapped in the NCCP as a Regionally Important Habitat Area and Linkage Planning Area (NCCP Figure 2-4) and as a Priority Habitat Restoration Area within the Reserve (NCCP Figure 6-1). Because of those important habitat values, Section 3.1.2 of the NCCP specifically addresses mitigation required at the Lower Filiorum / Point View project site as follows:

*...at a minimum the Reserve area must be at least 40 acres in size and the minimum reserve corridor width should be no less than 300 feet in width at its narrowest location. The 40 acres of dedicated Reserve include 1.5 acres to be provided as mitigation for previous brush clearing activities and 38.5 acres of mitigation for CSS and grassland losses resulting from **any** future development of the 95-acre Lower Filiorum parcel.*

*The inclusion of Lower Filiorum acreage in the Reserve will be a condition of approval for **any** development project subsequently approved for the Lower Filiorum property. [Emphasis added]*

The MND completely ignores this relevant Section of the NCCP and instead pretends that the site should be considered a "Neutral Land" because "similar grasslands in the adjacent Barkentine Canyon are designated by the NCCP as being 'Neutral Land', not accessible for active habitat management and not included in the NCCP Reserve area". (p.B-29) The MND's argument is completely illogical for three reasons: Barkentine is not mapped as Neutral Land (NCCP Figure 4.3); Barkentine Canyon is indeed included in the Preserve; and the Point View property does not meet the criteria for the definition Neutral Lands as stated in Section 4.1.3 of the NCCP:

The Neutral Lands designation has been applied to privately owned properties in the City that contain development constraints due to existing City zoning code restrictions. By definition "Neutral Lands" are those areas that are considered to be extreme slopes (35% or greater slope), are zoned Open Space Hazard or exist as deed restricted open space belonging to a Homeowners Association.

Thus the MND has failed to properly address several inconsistencies of the proposed Point View Master Use Plan with the approved Rancho Palos Verdes NCCP.

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Inadequate Mapping

This MND does not provide adequate mapping of the boundaries of project elements or any mapping of the existing grassland vegetation on site. There are verbal references to such site elements as existing unpaved roads and paths, a 500 foot fuel modification area, and tents for events, but their locations are not mapped. Designated staging areas are not mapped. It is impossible to completely evaluate project impacts without such mapping.

In order to better visualize the footprint of the project elements in relationship to the vegetation and habitat on site, we combined the data from the project map with the *Lower Filiorum.pdf* map which is found on the city's website. We have attached the resulting composite map, entitled "*Estimated Minimum Impacts to Vegetation*".

It should be noted that there are some discrepancies in the mapping of Coastal Sage Scrub between the city's map and the project maps. Areas depicted in yellow on the composite map were mapped as CSS on the city map, but have lost that designation on the developer's map.

It can be easily seen from the composite map that the project would indeed significantly impact Grassland and that there would also be some impacts to CSS at the northeastern and southwestern corners. The proposed irrigation line bisects and thus impacts the largest intact CSS remnant in the center of the property. The proposed paved road divides the wildlife habitat corridor.

The MND fails to acknowledge or provide mitigation for these impacts.

Project Impacts

The project would entail direct and indirect impacts which would be detrimental for native wildlife and Sensitive Species. Unless the wildlife corridor is actually dedicated to the Preserve, the "undeveloped" parts of the site will have no protection as wildlife habitat or as a wildlife corridor and would be subject to continued impacts and degradation. Furthermore, without such a dedication to the Preserve, there is no assurance that the corridor, which the NCCP identifies as a First Priority Habitat Restoration Area, would ever be restored.

The following impacts are of particular concern:

On site vehicular use

The project proposes a 20 foot wide road (referred to as a "driveway") which would bisect any configuration for a habitat corridor. The effective disturbance of such a road would actually be greater than its paved width, since roads require routine fuel modification and vegetation clearance along their edges. We are concerned that the intensified development and use of this proposed road would significantly impact the wildlife corridor.

The MND also refers to routinely traversing the site on mid-sized tractors; a "four-wheel-drive John Deere Gator"; and a range of other vehicles required for commercial agricultural work and events to be



staged on site. Usage of existing or new roads or paths would be greatly intensified in order to support these commercial uses. Therefore, the MND should map any such roads and paths, evaluate their impacts and provide mitigation for those impacts. Extraneous roads and paths should be closed, and all roads and paths should avoid the wildlife corridor.

Event staging

The MND states that *"Improvements to the existing landscaped patio / event garden area at the central portion of the site would complement the proposed golf course, which would be used as an "Event Garden".* (p.A-9) This statement implies that events would actually be staged on the golf course and needs to be clarified.

Parking and Tents

The MND fails to identify where the proposed temporary tents would be allowed on the site and fails to establish any restrictions for their placement. Likewise, locations for delivery vehicles and other event support vehicles or structures are not specified or restricted in the MND. Locations and restrictions for these elements need to be identified in order to determine potential impacts and the need for mitigation.

Fuel Modification

The MND states that vegetation would be trimmed within 500 feet of the event garden for fire prevention but fails to map that fuel modification area or to evaluate impacts to vegetation or wildlife from such trimming. 500 feet seems to be well beyond what is normally required by the fire department.

Landscaping, Cover Crops, Vegetated Buffers

The proposed project includes new landscaping which incorporates plant species which are considered Invasive by the California Invasive Plant Council (Cal IPC). Invasive plant species which are listed by Cal IPC should not be used on the project site for landscaping, cover crops or vegetated buffers. These include, but are not limited to, pepper trees, eucalyptus, myoporum, and rye grass.

Conventional Agriculture

The avocado and olive groves are proposed to be grown organically, however the remaining citrus, grapes and vegetables are proposed to be grown with conventional agricultural practices. Such practices potentially include the use of pesticides.

Sensitive wildlife species including the California Gnatcatcher, Coastal Cactus Wren and the Palos Verdes Blue Butterfly occur or potentially occur on the project site. The Gnatcatcher and Cactus Wren are both insectivorous birds. We are concerned that the use of insecticides on the project site could be



detrimental to those sensitive bird species. The Palos Verdes Blue Butterfly could also be vulnerable to insecticides used on the project site. In order to avoid potential impacts to these Sensitive Species, pesticides should not be used on the project site.

Irrigation

A proposed irrigation line bisects the largest intact patch of Coastal Sage Scrub on the project site. Locating project infrastructure through sensitive habitat is not acceptable as it will cause impacts both during installation and for maintenance. This irrigation line should be re-routed through less sensitive Non-native Grassland or eliminated entirely.

Lighting and Noise

The MND fails to evaluate impacts from event lighting and noise on wildlife.

Analysis of Mitigation due for Project Impacts

Section 3.1.6 of the NCCP analyzes mitigation requirements for any development on the Point View site. Prior disturbances to sensitive vegetation and habitat require 1.5 acres of mitigation. The NCCP analysis calculated an additional total of 51.4 acres of mitigation needed for an anticipated project impacting 7.3 acres of Coastal Sage Scrub (mitigated at 3:1) and 59 acres of Non-native Grassland (mitigated at 0.5:1.)

A new tally of total acreage of impacts might differ somewhat from the initial NCCP total because of the change in the project configuration. Nonetheless, project impacts to vegetation and wildlife would still be significant. (See attached map.) The obligation also remains for the project to dedicate a habitat corridor as specified by the NCCP in order to preserve biological functionality for wildlife. The Point View MND fails to acknowledge these mitigation obligations.

The MND claims that the *"improvements proposed as part of the project would only effect [sic] approximately 31 acres"*, but does not identify the impacted areas. The MND fails to provide any mapping documenting the project impacts to the onsite vegetation; fails to quantify impacts to Grasslands, Coastal Sage Scrub, and a necessary habitat connection corridor; and fails to provide mitigation for those impacts.

The Grassland and CSS areas which are shown as impacted on the composite map we have attached are only part of the impact areas which must be mitigated. The impacts of project elements including roads, developed and unpaved; overflow parking; tents; and unrestricted event or agricultural uses should be added. Allowances for adequate buffers around each of the project elements should also be added to mitigate "edge effects" of these disturbances on wildlife. It is likely that a large proportion of the vegetation and habitat of the project site will need to be considered impacted by these multiple project elements and activities and will require mitigation.



Conclusion

The Sierra Club requests that the Rancho Palos Verdes Planning Commission deny approval for this MND for the Point View Master Use Plan. The Sierra Club requests the following changes:

- The MND needs to be substantially revised to correctly acknowledge the property's obligations under the NCCP.
- The MND needs to fully address and acknowledge project impacts to vegetation and wildlife.
- The Mitigated Negative Declaration needs to provide real and appropriate mitigation for the impacts of the proposed project elements by formally dedicating an appropriate wildlife habitat corridor to the NCCP Preserve as specified by section 3.1.2 of the approved Rancho Palos Verdes NCCP.
- Project impacts to that corridor should be prohibited in order to truly protect that portion of the site for wildlife and habitat covered by the NCCP and to provide an opportunity for the improvement and restoration of optimal habitat value.
- Additional project modifications should be required to reduce impacts to wildlife and habitat:
 - Relocate the irrigation line outside of the remnant Coastal Sage Scrub.
 - Minimize the width of the main access road.
 - Formally designate and restrict all other paths and roads and staging areas to areas outside of the wildlife habitat/corridor
 - Prohibit the use of insecticides on site.
 - Remove any plants listed as Invasive by the California Invasive Plant Council from the Landscape Plan

Very truly yours,



Alfred Sattler
Chair, Executive Committee
Palos Verdes – South Bay Regional Group
Sierra Club

Attachments:

Estimated Minimum Impacts to Vegetation (composite map)
NCCP Preserve Properties, Lower Filiorum Potential Preserve

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NCCP Preserve Properties Lower Filiorum Potential Preserve

□ NCCP Preserve Properties
Parcels

□ City Boundary

Sensitive Species

- Palos Verdes Blue Butterfly(Historic Sighting)

Palos Verdes Blue Butterfly(Host Plant)

♦ El Segundo Blue Butterfly (2000 sighting)

† El Segundo Blue Butterfly (Host Plant)

