



PUBLIC HEARING

Date: December 2, 2014

Subject: Marymount California University - Follow Up Review of the East Parking Lot Project (Planning Case No. ZON2003-00317)

Subject Property: 30800 Palos Verdes Drive East

1. **Report of Notice Given:** City Clerk Morreale
2. **Declare the Hearing Open:** Mayor
3. **Staff Report & Recommendation:** Deputy Community Development Director Mihranian

4. **Public Testimony:**

Appellants: N/A

Applicant: Marymount California University

5. **Council Questions:**

6. **Rebuttal:**

7. **Declare Hearing Closed:** Mayor

8. **Council Deliberation:**

9. **Council Action:**

MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS
FROM: JOEL ROJAS, AICP, COMMUNITY DEVELOPMENT DIRECTOR
DATE: DECEMBER 2, 2014
SUBJECT: MARYMOUNT CALIFORNIA UNIVERSITY – FOLLOW-UP REVIEW OF THE EAST PARKING LOT PROJECT (PLANNING CASE NO. ZON2003-00317) / 30800 PALOS VERDES DRIVE EAST)

REVIEWED: CAROLYNN PETRU, ACTING CITY MANAGER

Project Manager: Ara Mihanian, AICP, Deputy Community Development Director

RECOMMENDATION

Receive and file a report on the effectiveness of the conditions of approval imposed in April 2014 on the operation of the East Parking Lot determining that the conditions are accomplishing their intended purpose.

BACKGROUND

On April 1, 2014, pursuant to Condition No. 18 of the Facilities Expansion Project CUP, the City Council conducted a 6-month review of the applicant's compliance with and adequacy of the conditions of approval regarding the operation of the East Parking Lot that was completed in August 2013. In response to public testimony, including Marymount's representatives, the City Council modified the Conditions of Approval to mitigate observed impacts associated with the operation of the parking lot. Additionally, the City Council required a 6-month follow-up review to assess the effectiveness of the amended Conditions of Approval.

To ensure the modified Conditions of Approval would be timely implemented, the Council established a condition compliance deadline of June 15, 2014. On June 16, 2014, City Staff conducted a site visit of the East Parking Lot and determined that all the actions required by the Conditions of Approval were implemented by the June 15th deadline except

for the following three actions:

- Establishment of the 80-foot landscape buffer
- Installation of shields on six light fixtures
- Installation of the vinyl fence

On August 11, 2014, Staff determined that the above outstanding actions were completed pursuant to the modified Conditions of Approval.

The City Council is now being asked to conduct a follow-up review of the effectiveness of the Conditions of Approval imposed in April 2014 on the operation of the East Parking Lot.

DISCUSSION

The following is a summary of the Conditions of Approval based on the original topics of concern discussed by the Council in April 2014 followed by Staff's assessment of the effectiveness of the amended Conditions of Approval.

Visual and Privacy Impacts

In response to concerns raised by residents downslope from Marymount that they are able to see the parking lot from their properties, particularly their back yards, and the activities associated with its operation, such as vehicle movements, headlights, and students congregating, the Council modified Condition No. 173 to require the installation of a 6-foot tall vinyl fence along the eastern and northern perimeter of the East Parking Lot and a 5-foot tall vinyl fence along the campus garden that parallels the City-owned San Ramon Reserve.

Marymount installed the required fence in August, after the June 15th deadline. According to Marymount, the June 15th deadline was not met primarily due to cost factors associated with hiring a contractor. The vinyl fence that was installed is at the height of 6-feet along the entire eastern and northern perimeter of the parking lot (the portion of the fence that was conditioned to be 5-feet was installed at 6-feet voluntarily by Marymount). Based on Staff's observation, the vinyl fence adequately screens the parking lot and the associated activities from the neighbors' views, as intended by the Council. However, some of the neighbors feel that the vinyl fence does not completely screen all activities in the parking lot, such as the parking and turning movements of SUVs and trucks, particularly at night when headlights are turned on.

As the Council may recall, Staff originally proposed at the April 1st meeting that the East Parking Lot should be closed to buses, campers, trucks, shuttle vans or other similar vehicles. After considering public testimony from the neighbors and Marymount, the Council decided not to prohibit these types of vehicles from using the East Parking Lot, with the exception of "commercial" vehicles as stated in Council-modified Condition No. 160. To that end, it is Staff's opinion that due to the height of these types of vehicles they will continue to be partially visible above the existing solid fence. However, since in no case will the headlights of these vehicles shine into or illuminate nearby houses (the

closest residence at 2750 San Ramon Drive is approximately 180-feet away) and the distant light from said vehicle is minimal considering the overall operation of the parking lot, Staff does not believe that any additional alterations to the fence are warranted.