Aphanisma blitoides

▲ Atriplex pacifica

■ Crossosoma californicum

● Dudleya virens

○ Lycium brevipes var hessei

Coastal Cactus Wren

☆ California Gnatcatcher

Vegetation

■ Cliff Face

□ Southern Coastal Bluff Scrub
Grassland

CSS - Undifferentiated

□ CSS - Artemisia Dominated

□ CSS - Eriogonum Dominated

■ CSS - Salvia Dominated

■ CSS - Rhus Dominated

■ CSS - Encelia Dominated

□ Southern Cactus Scrub

■ Riparian Scrub

□ Ruderal Habitat

□ Developed

□ Disturbed

■ Exotic Woodland

■ Saltbrush Scrub

■ CSS - Baccharis Dominated

□ Rocky Shore/Intertidal

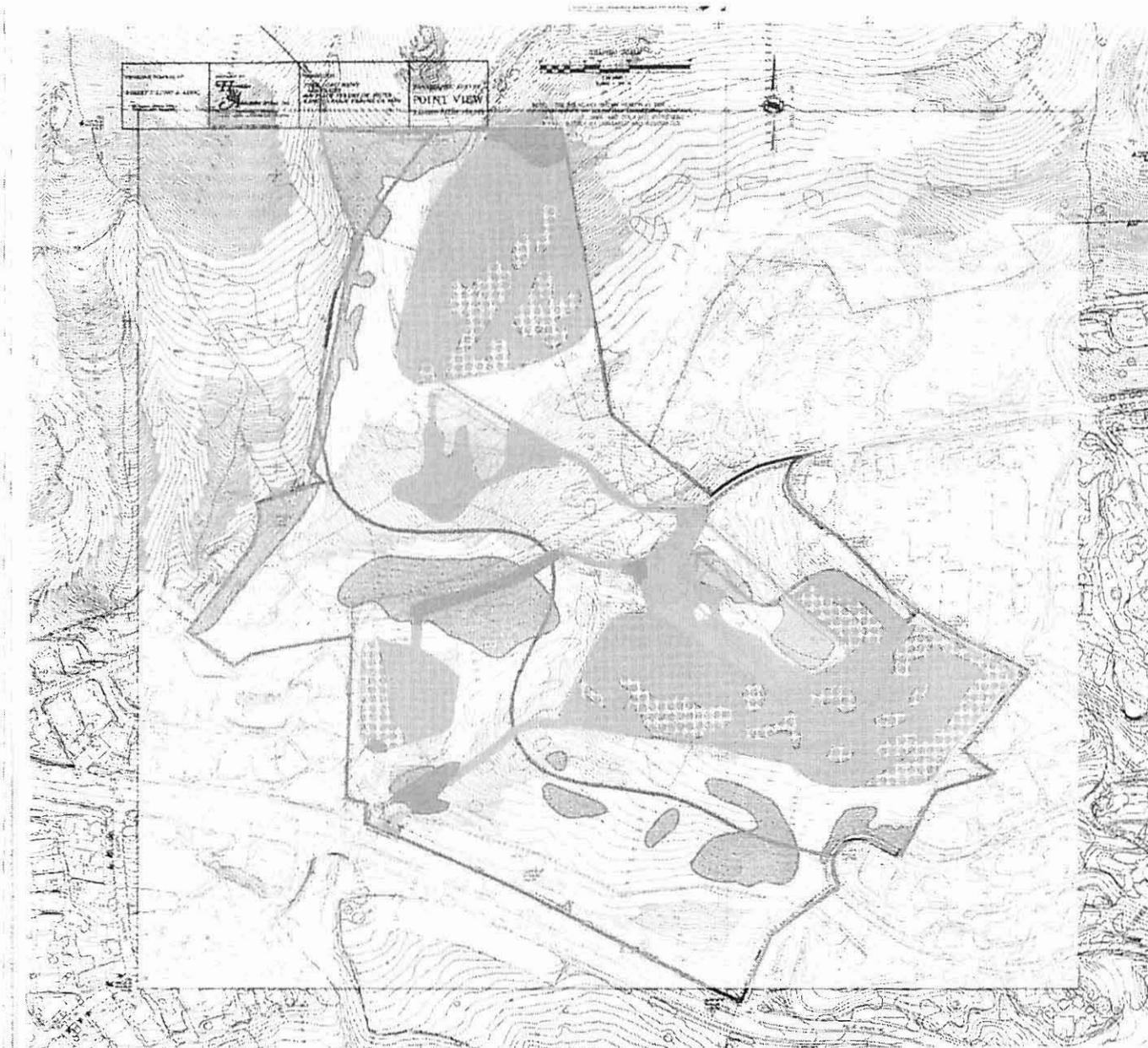
Point View
Master Use Plan

**ESTIMATED
MINIMUM
IMPACTS TO
VEGETATION**

-  CSS
-  Grassland
-  CSS Impacts
-  Grassland Impacts
-  CSS missing from project map

Additional impacts
must be calculated to provide buffers for habitat areas; and to mitigate fuel modification; roads; staging areas; etc.

**THESE IMPACTS MUST
BE MITIGATED**



Composite map of Master Plan map and map of NCCP Preserve Properties Lower Filiorum Potential Preserve



May 10, 2012

Eduardo Schonborn
Planning Department
City of Rancho Palos Verdes
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275

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President

Donna Ciminera
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Janie Woodburn
Secretary

Jan Raymond

Barbara Smith

Sherry Granstrom

Dear Mr Schonborn,

The members of Las Candalistas would like to express support for Jim York's application for a Conditional Use Permit for the property located at 6001 Palos Verdes Drive South, Rancho Palos Verdes.

Over 40 years ago Las Candalistas presented its first *Walk on the Wild Side* in Portuguese Bend at the very site which is now part of York Point View Properties. It was a perfect setting for our fundraiser benefiting South Bay Charities. We have proven that events can be held on the property without adversely affecting the neighbors. Both our guests and members loved the beauty of the area and the beauty helped make *The Walk* a truly memorable event.

It has been twelve years since we had an event at that site and would like to return. Mr. York has generously offered to let us do that depending on your approval of his CUP application to hold events on the property. We expect our event to involve approximately 600 people. We are sensitive to the concerns of the neighbors and will abide by the restrictions Mr. York has outlined in the application.

Las Candalistas would also provide traffic control with the Lomita Sheriff's Station at the Palos Drive South entry to the property. If required we would obtain a separate permit for our event from the Rancho Palos Verdes City Planning Department.

Mr. York has always been more than generous to our philanthropic group and has shown support for in many ways over the years. We are delighted that he would allow us to use his property for our event.

If there is any other information we can provide, please contact me at 310 373-2874 or mary@sloper.org.

Sincerely yours,

Mary Sloper,
Chair, Board of Directors

c: Jim York

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MAY 10 2012

COMMUNITY DEVELOPMENT
DEPARTMENT



May 9, 2012

The Honorable Anthony Misetich, Mayor
City of Rancho Palos Verdes
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275

The Planning Commission
City of Rancho Palos Verdes
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275

RE: Proposed Master Use Plan for the Point View Property
Interpretation Hearing Request (Case NO. ZON2010-00087),
6001 Palos Verdes Drive South, Rancho Palos Verdes

Dear Mayor Misetich and Members of the Planning Commission:

On behalf of the Board of Directors for the Palos Verdes Peninsula Chamber of Commerce, we are writing in support of the York Point View Properties' proposed Conditional Use Permit application to implement a Master Use Plan on their 94-acre Point View Property.

The Chamber's Board of Directors has reviewed the current proposal and has concluded that the suggested development will be of direct economic benefit to our local economy. In addition, the "Event Garden" has the potential to bring additional business to surrounding properties, including Terranea Resort, Trump National Golf Club and Wayfarers Chapel. We are confident that Mr. York will address any questions that local residents may have regarding this development.

We support the York Point View Properties request before the Planning Commission for a Conditional Use Permit for the proposed "Event Garden", executive golf course, and agriculture. Thank you for your consideration.

Sincerely,

Marilyn Lyon
Chairman of the Board

Eileen Hupp
President & CEO

Palos Verdes Peninsula Chamber of Commerce & Visitors' Center

707 Silver Spur Road, Suite 100 • Rolling Hills Estates, CA 90274

310.377.8111 • 310.377.0614 fax • Office@palosverdeschamber.com • www.palosverdeschamber.com

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MAY 10 2012

COMMUNITY DEVELOPMENT
DEPARTMENT

Jeanne Smolley
56 Limetree Lane
Rancho Palos Verdes, CA 90275

May 8, 2012

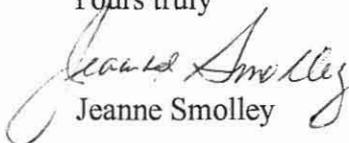
Eduardo Schonborn,
Senior Planner
City of Rancho Palos Verdes
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275

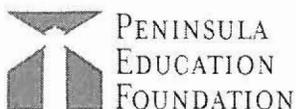
Subject. Point View Agriculture and Golf Course Project

With respect to the miscellaneous section the following should be removed. "To improve on-site circulation and access, the proposal includes legalizing an after-the-fact roadway segment that was paved to provide a secondary access to the site from the Narcissa Drive gate." As per the court ruling Mr. York's property cannot have public access to Narcissa Drive. Nor do I believe that the City has the authority to "legalize" what is actually a driveway for the limited use spelled out in said ruling.

Roads for access to this property must come from a public road, i.e. Palos Verdes Drive South. A circulation route could be provided by a second access to PVDS at the eastern end near the Wayfarer's Chapel.

Yours truly


Jeanne Smolley



RECEIVED

MAY 10 2012

**COMMUNITY DEVELOPMENT
DEPARTMENT**

May 9, 2012

City of Rancho Palos Verdes
30940 Hawthorne Blvd.
Rancho Palos Verdes, Ca 90275

To the Members of the Rancho Palos Verdes Planning Commission:

For over 15 years, Jim York has been a strong supporter of our Palos Verdes Peninsula schools and many other important causes on the Peninsula and around the South Bay area. He has donated his time to serve as a Board member at the Peninsula Education Foundation, and has given monetary donations as well as donations for our auctions.

I am writing in support of his newly developed event garden and hope you will grant him permission to have up to 30 events on the property, five of which will benefit local non-profit organizations like ours. I also support developing 30 acres of agricultural land which will keep those acres beautiful and pristine. Jim has always been a consummate gardener and I have witnessed first-hand how he maintains his land. The venue is a beautiful vista of our wonderful coastline and will offer new opportunities for Jim to support groups on the Peninsula.

If approved, this site will provide a high quality public and private venue that will complement the existing venues in Palos Verdes and provide an alternative, less expensive location.

For over 30 years, the Peninsula Education Foundation has supported important programs for the Palos Verdes Peninsula Unified School District (PVPUSD) such as elementary music and world language, intermediate and high school counseling and STEM programs, and the high school academic counselors and College Career Centers. This year we are also raising vital funds to keep teachers in the classroom. We have pledged to donate over \$2.7 million to the District for the 2011-2012 school year.

Please feel free to contact me with any questions or if you need further information.

Kind regards,

A handwritten signature in cursive script, appearing to read "Andrea Sala".

Andrea Sala
Executive Director

www.pvpef.org

310.378.2278
Tax I.D. # 95-3498211

help@pvpef.org



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401

RECEIVED

MAY 10 2012

COMMUNITY DEVELOPMENT
DEPARTMENT

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

May 8, 2012

Eduardo Schonborn, Senior Planner
City of Rancho Palos Verdes
Community Development Department
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275

Dear Mr. Schonborn:

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE POINT VIEW MASTER USE PLAN, THREE DISTINCT COMPONENTS, 1 THE EXPANSION OF THE AGRICULTURAL US; 2 DEVELOPMENT OF A PRIVATE EXECUTIVE GOLF COURSE; 3 IMPROVEMENTS TO AN EXISTING LANDSCAPED PATIO/EVENT GARDEN AREA; 6001 PALOS VERDES DRIVE SOUTH, RANCHO PALOS VERDES (FFER #201200055)

The Notice of Intent has been reviewed by the Planning Division, Land Development Unit, Forestry Division and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. We have no comments at this time.

LAND DEVELOPMENT UNIT:

1. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants.
2. The statutory responsibilities of the County of Los Angeles Fire Department, Land Development Unit, are the review of and comment on, all projects within the unincorporated areas of the County of Los Angeles. Our emphasis is on the availability of sufficient water supplies for firefighting operations and local/regional access issues.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CERRITOS	EL MONTE	INDUSTRY	LAKELWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	COMMERCE	GLENDORA	IRWINDALE	LAWNDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	CUDAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
BRADBURY							WHITTIER

However, we review all projects for issues that may have a significant impact on the County of Los Angeles Fire Department. We are responsible for the review of all projects within Contract Cities (cities that contract with the County of Los Angeles Fire Department for fire protection services). We are responsible for all County facilities, located within non-contract cities.

The County of Los Angeles Fire Department, Land Development Unit may also comment on conditions that may be imposed on a project by the Fire Prevention Division, which may create a potentially significant impact to the environment.

3. This property is located within the area described by the Forester and Fire Warden as a Fire Zone 4, Very High Fire Hazard Severity Zone (VHFHSZ). All applicable fire code and ordinance requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance and fuel modification plans, must be met.
4. Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.
5. Access roads shall be maintained with a minimum of 10 feet of brush clearance on each side. Fire access roads shall have an unobstructed vertical clearance clear-to-sky with the exception of protected tree species. Protected tree species overhanging fire access roads shall be maintained to provide a vertical clearance of 13 feet 6 inches.
6. The maximum allowable grade for private fire apparatus access roads shall not exceed 15.0%. Where grades exceeding 15.0% are necessary due to topographical conditions, a grade percentage of 15.1% - 20.0 % is allowed for a maximum length of 150 feet, the overall average grade shall not exceed 17%. Private fire apparatus access roads with a grade percentage of 15.1% - 20.0% and greater in length than 150 feet shall provide a 100 lineal foot grade break area that does not exceed a 10% differential for each 150 foot length. The overall average grade shall not exceed 17.0%. When determining the average grade, the entry apron, fire apparatus turnaround area, garage driveway area, etc. shall not be considered in the percentage calculation. The maximum fire apparatus access road cross slope shall not exceed 2.0%. The maximum cross slope within any change of direction of the road shall not exceed 5.0 %.
7. The development may require fire flows up to 5,000 gallons per minute at 20 pounds per square inch residual pressure for up to a five-hour duration. Final fire flows will be based on the size of buildings, its relationship to other structures, property lines and types of construction used. The fire flow for this permit will be determined upon submittal of the Conditional Use Permit review by Fire Prevention Land Development.
8. Fire hydrant spacing shall be 300 feet and shall meet the following requirements:
 - a) No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant.

- b) No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant.
 - c) Additional hydrants will be required if hydrant spacing exceeds specified distances.
 - d) When cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and mid block.
 - e) A cul-de-sac shall not be more than 500 feet in length, when serving land zoned for commercial use.
9. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in-length and at the end of all cul-de-sacs.
10. All access devices and gates shall meet the following requirements:
- a) Any single gated opening used for ingress and egress shall be a minimum of 26 feet in-width, clear-to-sky.
 - b) Any divided gate opening (when each gate is used for a single direction of travel i.e., ingress or egress) shall be a minimum width of 20 feet clear-to-sky.
 - c) Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device.
 - d) All limited access devices shall be of a type approved by the Fire Department.
 - e) Gate plans shall be submitted to the Fire Department, prior to installation. These plans shall show all locations, widths and details of the proposed gates.
11. The roundabout shall provide a 32 foot turning radius with a minimum drive aisle width of 20 feet.
12. The County of Los Angeles Fire Department, Land Development Unit comments are only general requirements. Specific fire and life safety requirements will be addressed at the building and fire plan check phase. There may be additional requirements during this time.
13. Submit three sets of water plans to the County of Los Angeles Fire Department, Land Development Unit. The plans must show all proposed changes to the fire protection water system, such as fire hydrant locations and main sizes. The plans shall be submitted through the local water company.
14. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department, Land Development Unit Inspector, Joseph Youman at (323) 890-4243.

Eduardo Schonborn, Senior Planner
May 8, 2012
Page 4

15. The County of Los Angeles Fire Department, Land Development Unit appreciates the opportunity to comment on this project.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources and the County Oak Tree Ordinance.
2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

HEALTH HAZARDOUS MATERIALS DIVISION:

1. Based on the submitted documents, the Health Hazardous Materials Division has no objection to the proposed project.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

Handwritten signature of Michael Y. Tabet for Frank Vidales.

FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:ij

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MAY 10 2012

May 9, 2012

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Planning Commission,

I am directing my written comments to the Public Notice Proposed Mitigated Negative Declaration regarding the York Point View Properties.

While I realize that property owners have a right to develop the land they own, what I don't see is this development compromising the hiking routes established years ago through the nature preserve. It's those fences that were erected years ago. East to west trails have been blocked off with the only way through is on public streets or through deep mostly impassable canyons inaccessible to many.

This is one of the most beautiful natural recreational areas on our Peninsula, so with that in mind, I ask that when considering any future development that Mr. York has in mind, public access passing through his property becomes a high priority in the master plan.

An excellent example is how the Trump (Ocean Trails) Organization actually improved public access with their network of trails and paths along the coastline making it enjoyable for everyone.

Please include my comments as you consider the approval of the conditional use permit and site plan review.

Respectfully,



Bill Schurmer
32468 Searaven Dr,
Rancho Palos Verdes, CA 90275
(310) 377-0913

Eduardo Schonborn

From: candsons@aol.com
Sent: Tuesday, May 08, 2012 11:45 AM
To: Eduardo Schonborn
Subject: Point View

Re: Point View

We support the Event Garden and agriculture at Point View. This peninsula has a storied history of agriculture and with the end of much of the farming community here, the opportunity Mr York presents to bring some agriculture back is most welcome. In addition, an event garden would be a welcome location to hold special events. La Venta Inn has proven that an event location can co-exist in a residential area. The fact that Pt View has more open surrounding space makes this proposed location a good one.

Sincerely,

John and Janine Colich
4115 Maritime Rd, RPV

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May 8, 2012

MAY 08 2012

COMMUNITY DEVELOPMENT

Planning Commission,

I'm responding to the Public Notice Proposed ~~MIRATED~~ Negative Declaration relative to York Point View Properties. Mr. York erected chain link fences with threatening signs blocking well used trails that had been in existence for many years. I was under the impression that there was an implied right-of-way under the circumstances, but apparently I'm wrong. We have a beautiful nature preserve thanks to RPV and the Land Conservancy with an impenetrable fortress in the middle. The only passage East and West is either the McBride Trail near the top of the peninsula or PV Drive South by the ocean. RPV has generally done an excellent job of assuring public access via trails and paths as an integral part of large parcel land development. I urge you to consider some reasonable means of public access. In many respects, York's proposal isn't much different from the Trump golf course. Both have or will have a golf course, a club house or structure and public use of facilities for a fee. As you know, the Trump property is not enclosed by a fence and provides many trails for public use.

Respectfully,

Jeff Grant
3212 Barkentine Rd
Rancho Palos Verdes, CA 90275
310-377-9693

**Susie Beall
Number Four Thyme Place
Rancho PalosVerdes
California 90275**

May 7, 2012

Rancho Palos Verdes City Council
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275

To whom it may concern,

In the last twenty-five years I have been involved in and planned many community fund raising events. It is always a lot of work but because of our communities involmment and spirit the events are always rewarding.

Jim Yorks proposal for his beautiful property would be such a great option for those of us who struggle to find appropriate venues. I urge you to consider granting Mr. York the opportunity to use his property as proposed.

Sincerely,

Susie Beall

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MAY 03 2012

COMMUNITY DEVELOPMENT
DEPARTMENT

To Jim York

From Jim La Barba

As a Rancho Palos Verdes resident and one who also has a vineyard I am pleased to see you have finally been allowed to present your proposal to the planning commission for their approval.

I have visited your property and have discussed with you your plans for developing it a number of times over the last few years and I think it will be great to see this finally come to fruition.

Good luck with your presentation and I'm sure the city will also see the benefits that will be derived by everyone once you complete your development.

Your Friend

A handwritten signature in cursive script, appearing to read "J La Barba".

Jim La Barba

Eduardo Schonborn

From:Carolynn Petru
Sent: Tuesday, May 01, 2012 11:16 AM
To: Eduardo Schonborn
Cc: Joel Rojas
Subject: FW: Attention: Senior Planner, Eduardo Schonborn
Hi Ed –

Just in case you didn't already receive this....

CP

From: Marianne Hunter [mailto:2hunter@cox.net]
Sent: Tuesday, May 01, 2012 10:12 AM
To: City Council
Subject: Attention: Senior Planner, Eduardo Schonborn

Attention: Senior Planner, Eduardo Schonborn

Dear Mr. Schonborn,

We have read the proposals for the York property and have some comments, with which we will be very brief.

1. RE: organic farming. We have no problem with this agricultural use PROVIDING the use of water is limited by good farming practices for 2 reasons:
 - a. Water is a limited resource and
 - b. WATER IS THE ENEMY OF THOSE LIVING ON BENTONITE LANDSLIDE.
2. RE: NON- ORGANIC FARMING. We are opposed to the use of chemical on this land in general but for 3 specific reasons
 - a. this land drains into the ocean and more specifically into a marine preserve.
 - b. It is known that various chemicals used in agriculture are harmful to humans, can cause birth defects and kill or damage wildlife.
 - c. The land abuts a nature preserve striving to rebalance the natural cycle of plants, insects and wildlife including endangered species.
3. RE : Event Garden; We are opposed to this facility. It is inappropriate for it's location.

William and Marianne Hunter
1 cinnamon Lane RPV 90275

Eduardo Schonborn

From: Mike Griffith [MikeGrif@aol.com]
Sent: Tuesday, May 03, 2011 4:24 PM
To: cc@rpv.com; pc@rpv.com; eduardoS@rpv.com; joelr@rpv.com
Subject: Proposed Point View Development

TO WHOM IT MAY CONCERN:

As a resident of Portuguese Bend I have a definite opinion about what will be allowed by this body to be put in my front yard...literally.

Expanding the scope of the Point View Environmental Review was a good place to start. But, allowing a noise study conducted, planned, and controlled by the applicant as the only measure of possible noise from this development is sheer folly!

There have been many parties hosted at Point View and the noise from them was FAR greater than the small amount of noise measured by the applicant under his controlled mock event. In fact, the Sheriff Department has been called multiple times due to complaints of noise from events "hosted" by the applicant. One of the noisiest parties hosted on the site was actually a party by the applicant for the Sheriff's department; funny if it wasn't the truth.

I am against the Point View property being developed as an event center which, I am sure, will be called an ancillary building as part of a golf course just so the applicant can come into conformity on his application. If you check the plans of any ancillary building to the golf course, I am sure they will VERY closely resemble the original plans for the event center that were voted down by the Planning Commission on the first attempt. This is a farce and the City Council is being duped into approving a site plan that will negatively impact the surrounding community. Between both Trump and Terranea do we REALLY need another golf course...think about it.

Please expand the Environmental study to include an un-biased noise study that correctly reflects what the applicant wants to do in our quiet neighborhood. Thank you.

Michael Griffith
13 Fruit Tree Rd
Rancho Palos Verdes, CA 90275

Eduardo Schonborn

From: twoyags@aol.com
Sent: Monday, May 02, 2011 5:36 PM
To: EduardoS@rpv.com
Subject: Fwd: Proposed Point View Event Center

-----Original Message-----

From: twoyags <twoyags@aol.com>
To: CC <CC@rpv.com>; pc <pc@rpv.com>; EduardoS <EduardoS@rpv.cm>; joelr <joelr@rpv.com>
Sent: Mon, May 2, 2011 5:31 pm
Subject: Proposed Point View Event Center

I have serious concerns about the scope of the environmental review re the Point View Event Center. First, this is an issue that doesn't fit within the city zoning laws, and now seems to be downplaying the scope of the studies necessary particularly with regard to noise and traffic. Palos Verdes Drive South is incessantly undergoing construction and reconstruction. I believe that's directly due to the increase in traffic. Traffic is endless these days on PV Drive South; hence, the endless construction and reconstruction that goes on. The traffic noise alone has greatly compromised quality of life. Whenever I open a window, I can hear the roar of traffic from Palos Verdes Drive South at all hours. This is not what our City needs, more traffic, more noise from a party event center. It seems that the city is compromising the quality of residential living our community rather than working towards maintaining the quality of life here. I urge the City council to consider these factors in its review of an event center and I further urge the City Council to consider quality of life for the residents here. The City should not compromise the rights of enjoyment of its residents for the sake of allowing a magnate to make yet more money in another venture. This is not in the best interest of our fair city.

Sincerely,

Da'ad Makhoulf
25 Narcissa Drive
RPV

5/21/2012

Re: Pt. View Agriculture and Golf Course Project

Dear Commissioners,

I am writing with respect to the Conditional Use Permit for the Point View project. I am not convinced that the zoned use (residential) for the property is appropriate, and that the proposed Conditional Use Permit may be a reasonable alternative not only for the short term, but also with an eye to the future, for the long term. While I realize that a residential development is not on the table tonight, why would you even want to eventually consider the zoned use of 2 homes per acre in a landslide adjacent area when a proposal such as the one before you tonight is a reasonable option? The amount of grading, road-building and irrigation to support 80 homes, more or less, is much more intrusive and damaging than occasional and light agricultural use. If it is a successful venture, then the building of roads and addition of hardscape might be avoided. Take this opportunity to insist on a far-reaching, well thought out plan for the entire area that addresses the white elephant in the room of development in a landslide adjacent and a landslide prone area.

The City so far, in my estimation, does not have a good track record for development and building of homes in the adjacent Zone 2. A planned for Environmental Impact Report for the building of 47 homes is still pending yet homes are being constructed that, from all appearances, are already not conforming to guidelines for grading. In speaking with the people actually doing the grading, they have agreed that the amounts of cut and fill permitted are being exceeded. The City originally allowed 50 yards of total cut and fill and then increased it to 1000 yards without ANY studies being done with respect to water runoff and landslide issues. Now they seem incapable of enforcing even that.

The Portuguese Bend Community Association, the Planning Commission and the City Council need to take a good hard look at what all types of development can do to activate or aggravate the Abalone Cove Landslide or contribute to the Portuguese Bend Landslide. The long-awaited Draft EIR would be a good starting point. Meanwhile, a relatively low-impact use for the land such as what Mr. York proposes may not be such a bad idea.

Cassie Jones

Rancho Palos Verdes



U. S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, California 92011
(760) 431-9440
FAX (760) 431-9618



California Department of Fish and Game
South Coast Region
3883 Ruffin Road
San Diego, California 92123
(858) 467-4201
FAX (858) 467-4299

In Reply Refer To:
FWS/CDFG-LA-12B0214-12TA0367

May 21, 2012

Mr. Eduardo Schonborn
City of Rancho Palos Verdes
Community Development Department
30940 Hawthorne Boulevard
Rancho Palos Verdes, California 90275

Subject: Draft Mitigated Negative Declaration for the Point View Master Use Plan (SCH #2012041048, ZON2010-00087), City of Rancho Palos Verdes, Los Angeles County, California

Dear Mr. Schonborn:

The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Game (Department), collectively the Wildlife Agencies, have reviewed the California Environmental Quality Act (CEQA) Initial Study and Draft Mitigated Negative Declaration (MND) dated April 17, 2012, for the proposed Point View Master Use Plan (MUP), which includes a Conditional Use Permit (CUP) application for allowable uses and activities on the 94-acre York Property located at 6001 Palos Verdes Drive South, Rancho Palos Verdes, California, 90275 (Project).

The proposed Project is a Master Use Plan on 94 acres in the Portuguese Bend area of the City of Rancho Palos Verdes (City) consisting of the following three components: 1) a 25.5-acre expansion of agricultural uses for orchards, vineyards, and gardens; 2) development of a 2.5-acre private executive golf course comprised of five tee locations and two greens; 3) improvements to the existing landscaped patio/event garden for the purposes of holding 30 annual onsite events per year with up to 140 cars; and 4) the provision for a paved internal driveway at Narcissa Drive through the property to connect with Palos Verdes Drive South.

The site is located within the planning boundaries of the City's Natural Communities Conservation Plan (NCCP) planning boundary. The City approved an NCCP in July 2004 (2004 NCCP), but this version was not evaluated by the Wildlife Agencies for Federal or State permits. The City is currently developing a revised draft NCCP/Habitat Conservation Plan (HCP) (Draft NCCP/HCP) and intends to submit applications for Federal and State permits in 2012. The Draft NCCP/HCP would provide coverage for various City and private projects, including development within the proposed project site.

Based on information provided in the Draft MND and supporting biological information, and in consideration of our partnership with the City in developing the Draft NCCP/HCP, the Wildlife Agencies have the following comments on the Project and related Draft MND that focus on: 1) consistency with the Draft NCCP/HCP; 2) the CEQA analysis for project-specific and cumulative impacts; and 3) potential impacts to jurisdictional streambeds regulated under Fish and Game Code 1600 *et seq.* Please note that comments on CEQA and 1600 streambeds are provided in the enclosure (“Attachment A”) to this letter, and these comments/information should be incorporated into the final CEQA document and City MUP/CUP conditions for the Project to ensure consistency with applicable sections of the Department Fish and Game Code.

The project site is identified in the 2004 NCCP and Draft NCCP/HCP as containing an important wildlife linkage area, and both documents anticipate that any development proposed for the subject property will include dedication of at least 40 acres of the property to the Draft NCCP/HCP Preserve (Preserve). The project site provides one of only two viable wildlife corridors between the upland sections of the Draft NCCP/HCP Preserve (i.e., Portuguese Bend, Upper Filiorum, and Forrestal Reserves) and Abalone Cove Shoreline Park/Ecological Reserve. Specifically, the presence of California gnatcatcher (*Polioptila californica californica*), cactus wren (*Campylorhynchus brunneicapillus*), and Palos Verdes blue butterfly (*Glaucopsyche lygdamus palosverdesensis*) habitat on the project site suggest that the property may be important for habitat connectivity of sensitive species. Recent fires (e.g., 2009) that have occurred in Portuguese Bend highlight the importance of viable movement corridors for species to respond to changes in local habitat conditions.

The Draft MND (page B-27) discusses the Project’s impacts to wildlife linkages based on the 2004 NCCP and concludes that impacts would be less than significant and no mitigation would be required. The Wildlife Agencies require additional information to adequately evaluate the consistency of the Project with the Draft NCCP/HCP. Although the Draft MND states that replacing non-native grasslands with agricultural uses may improve habitat for some wildlife species, it does not specifically evaluate the wildlife movement function within the site following construction of the Project. Because the Project does not propose to dedicate the remaining open space to the Preserve, the Wildlife Agencies are concerned about eventual degradation of habitat values for wildlife, including Draft NCCP/HCP covered species. We request the opportunity to work with the City and the Project proponent to ensure that a viable wildlife movement corridor is maintained on the property such that it can be included as a viable wildlife corridor in our analysis of the Draft NCCP/HCP.

Thank you for the opportunity to comment on the proposed Point View Project. If you have any questions, please contact Randy F. Rodriguez (Department) at (858) 637-7100/ RFRodriguez@dfg.ca.gov; or Eric Porter of the Service at (760) 431-9440/ Eric_Porter@fws.gov.

Sincerely,



Karen A. Goebel
Assistant Field Supervisor
U.S. Fish and Wildlife Service



Stephen M. Juarez
Environmental Program Manager
California Department of Fish and Game

Enclosure:
Attachment A: CEQA and 1600 Comments

Attachment A

CEQA

1. Based upon the Department's review, including the September 2003 *Biological Resources Assessment of the 94-Acre Point View Site* which was not originally included in the draft MND public noticed material submitted to the Department, the initial study lacks details regarding current biological and botanical resources that may be impacted on the Project site, avoidance and mitigation measures. The several surveys conducted on the Project site in 1995, 2003, 2004, and 2005 included as reference only in the draft MND, are not considered current by the Wildlife Agencies because they are over 2 years old for botanical resources and 1 year old for wildlife resources. The survey methodologies and full results, including those from the most recent 2011 survey were not included within the draft MND for review. The majority of the surveys were conducted before a 2009 wildfire that occurred on the adjacent Preserve making the Project site's existing habitat a potential source of refugio for additional special status species that occurred on the preserve before the fire.
2. The draft MND lacks an adequate discussion on the habitat values provided by non-native grasslands on the Project site, the quantity of Project impacts to this habitat and avoidance and mitigation measures. Grasslands provide important foraging habitat for many raptor species and some of the last remaining breeding, foraging and wintering habitat in coastal Los Angeles County and southern California for western burrowing owl (*Athene funicularis*) a California species of special concern. Therefore, the loss of grassland habitat within the Project area may be considered a significant impact under CEQA and an Environmental Impact Report may need to be prepared for the Project unless a final Mitigated Negative Declaration (MND) addresses this issue.
3. To enable Department staff to adequately further review and comment on the proposed Project we recommend the following information, where applicable, be included in the environmental document:
 - a) A thorough recent assessment of rare plants and rare natural communities should be conducted following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities. (See Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities at: <http://www.dfg.ca.gov/habcon/plant/>). In addition to following this protocol for assessing potential impacts the project may have on Rare Plants, the draft MND should also include a complete current list of all botanical species observed on the Project site (species compendium) in addition to the discussion of coastal sage scrub. The MND should quantify how many acres of each vegetative community exist on the site, how many acres will be impacted by the Project and how many acres will be avoided by the Project. A recent vegetation map should be included to further illustrate vegetative communities on the Project site with site disturbance overlays.

b) The draft MND does not provide a recent comprehensive discussion of what wildlife species were observed on the Project site or may occur on the site other than coastal California gnatcatcher, coastal cactus wren and white-tailed kite (*Elanus leucurus*). A complete, recent assessment of sensitive fish, reptiles, amphibians and other wildlife species including but not limited to mammals and birds should be conducted and described in the draft MND. Seasonal variations in use within the Project area should also be addressed. For example, the draft MND notes the presence of a swale and states that several common amphibian species may be found on the site and references further discussion on the presence of sensitive amphibian species within the draft MND. However there appears to be no further discussion on this subject as well as a discussion of the presence of special status reptile species. The Department recommends an evaluation of the suitability of habitat, such as the presence of seasonal pools on the project site for western spadefoot (*Spea hammondi*), and special status fairy shrimp such as Riverside fairy shrimp (*Streptocephalus woottoni*). Other species to be evaluated on the Project site should address the full range of potential species that may occur where suitable habitat exists (including those not proposed for coverage under the City's NCCP-HCP) and include, but not be limited to, the following: coast horned lizard (*Phrynosoma blainvillii*); western burrowing owl (*Athene cunicularia*); and, San Diego desert woodrat (*Neotoma lepida intermedia*). For guidance on western burrowing owl, please see the Department's Guidelines (see 2012 Staff Report on Burrowing Owl Mitigation at: www.dfg.ca.gov/wildlife/nongame/docs/BUOWStaffReport.pdf).

c) The Department's Biogeographic Data Branch in Sacramento should be contacted at (916) 322-2493 (www.dfg.ca.gov/biogeodata) to obtain current information on any previously reported sensitive species and habitats, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. Conclusions on the absence of special status species should not rely solely on lack of records in the California Natural Diversity Data Base but on focused surveys based on species range and habitat requirements if the Project site is consistent with these parameters.

d) The MND needs to include a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. This discussion should focus on maximizing avoidance, and minimizing impacts to annual grasslands and any other vegetative communities identified on the Project site to justify a MND for the Project.

e) A cumulative effects analysis should be developed as described under CEQA Guidelines, Section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats. The Wildlife Agencies are concerned with the loss of annual grasslands. This should be evaluated in a cumulative effects discussion within an EIR unless adequate mitigation measures are implemented to justify a MND.

f) Impacts to migratory wildlife affected by the Project should be fully evaluated including proposals to remove/disturb native and ornamental landscaping and other nesting habitat for native birds. Impact evaluation may also include such elements as migratory butterfly roost sites and neo-tropical bird and waterfowl stop-over and staging sites. All migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory non-game birds as listed under the MBTA. Proposed project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from March 1-August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs and/or young resulting from disturbances which cause abandonment of active nests.

g) The MND indicates that 500 feet of clearing would be required for City- or County-required Fuel Modification Zones (FMZ) for the project, which is at least three times greater than the 140-foot maximum depth that is included as a covered activity under the City's NCCP-HCP. Please explain why a 500-foot cleared zone would be required. In addition, areas offered as providing mitigation for loss of habitat shall not occur within the FMZ.

h) A biological monitor should be on site during project disturbances to capture and relocate wildlife species of low mobility to assist in reducing injury or death from construction activities. Captured wildlife should be relocated to adjacent appropriate habitat not impacted by the Project.

i) The Department recommends a minimum of 0.5:1 replacement-to-impact ratio mitigation ratio for the unavoidable Project loss of annual grassland on the Project site not associated with other mitigation requirements referenced in the draft NCCP pertaining to mitigation for ongoing fuel modification activities being performed on the Project site. Any annual grassland mitigation habitat remaining on the site should be preserved in perpetuity under a Conservation Easement or equivalent mechanism.

4. The California Wildlife Action Plan, a recent Department guidance document, identified the following stressors affecting wildlife and habitats within the Project area: 1) growth and development, 2) water management conflicts and degradation of aquatic ecosystems, 3) invasive species, 4) altered fire regimes, and 5) recreational pressures. The Department looks forward to working with the Lead Agency to minimize impacts to fish and wildlife resources with a focus on these stressors. Please let Department staff know if you would like a copy of the plan to review.

State Jurisdictional Streambeds

1. The draft MND states that the Project will not impact any Federal or State jurisdictional wetlands/streambeds because none were observed to be on the Project site. The Department opposes the elimination of watercourses (including concrete channels, blue line streams and other watercourses not designated as blue line streams on USGS maps) and/or the channelization of natural and manmade drainages or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to onsite and offsite wildlife populations. The Department recommends a minimum natural buffer of 100 feet from the outside edge of the riparian zone on each side of drainage.

2. The Department has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the Project applicant (or “entity”) must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration Agreement (Agreement) is required. The Department’s issuance of an Agreement is a project subject to CEQA. To facilitate issuance of an Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream, or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the Agreement. Early consultation is recommended to request concurrence from the Department regarding the presence of jurisdictional streams on the Project site, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. Again, the failure to include this analysis in the Project environmental document could preclude the Department from relying on the Lead Agency’s analysis to issue an Agreement without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the Project.

California Native Plant Society

South Coast Chapter

May 17, 2012

City of Rancho Palos Verdes
Community Development Department
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275-5391
ATTN: Senior Planner Eduardo Schonborn

RE: MND for the Conditional Use Permit for the Point View Agriculture, Golf Course and Event Garden Master Plan project (ZON2010-00087)

Dear Mr. Schonborn:

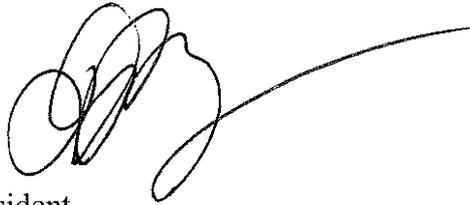
The Board of the South Coast Chapter of the California Native Plant Society wishes to express some concerns about the Mitigated Negative Declaration for the Point View Agriculture and Golf Course project Point View (Lower Filiorum) property.

- The MND does not clearly state or uphold the requirement of the August 2004 Rancho Palos Verdes Natural Communities Conservation Plan that “a condition of approval for any development project subsequently approved for the Lower Filiorum property” will be the inclusion in the Reserve area of “at least 40 acres in size and the minimum reserve corridor width should be no less than 300 feet in width at its narrowest location.” (Section Three, 3.1.2 (Private Lands to be Contributed))
- Mitigation for the previous unauthorized clearance of native plants by the property owner needs to be documented if completed. If not completed, that mitigation also needs to be required as part of this MND.
- The new 20 foot wide road/driveway cuts through the wildlife habitat corridor which is a key linkage between the Upper Filiorum area and the coast
- The new irrigation system would be routed through the largest existing Coastal Sage Scrub area. That impact must be avoided.
- The dedicated Reserve corridor should be restored to native vegetation as habitat for the gnatcatcher and cactus wren
- Impacts to the *Calochortus catalinae* should be avoided by re-locating the grape vines. If that is not feasible, *Calochortus catalinae* should be restored at a 3:1 ratio to an appropriate location in the Reserve corridor as determined by the Palos Verdes Land Conservancy and California Department of Fish and Game. Any plants or bulbs used for restoration must be of local genetic origin and of a flowering age, i.e. at least five year old bulbs.

- The new landscaping for the expanded events center should not use invasive plants, such as pepper trees (*Schinus* sp.), eucalyptus, or rye grass. Similarly, non-native invasive plants should not be used for cover crops in the agricultural area or for the buffer strips which will reduce water runoff. Please consult the Cal IPC list of invasive plants for a complete current listing (www.cal-ipc.org).

We ask that all of the above points be addressed by the City when considering approval for this project.

Yours truly,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

David Berman, President
South Coast Chapter, California Native Plant Society
4010 Sepulveda Blvd. #3
Torrance, CA 90505

cc: Planning Commission, City of Rancho Palos Verdes

May 21, 2012

City of Rancho Palos Verdes

Attn: Eduardo Schonborn, Senior Planner

This letter is in regards to Jim York's request for a Conditional Use Permit to include a proposed golf course and event garden. We are extremely opposed to a golf course and event garden. This area in Portuguese Bend is residential and we feel it should remain that way. There are a lot of concerns regarding the proposed request for a golf course and event center.

When we bought our property on Fruit Tree Road in Portuguese Bend, we bought it for the rural, quiet area that it is. When there have been parties on the land Jim York is proposing for the event center, we have been able to hear the music, as well as announcements, toasts, etc that are being conducted on the microphone. When we look out of our living room window which includes our ocean view, during the parties we look out onto a parking lot of cars. We work during the week, and look forward to enjoying peaceful weekends at home. Not hearing someone else's parties. There are many places / venues to host weddings and parties in the Rancho Palos Verdes area, including a variety of choices to play golf that are already established.

Other concerns include this area is at a high risk for fires. What is to keep golfers and party-goers from coming into the Portuguese Bend neighborhood? We are concerned regarding the amount of people coming in and out of the area as well as traffic with a golf course and event center. Another concern is the potential decrease in our property value being next to an event center. We certainly would not have bought where we did in Portuguese Bend if we knew it was adjacent to an event center for parties. One last concern is that this area is fairly close to the slide area, and a golf course requires irrigation which in turn could possibly cause more slides. We do not want our house, or anyone in Portuguese Bend to be at an increased risk.

Thank you for your time and consideration.

Sincerely,

Jason and Laura Parks

15 Fruit Tree Road, Rancho Palos Verdes

Eduardo Schonborn

From: j [joanmc8921@aol.com]
Sent: Tuesday, May 22, 2012 5:03 PM
To: Eduardo Schonborn
Subject: York CUP

I HOPE THE COUNCIL DOES THE RIGHT THING IN REJECTING MR. YORK'S REQUEST TO HOLD "SPECIAL EVENTS" AT HIS PROPERTY. THE NOISE (and there will be noise) TRASH AND INVASION OF PRIVACY BY BOTH VENDERS AND THE PUBLIC JUST DOESN'T SEEM RIGHT. PLEASE DO THE RIGHT THING AND TELL MR. YORK NO. THANK YOU.
ROBERT AND JOAN MCCLELLAN
60 NARCISSA DRIVE
RANCHO PALOS VERDES

Eduardo Schonborn

From: susanne black [susannejoyblack@yahoo.com]
Sent: Tuesday, May 22, 2012 4:50 PM
To: pc@rpv.com
Cc: Eduardo Schonborn
Subject: Additional York Comments re: CUP and MND
 Planning Commission:

I recently reviewed the MND in more detail and wanted to send additional comments to you all for your consideration.

Narcissa Drive Access

There is a current court decision that ruled that Mr. York cannot have access to this Project property via the private streets of the PBCA for public use (unless he joins the PBCA), which includes Narcissa Drive. As far as I can see, this project does not include joining the PBCA.

- The MND must assure that no public access will occur from Narcissa Drive in compliance with this court order.
- There is confusion running through the MND. For example, the 2nd to last sentence on **PAGE A-29** inaccurately includes Narcissa Drive as an “entrance” to the project. And on **Page B-128** the project is to use Narcissa Drive for emergency access as mitigation for public use.
- The MND refers to Mr. York’s” invited guests “to the golf course. Will patrons of the golf course and/or the Event Garden be allowed to use the Narcissa Drive Gate if Mr. York refers to them as his “invited guests”? This flies in the face of the opinion, as written.
- Where is the mitigation that distinguishes between invited guests and the public? This is especially important in terms of the impact to the Portuguese Bend Community Association (PBCA) based upon the above mentioned court order. In addition, loading and unloading for the public use of the Event Garden and commercial agriculture operations must be conditioned to be from PVDS and not from Narcissa Drive and these are not private in nature.
- The project now proposes a commercial operation of agricultural uses. “Personal maintenance” should not be interpreted to allow access from Narcissa Drive for this new commercial use. The impact of unprecedented use of commercial equipment must be properly mitigated to have access only from PVDS and should not impact the adjacent community with noise or dust.

Noise Containment

PAGE A33 - The fact that this Project “includes amplified sound daily from 8am to 10pm” is an incorrect description of the project. The Project does not include amplified sound daily with only 30 events planned per year (**NOTE:** Although on **PAGE B-93** it is stated that 35 events will be held, an inconsistency that needs to be corrected).

If it is the intention for the MND to take the worst case scenario, then it must be made clear that “although the project includes no more than 30 events per year, the analysis will include the worst case scenario for analysis...”

5/22/2012

The Noise Analysis does not include neighbor's complaints with events that have occurred at this site in the past. The surrounding neighbors issues should be included and addressed and further explored.

PAGE B-101,102 - Noise mitigations are inadequate and are set up to fail. Who will monitor whether or not at any given moment the dial is turned up to a volume setting beyond 6? While all monitoring is left up to the landlord, how can we be certain this will be completed? Shouldn't the residents who will be affected be allowed to have a say as to what is too loud?

PAGE 104 - The ambient, pre-project noise in the Portuguese Bend community adjacent to this project is mostly rustling trees in the wind as described in the MND. Road noise from PVDS in this area is **insignificant and should not be used as a threshold**. This is a very quiet and tranquil neighborhood relative to other urban areas. The fact that it is a private gated community furthers this fact. The introduction of an Event Center and commercial agriculture will be a significant change in the area and will have a negative impact on the property values of the surrounding homes/lots.

Lighting

PAGE B-9 - No lighting for film permits should be allowed for night use.

Although events are required to end by 10 pm, clean-up crews will have to stay later. Proper mitigation would be to end events at 9 pm and allow one hour for clean up, which effectively ends all activity at 10 pm as intended.

Note that there appears to be a discrepancy as to the number of individuals that any one event can have under this CUP. While most events would have a 300 people cap at any one event the MND states that there can be special charity events up to 750 (not including security and other personnel). The project description should be consistent and the worst case scenario should be used in order to arrive at proper mitigation.

Air Quality

PAGE B-12: This section only addresses air quality impacts as it relates to traffic and does not address dust and commercial equipment exhaust for agriculture use. With potentially hundreds of cars driving on non-paved or graveled dirt, the dust issue is tremendous and must be reviewed.

Geology & Soils

PAGE B-37 and 38 - Narcissa Drive is part of the storm drain system for the PBCA community. The PBCA storm drain system has suffered flooding as well as severe property damage and loss in the Altimira Canyon areas. The area of Narcissa across from where this newly paved road on York's project site has created a flooding situation into the neighboring Portuguese Bend Stables that did not exist before. After paving of this road, sand bags have had to be used during rain events to prevent additional flooding.

The MND discussion and mitigation needs to provide a study to determine the impact of this hardscaping has to the PBCA storm drain system and/or the affect to the Stables and corresponding drainage.

Has the MND reviewed Abalone Cove Landslide Abatement District (ACLAD) documents to determine what affect York's irrigation may have on ACLAD's efforts? Any leakage of the agriculture irrigation and/or additional hardscape could have a major effect with regard to a known landslide area.

Potential Fire Risks

PAGE B-52 VIII (h) - There have been numerous fires on this site. This project is described as having as many

as 750 or more people at one event. The safety of the people in attendance as well as the PBCA residents must be addressed. What is the affect of this project on the emergency evacuation plan and effectiveness for the surrounding residents?

Water Drainage

PAGE B-58 and 59 - The Project descriptions involve drainage pursuant to the existing stormwater system through Portuguese Bend. The MND states that there are no current identified deficiencies identified with this storm water system. This is not a correct statement and in fact, the City is aware of the issues we have in Portuguese Bend regarding proper drainage and our storm drain status. This must be addressed further.

Conflict With Land Use Policy and RPV General Plan

PAGE B-61 - The Event Garden portion of this project was addressed in a previous RPV Planning Commission application. At that time, it is my understanding that the Planning Commission rejected the application for several reasons, including a conflict of existing zoning laws. This is not addressed in this MND.

Emergency Access

PAGE B-128 - This section discusses the use of Narcissa Drive for emergency access. As indicated above, there is a current court ruling limiting York's access along Narcissa Drive to not include the general public. This project includes use by the public so the need for emergency access from Narcissa Drive for this public use is incompatible with this court ruling. This must be addressed further.

General Comments

In summary, if substantial evidence of significant impacts is presented, an EIR must be prepared, even though it may be presented with other substantial evidence that the project would not have significant impacts.

As a result, there is substantial evidence that unanswered questions and issues remain and that they must be addressed. Based upon the open questions and issues with the current MND, this project requires a full EIR in order to disclose and analyze all impacts.

Thank you for your time.

Best Regards,
Suzanne Black Griffith

Eduardo Schonborn

From: Lynn Petak [barrettpetak@cox.net]
Sent: Tuesday, May 22, 2012 12:49 PM
To: Eduardo Schonborn
Subject: York CUP

To the City of Rancho Palos Verdes-

As long time residents of Portuguese Bend we are opposed to the use of the York property as an event center. Our neighborhood would be seriously negatively impacted by this use. We are a quiet residential neighborhood and we do not deserve to be subjected to the noise and activity that would be generated by this use. Events that have occurred on this site in the recent past have impacted us negatively with noise being heard throughout the entire area. This area is zoned residential - let's keep it that way.

I have no issue with the proposed organic gardening component of the project.

Bill and Lynn Petak
25 Sweetbay Road
Rancho Palos Verdes, CA 90275

May 21, 2012

City of Rancho Palos Verdes

Attn: Eduardo Schonborn, Senior Planner

This letter is in regards to Jim York's request for a Conditional Use Permit to include a proposed golf course and event garden. We are extremely opposed to a golf course and event garden. This area in Portuguese Bend is residential and we feel it should remain that way. There are a lot of concerns regarding the proposed request for a golf course and event center.

When we bought our property on Fruit Tree Road in Portuguese Bend, we bought it for the rural, quiet area that it is. When there have been parties on the land Jim York is proposing for the event center, we have been able to hear the music, as well as announcements, toasts, etc that are being conducted on the microphone. When we look out of our living room window which includes our ocean view, during the parties we look out onto a parking lot of cars. We work during the week, and look forward to enjoying peaceful weekends at home. Not hearing someone else's parties. There are many places / venues to host weddings and parties in the Rancho Palos Verdes area, including a variety of choices to play golf that are already established.

Other concerns include this area is at a high risk for fires. What is to keep golfers and party-goers from coming into the Portuguese Bend neighborhood? We are concerned regarding the amount of people coming in and out of the area as well as traffic with a golf course and event center. Another concern is the potential decrease in our property value being next to an event center. We certainly would not have bought where we did in Portuguese Bend if we knew it was adjacent to an event center for parties. One last concern is that this area is fairly close to the slide area, and a golf course requires irrigation which in turn could possibly cause more slides. We do not want our house, or anyone in Portuguese Bend to be at an increased risk.

Thank you for your time and consideration.

Sincerely,

Jason and Laura Parks

15 Fruit Tree Road, Rancho Palos Verdes

Eduardo Schonborn

From: Carolynn Petru
Sent: Tuesday, May 22, 2012 8:58 AM
To: Eduardo Schonborn
Cc: Joel Rojas
Subject: FW: York's night club

From: tom hoffman [mailto:comptonhoffman@yahoo.com]
Sent: Monday, May 21, 2012 8:34 PM
To: citymanager@rpv.com
Subject: York's night club

Dear Sir,

I have written reams of copy on this topic because I am directly effected by York's party venue. I live less than 400 yards from the epicenter of his noise. Obviously, I am staunchly opposed to having scores of loud parties in my back yard. All that being said; what is in it for the city? How much additional tax revenue will the city get? I know that York and Terranea will reap huge rewards. Will whatever revenues the city receives balance the bills for police and fire when hundreds of strangers that are drunk or close to it are released on our streets? Remember that the party venue will be sending hundreds and hundreds of compromised drivers out onto streets that aren't lighted and aren't at all familiar to them. It's more than a thought. One more ream for the record. York has bought off all his rivals; you might consider putting out your hand if you haven't already.

Sincerely,

Tom Hoffman
5 Plumtree Road
RPV



U. S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, California 92011
(760) 431-9440
FAX (760) 431-9618



California Department of Fish and Game
South Coast Region
3883 Ruffin Road
San Diego, California 92123
(858) 467-4201
FAX (858) 467-4299

In Reply Refer To:
FWS/CDFG-LA-12B0214-12TA0367

May 21, 2012

Mr. Eduardo Schonborn
City of Rancho Palos Verdes
Community Development Department
30940 Hawthorne Boulevard
Rancho Palos Verdes, California 90275

Subject: Draft Mitigated Negative Declaration for the Point View Master Use Plan (SCH #2012041048, ZON2010-00087), City of Rancho Palos Verdes, Los Angeles County, California

Dear Mr. Schonborn:

The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Game (Department), collectively the Wildlife Agencies, have reviewed the California Environmental Quality Act (CEQA) Initial Study and Draft Mitigated Negative Declaration (MND) dated April 17, 2012, for the proposed Point View Master Use Plan (MUP), which includes a Conditional Use Permit (CUP) application for allowable uses and activities on the 94-acre York Property located at 6001 Palos Verdes Drive South, Rancho Palos Verdes, California, 90275 (Project).

The proposed Project is a Master Use Plan on 94 acres in the Portuguese Bend area of the City of Rancho Palos Verdes (City) consisting of the following three components: 1) a 25.5-acre expansion of agricultural uses for orchards, vineyards, and gardens; 2) development of a 2.5-acre private executive golf course comprised of five tee locations and two greens; 3) improvements to the existing landscaped patio/event garden for the purposes of holding 30 annual onsite events per year with up to 140 cars; and 4) the provision for a paved internal driveway at Narcissa Drive through the property to connect with Palos Verdes Drive South.

The site is located within the planning boundaries of the City's Natural Communities Conservation Plan (NCCP) planning boundary. The City approved an NCCP in July 2004 (2004 NCCP), but this version was not evaluated by the Wildlife Agencies for Federal or State permits. The City is currently developing a revised draft NCCP/Habitat Conservation Plan (HCP) (Draft NCCP/HCP) and intends to submit applications for Federal and State permits in 2012. The Draft NCCP/HCP would provide coverage for various City and private projects, including development within the proposed project site.

Based on information provided in the Draft MND and supporting biological information, and in consideration of our partnership with the City in developing the Draft NCCP/HCP, the Wildlife Agencies have the following comments on the Project and related Draft MND that focus on: 1) consistency with the Draft NCCP/HCP; 2) the CEQA analysis for project-specific and cumulative impacts; and 3) potential impacts to jurisdictional streambeds regulated under Fish and Game Code 1600 *et seq.* Please note that comments on CEQA and 1600 streambeds are provided in the enclosure (“Attachment A”) to this letter, and these comments/information should be incorporated into the final CEQA document and City MUP/CUP conditions for the Project to ensure consistency with applicable sections of the Department Fish and Game Code.

The project site is identified in the 2004 NCCP and Draft NCCP/HCP as containing an important wildlife linkage area, and both documents anticipate that any development proposed for the subject property will include dedication of at least 40 acres of the property to the Draft NCCP/HCP Preserve (Preserve). The project site provides one of only two viable wildlife corridors between the upland sections of the Draft NCCP/HCP Preserve (i.e., Portuguese Bend, Upper Filiorum, and Forrestal Reserves) and Abalone Cove Shoreline Park/Ecological Reserve. Specifically, the presence of California gnatcatcher (*Polioptila californica californica*), cactus wren (*Campylorhynchus brunneicapillus*), and Palos Verdes blue butterfly (*Glaucopsyche lygdamus palosverdesensis*) habitat on the project site suggest that the property may be important for habitat connectivity of sensitive species. Recent fires (e.g., 2009) that have occurred in Portuguese Bend highlight the importance of viable movement corridors for species to respond to changes in local habitat conditions.

The Draft MND (page B-27) discusses the Project’s impacts to wildlife linkages based on the 2004 NCCP and concludes that impacts would be less than significant and no mitigation would be required. The Wildlife Agencies require additional information to adequately evaluate the consistency of the Project with the Draft NCCP/HCP. Although the Draft MND states that replacing non-native grasslands with agricultural uses may improve habitat for some wildlife species, it does not specifically evaluate the wildlife movement function within the site following construction of the Project. Because the Project does not propose to dedicate the remaining open space to the Preserve, the Wildlife Agencies are concerned about eventual degradation of habitat values for wildlife, including Draft NCCP/HCP covered species. We request the opportunity to work with the City and the Project proponent to ensure that a viable wildlife movement corridor is maintained on the property such that it can be included as a viable wildlife corridor in our analysis of the Draft NCCP/HCP.

Thank you for the opportunity to comment on the proposed Point View Project. If you have any questions, please contact Randy F. Rodriguez (Department) at (858) 637-7100/ RFRodriguez@dfg.ca.gov; or Eric Porter of the Service at (760) 431-9440/ Eric_Porter@fws.gov.

Sincerely,



Karen A. Goebel
Assistant Field Supervisor
U.S. Fish and Wildlife Service



Stephen M. Juarez
Environmental Program Manager
California Department of Fish and Game

Enclosure:

Attachment A: CEQA and 1600 Comments

Attachment A

CEQA

1. Based upon the Department's review, including the September 2003 *Biological Resources Assessment of the 94-Acre Point View Site* which was not originally included in the draft MND public noticed material submitted to the Department, the initial study lacks details regarding current biological and botanical resources that may be impacted on the Project site, avoidance and mitigation measures. The several surveys conducted on the Project site in 1995, 2003, 2004, and 2005 included as reference only in the draft MND, are not considered current by the Wildlife Agencies because they are over 2 years old for botanical resources and 1 year old for wildlife resources. The survey methodologies and full results, including those from the most recent 2011 survey were not included within the draft MND for review. The majority of the surveys were conducted before a 2009 wildfire that occurred on the adjacent Preserve making the Project site's existing habitat a potential source of refugio for additional special status species that occurred on the preserve before the fire.
2. The draft MND lacks an adequate discussion on the habitat values provided by non-native grasslands on the Project site, the quantity of Project impacts to this habitat and avoidance and mitigation measures. Grasslands provide important foraging habitat for many raptor species and some of the last remaining breeding, foraging and wintering habitat in coastal Los Angeles County and southern California for western burrowing owl (*Athene funicularis*) a California species of special concern. Therefore, the loss of grassland habitat within the Project area may be considered a significant impact under CEQA and an Environmental Impact Report may need to be prepared for the Project unless a final Mitigated Negative Declaration (MND) addresses this issue.
3. To enable Department staff to adequately further review and comment on the proposed Project we recommend the following information, where applicable, be included in the environmental document:
 - a) A thorough recent assessment of rare plants and rare natural communities should be conducted following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities. (See Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities at: <http://www.dfg.ca.gov/habcon/plant/>). In addition to following this protocol for assessing potential impacts the project may have on Rare Plants, the draft MND should also include a complete current list of all botanical species observed on the Project site (species compendium) in addition to the discussion of coastal sage scrub. The MND should quantify how many acres of each vegetative community exist on the site, how many acres will be impacted by the Project and how many acres will be avoided by the Project. A recent vegetation map should be included to further illustrate vegetative communities on the Project site with site disturbance overlays.

b) The draft MND does not provide a recent comprehensive discussion of what wildlife species were observed on the Project site or may occur on the site other than coastal California gnatcatcher, coastal cactus wren and white-tailed kite (*Elanus leucurus*). A complete, recent assessment of sensitive fish, reptiles, amphibians and other wildlife species including but not limited to mammals and birds should be conducted and described in the draft MND. Seasonal variations in use within the Project area should also be addressed. For example, the draft MND notes the presence of a swale and states that several common amphibian species may be found on the site and references further discussion on the presence of sensitive amphibian species within the draft MND. However there appears to be no further discussion on this subject as well as a discussion of the presence of special status reptile species. The Department recommends an evaluation of the suitability of habitat, such as the presence of seasonal pools on the project site for western spadefoot (*Spea hammondi*), and special status fairy shrimp such as Riverside fairy shrimp (*Streptocephalus woottoni*). Other species to be evaluated on the Project site should address the full range of potential species that may occur where suitable habitat exists (including those not proposed for coverage under the City's NCCP-HCP) and include, but not be limited to, the following: coast horned lizard (*Phrynosoma blainvillii*); western burrowing owl (*Athene cunicularia*); and, San Diego desert woodrat (*Neotoma lepida intermedia*). For guidance on western burrowing owl, please see the Department's Guidelines (see 2012 Staff Report on Burrowing Owl Mitigation at: www.dfg.ca.gov/wildlife/nongame/docs/BUOWStaffReport.pdf).

c) The Department's Biogeographic Data Branch in Sacramento should be contacted at (916) 322-2493 (www.dfg.ca.gov/biogeodata) to obtain current information on any previously reported sensitive species and habitats, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. Conclusions on the absence of special status species should not rely solely on lack of records in the California Natural Diversity Data Base but on focused surveys based on species range and habitat requirements if the Project site is consistent with these parameters.

d) The MND needs to include a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. This discussion should focus on maximizing avoidance, and minimizing impacts to annual grasslands and any other vegetative communities identified on the Project site to justify a MND for the Project.

e) A cumulative effects analysis should be developed as described under CEQA Guidelines, Section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats. The Wildlife Agencies are concerned with the loss of annual grasslands. This should be evaluated in a cumulative effects discussion within an EIR unless adequate mitigation measures are implemented to justify a MND.

f) Impacts to migratory wildlife affected by the Project should be fully evaluated including proposals to remove/disturb native and ornamental landscaping and other nesting habitat for native birds. Impact evaluation may also include such elements as migratory butterfly roost sites and neo-tropical bird and waterfowl stop-over and staging sites. All migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory non-game birds as listed under the MBTA. Proposed project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from March 1-August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs and/or young resulting from disturbances which cause abandonment of active nests.

g) The MND indicates that 500 feet of clearing would be required for City- or County-required Fuel Modification Zones (FMZ) for the project, which is at least three times greater than the 140-foot maximum depth that is included as a covered activity under the City's NCCP-HCP. Please explain why a 500-foot cleared zone would be required. In addition, areas offered as providing mitigation for loss of habitat shall not occur within the FMZ.

h) A biological monitor should be on site during project disturbances to capture and relocate wildlife species of low mobility to assist in reducing injury or death from construction activities. Captured wildlife should be relocated to adjacent appropriate habitat not impacted by the Project.

i) The Department recommends a minimum of 0.5:1 replacement-to-impact ratio mitigation ratio for the unavoidable Project loss of annual grassland on the Project site not associated with other mitigation requirements referenced in the draft NCCP pertaining to mitigation for ongoing fuel modification activities being performed on the Project site. Any annual grassland mitigation habitat remaining on the site should be preserved in perpetuity under a Conservation Easement or equivalent mechanism.

4. The California Wildlife Action Plan, a recent Department guidance document, identified the following stressors affecting wildlife and habitats within the Project area: 1) growth and development, 2) water management conflicts and degradation of aquatic ecosystems, 3) invasive species, 4) altered fire regimes, and 5) recreational pressures. The Department looks forward to working with the Lead Agency to minimize impacts to fish and wildlife resources with a focus on these stressors. Please let Department staff know if you would like a copy of the plan to review.

State Jurisdictional Streambeds

1. The draft MND states that the Project will not impact any Federal or State jurisdictional wetlands/streambeds because none were observed to be on the Project site. The Department opposes the elimination of watercourses (including concrete channels, blue line streams and other watercourses not designated as blue line streams on USGS maps) and/or the channelization of natural and manmade drainages or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to onsite and offsite wildlife populations. The Department recommends a minimum natural buffer of 100 feet from the outside edge of the riparian zone on each side of drainage.

2. The Department has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the Project applicant (or “entity”) must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration Agreement (Agreement) is required. The Department’s issuance of an Agreement is a project subject to CEQA. To facilitate issuance of an Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream, or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the Agreement. Early consultation is recommended to request concurrence from the Department regarding the presence of jurisdictional streams on the Project site, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. Again, the failure to include this analysis in the Project environmental document could preclude the Department from relying on the Lead Agency’s analysis to issue an Agreement without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the Project.

Eduardo Schonborn

From: Greg Pfof
Sent: Monday, May 21, 2012 2:02 PM
To: Eduardo Schonborn
Subject: FW: York Project

Sincerely,
Gregory Pfof, AICP
Deputy Community Development Director
City of Rancho Palos Verdes
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275
(310) 544-5228

-----Original Message-----

From: Ysidro Salinas [mailto:ysidros@adventresources.com]
Sent: Monday, May 21, 2012 11:39 AM
To: pc@rpv.com
Subject: York Project

To Whom it May Concern

I would like to voice my opposition to the proposed York project on PV Drive S.

I live at 3 W Pomegranate in the Portuguese Bend Community. My objection is based solely on the concern of the noise that can be expected from the construction and operation of the facilities that Mr. York intends to pursue. My home is situated almost exactly between the Terranea resort and the Trump golf course. I can hear any outside events that take place at these facilities, not only from any location on my property, but also from within my home. I cannot explain the reasons why sound carries so well in our location, I can only tell of the experiences I have, and I can guarantee that any events at the York site will easily be heard over the entire Portuguese Bend Community. We are fortunate that both Trump and Terranea rarely have outside events. My understanding is that York intends to have them almost every day of the week.

I am a strong believer in property rights, but at the same time, I question the city allowing a single person to construct and operate a facility that will likely lower the property values of so many people due to the inevitable sounds of music and parties Mr. York intends to carry out on his property. And more important than property values, do the hundreds of property owners in the area have the right to continue enjoying the peace and pastoral environment that has existed for decades in their community? I can't think of a more invasive intrusion in someone's home life than to bombard them with unwanted noise. And this noise will never stop, as long as York's events are allowed. What are we to do if we want to enjoy a quiet evening in our homes?

I urge the City to consider this in their deliberations. I am sure Mr. York will build a world class facility, the envy of any in the City; however, how will the quality of life be maintained for all those residents within ear-shot of his site. Please visit our community, take a walk along our streets, listen to the Wayfarer's chimes, hear the roar of the surf from Abalone Beach, hear the peacocks call. Stay long enough and you will hear how well man-made sounds carry along the canyons and hillsides, the roar of Harley's from PV Drive, the training flights of helicopters from Torrance, the growl of cigarette boats from off-shore.

Sincerely,
Ysidro Salinas
3 W Pomegranate Road

USC

**MARSHALL
SCHOOL OF
BUSINESS**

FAX COVER SHEET

**Marshall
School of Business**

Date: 5/21/12

To: Eduardo Schonborn

**Development
Office**

FAX Number: 210-844-5292

From: Erica Jordan, USC Marshall School

Comments:

Number of pages including cover sheet: _____

University of
Southern California
444 S. Flower St., 10th Floor
Citigroup Center
Los Angeles, CA
90089-8201
Tel: (213) 740-4863
Fax: (213) 740-6189



May 21, 2012

Dear Eduardo,

On behalf of the USC Marshall School of Business we would like to express our support and gratitude to Jim York for allowing us access to his beautiful Point View Event Garden property.

USC Marshall Partners

Mr. York has graciously hosted our USC Marshall Partners donors at Point View Event Gardens for two years to help raise critical funds for our Dean's Exploratory Fund for the School. This property offers our donors a highly exclusive and unique event space to experience and has been a great way for us to recruit new members in addition to learning about the process of developing agricultural properties.

USC Marshall Partners is the USC Marshall School of Business's premier annual membership organization—open to all who seek a connection to Marshall or its Leventhal School of Accounting. USC Marshall Partners is dedicated to keeping its members wired, inspired, and fulfilled through its dynamic learning community and one of the most highly coveted global networks in business—the Marshall Trojan Family. As members of Marshall Partners, our donors help ensure the faculty and students receive the academic support they need to shape the future of business and the future of USC Marshall.

Again, we are grateful for the opportunity that we have been provided to utilize the Point View Event Garden as a way of providing our members with exclusive opportunities and continue to raise funds for the USC Marshall School of Business.

Warmest regards,

A handwritten signature in black ink, appearing to read "Erika Jordan", written over a circular stamp or seal.

Erika Jordan
Assistant Director
USC Marshall Partners

Eduardo Schonborn

From: Andre Ruggeri [andre@ruggierimarble.com]

Sent: Monday, May 21, 2012 8:31 AM

To: Eduardo Schonborn; suzanne black

Subject: York's

Mr Eduardo ,

I'm A resident (6 Fig Tree road ,Rancho Palos Verdes CA 90275)

I'm very concern about York getting Approved,

He once had a Fire department Non profit Event ,

That lasted until 1 a m ,

The music , was nice but we could not go to sleep until the y finish , the community is residential , we moved Here because of the Tranquil setting ,

York wants to conduct Bussiness fro profit , and change the setting of our community , the community was here long before he purchase the land (we can't stand for this)

thank you for your'e time

--

Andre Ruggeri

Ruggeri Marble And Granite Inc

Please make a note of our new address just 2 blocks south of the old one

thank you

645 Pioneer Ave,

Wilmington, CA 90744

310-513-2155

5/21/2012

Re: Pt. View Agriculture and Golf Course Project

Dear Commissioners,

I am writing with respect to the Conditional Use Permit for the Point View project. I am not convinced that the zoned use (residential) for the property is appropriate, and that the proposed Conditional Use Permit may be a reasonable alternative not only for the short term, but also with an eye to the future, for the long term. While I realize that a residential development is not on the table tonight, why would you even want to eventually consider the zoned use of 2 homes per acre in a landslide adjacent area when a proposal such as the one before you tonight is a reasonable option? The amount of grading, road-building and irrigation to support 80 homes, more or less, is much more intrusive and damaging than occasional and light agricultural use. If it is a successful venture, then the building of roads and addition of hardscape might be avoided. Take this opportunity to insist on a far-reaching, well thought out plan for the entire area that addresses the white elephant in the room of development in a landslide adjacent and a landslide prone area.

The City so far, in my estimation, does not have a good track record for development and building of homes in the adjacent Zone 2. A planned for Environmental Impact Report for the building of 47 homes is still pending yet homes are being constructed that, from all appearances, are already not conforming to guidelines for grading. In speaking with the people actually doing the grading, they have agreed that the amounts of cut and fill permitted are being exceeded. The City originally allowed 50 yards of total cut and fill and then increased it to 1000 yards without ANY studies being done with respect to water runoff and landslide issues. Now they seem incapable of enforcing even that.

The Portuguese Bend Community Association, the Planning Commission and the City Council need to take a good hard look at what all types of development can do to activate or aggravate the Abalone Cove Landslide or contribute to the Portuguese Bend Landslide. The long-awaited Draft EIR would be a good starting point. Meanwhile, a relatively low-impact use for the land such as what Mr. York proposes may not be such a bad idea.

Cassie Jones

Rancho Palos Verdes

Eduardo Schonborn

From: Ardys Burt [aanddburt@cox.net]

Sent: Sunday, May 20, 2012 3:01 PM

To: Eduardo Schonborn

Subject: York Hearing

This email is in support of York's CUP application and we are in full accordance with the email you received from Marva Burt.

Don and Ardys Burt
79 Narcissa Drive
RPV

California Native Plant Society

South Coast Chapter

May 17, 2012

City of Rancho Palos Verdes
Community Development Department
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275-5391
ATTN: Senior Planner Eduardo Schonborn

RECEIVED
MAY 18 2012
COMMUNITY DEVELOPMENT
DEPARTMENT

RE: MND for the Conditional Use Permit for the Point View Agriculture, Golf Course and Event Garden Master Plan project (ZON2010-00087)

Dear Mr. Schonborn:

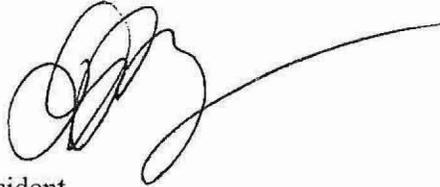
The Board of the South Coast Chapter of the California Native Plant Society wishes to express some concerns about the Mitigated Negative Declaration for the Point View Agriculture and Golf Course project Point View (Lower Filiorum) property.

- The MND does not clearly state or uphold the requirement of the August 2004 Rancho Palos Verdes Natural Communities Conservation Plan that “a condition of approval for any development project subsequently approved for the Lower Filiorum property” will be the inclusion in the Reserve area of “at least 40 acres in size and the minimum reserve corridor width should be no less than 300 feet in width at its narrowest location.” (Section Three, 3.1.2 (Private Lands to be Contributed))
- Mitigation for the previous unauthorized clearance of native plants by the property owner needs to be documented if completed. If not completed, that mitigation also needs to be required as part of this MND.
- The new 20 foot wide road/driveway cuts through the wildlife habitat corridor which is a key linkage between the Upper Filiorum area and the coast
- The new irrigation system would be routed through the largest existing Coastal Sage Scrub area. That impact must be avoided.
- The dedicated Reserve corridor should be restored to native vegetation as habitat for the gnatcatcher and cactus wren
- Impacts to the *Calochortus catalinae* should be avoided by re-locating the grape vines. If that is not feasible, *Calochortus catalinae* should be restored at a 3:1 ratio to an appropriate location in the Reserve corridor as determined by the Palos Verdes Land Conservancy and California Department of Fish and Game. Any plants or bulbs used for restoration must be of local genetic origin and of a flowering age, i.e. at least five year old bulbs.

- The new landscaping for the expanded events center should not use invasive plants, such as pepper trees (*Schinus* sp.), eucalyptus, or rye grass. Similarly, non-native invasive plants should not be used for cover crops in the agricultural area or for the buffer strips which will reduce water runoff. Please consult the Cal IPC list of invasive plants for a complete current listing (www.cal-ipc.org).

We ask that all of the above points be addressed by the City when considering approval for this project.

Yours truly,

A handwritten signature in black ink, appearing to be 'David Berman', with a long horizontal line extending to the right.

David Berman, President
South Coast Chapter, California Native Plant Society
4010 Sepulveda Blvd. #3
Torrance, CA 90505

cc: Planning Commission, City of Rancho Palos Verdes

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



RECEIVED

MAY 18 2012

COMMUNITY DEVELOPMENT
DEPARTMENT

May 16, 2012

Eduardo Schonborn
Community Development Department
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90274

Re: Mitigated Negative Declaration for the Point View Master Plan

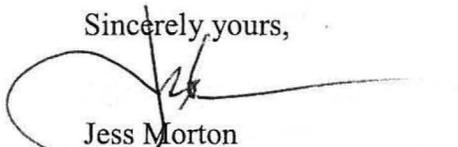
Dear Mr. Schonborn,

The Endangered Habitats League, which has been working on matters related to the Natural Communities Conservation Plan (NCCP) for more than twenty years, is concerned that the proposed Point View project offers no evidence to support its claim of consistency with Rancho Palos Verdes's subregional NCCP. We believe that the NCCP envisages an eventual robust wildlife corridor connecting the existing preserve north of the Point View project with Abalone Cove. Until there is clear evidence that Point View will provide such a corridor, the Mitigated Negative Declaration for it should be denied.

While acknowledging the existing NCCP preserve adjacent to the proposed project with the statement on page A-1 of Attachment A. "To the north and east of the site are areas that fall within the boundaries of the City's Natural Communities Conservation Plan," there is nothing but an unsupported assertion that the Point View development is consistent with RPV's NCCP. Thus on pages B-27 and B-28 we find the argument that the habitat linkage requirements of the NCCP will be satisfied by plantings of avocado trees, vineyard, gardens and "diversifies structural cover" because the area south of Point View contains habitat that is itself fragmented. This seems a dubious proposition on its face, and no biological evidence is offered that would support such a conclusion.

The NCCP is an important advance in good land use planning for both people and wildlife. The NCCP reserve on the Palos Verdes Peninsula is widely acknowledged to be the best implementation of the NCCP idea within any of the subregions. Unfortunately, this proposed Point View plan offers nothing to the existing NCCP, and may even be detrimental to the completion of an eventual wildlife corridor between the core reserve and the coastal bluffs.

Sincerely yours,



Jess Morton
Los Angeles County Director