Lighting Impacts

In order to address lighting impacts observed by the downslope residents, the City Council modified Condition Nos. 152 and 156 requiring shields be placed on the six light fixtures attached to the three eastern most 10-foot tall parking lot light standards, limiting the parking lot light bulbs to 1700 lumens per bulb (current lumens), requiring the light emitting from the parking lot light bulbs be of a warm hue (i.e. not white/blue), and requiring the light standards to be turned off at 9:00 pm.

Staff has verified that the light shields have been placed on the required six light fixtures and that the light bulbs installed in the light fixtures are limited to 1700 lumens per bulb consisting of a neutral to warm hue (3500 kelvin – see attached scale). Additionally, the lights (excluding the perimeter bollard lighting) in the East Parking Lot are being turned off at 9:00 p.m. as required by the modified conditions. Furthermore, based on Staff's observations from various vantage points along San Ramon Drive, the illumination of the parking lot as reported in April is significantly reduced with the installation of the vinyl fence. Notwithstanding, there are some light fixtures that can be seen, albeit from a substantial distance, from the downslope properties above the top of the vinyl fence. As previously reported to the City Council in April, this was expected because of the elevation difference between the bottom of the light fixtures and the top of the vinyl fence in combination with the downslope topography of the adjacent homes. Given this and the fact that conditions require the lights be turned off by 9:00 p.m., Staff is of the opinion that although some light fixtures can be observed from the downslope properties, given the distance between the light fixtures and the adjoining properties, the lights do not appear bright and the illumination is minor when compared to some of the exterior lighting found on the facades of residents within the surrounding area.

It should also be noted that some of the residents along San Ramon Drive feel that the Council should require that all the light fixtures be completely screened so they are not visible from any property. If desired by the Council, this could be achieved by requiring a hedge be planted adjacent to the vinyl fence up to a height of approximately 8-feet. However, as previously cited, Staff does not believe this is warranted because the visibility of the light fixtures is minimal when compared to the totality of the parking lot lighting.

Noise Impacts

In order to aid in attenuating noise impacts generated by the operation of the parking lot, the City Council modified Condition No. 150 requiring that Marymount conduct a noise study after the new vinyl fencing identified in modified Condition No. 173 discussed above is installed and when classes are in session during the fall 2014 term. The purpose of the noise study is to demonstrate that the use of the parking lot does not create noise in excess of 65 dba as measured from the property line.

At this time, Marymount has not completed the required noise study but intends to do so during finals in December. Although the condition states the noise study is to be completed in advance of the follow-up review, based on field observations, Staff is of the opinion that the noise study will not result in measurable impacts to surrounding properties primarily because, as previously reported, the vinyl fence seems to be containing operational impacts, such as noise, within the parking lot. Notwithstanding, Staff will provide the City Council with the results of the Noise Study as a Weekly Report item with an option to have the Council agendaize this matter if warranted.

According to the public comment letters (see attachment), some of the neighbors believe that the parking lot is underutilized thus skewing the results of the Staff conducted field observations. These residents feel that the underutilization of the parking lot is temporary until the follow-up review is completed and therefore they feel that the City Council should impose an additional review when the parking lot is operating at maximum (or close to) capacity to evaluate, among other things, noise impacts. At this time, Staff is of the opinion that a follow-up review is not warranted in that the parking lot is being used and the City has not received any noise complaints pertaining to the operation of the parking lot.

Smoking and Littering

Condition No. 128 was modified requiring the installation of trash receptacles with lids in the parking lot by June 15, 2014. Additionally, Condition 180 was amended requiring the installation of “No Smoking” and “No Littering” signs within the parking lot. Staff has verified that trash receptacles with lids were installed in the parking along with both “No Smoking” and “No Littering” signs. Additionally, Marymount voluntarily installed signs indicating that a \$500 penalty fine will be imposed for those found smoking in the parking lot.

Outdoor Programs and Group Gatherings

Condition No. 131 was modified allowing the campus garden to be placed within the footprint of the 2010 Council-approved unconstructed parking lot and establishing the 80-foot landscape buffer zone as shown on the plan presented to the City Council at the April 1st meeting. Since the installation of the required vinyl fence, the campus garden has been contained within the interior limits of the fenced area in the area of the unconstructed parking lot. According to Marymount, the campus garden is being managed by a handful of students and faculty, and the public is not being invited to participate in the routine maintenance of the garden. As for the 80-foot landscape buffer, as required by the Council, Staff has verified that this area has been landscaped with native plants. The plants are being routinely irrigated until they are established.

Gala and Graduation Events

At the request of Marymount, the Council modified Condition No. 136 allowing, in addition to graduation ceremonies, one tent event (gala) to be held at the East Parking Lot through a Special Use Permit process until the construction of an athletic field is completed.

In September 2014, the City conditionally approved Marymount's Special Use Permit to allow up to 22 outdoor events (20 + 2 alternate dates) with sound amplification during the 2014/2015 academic year including the annual Gala in September and Graduation ceremonies in May. This past September, Marymount held its annual Gala under a tent within the East Parking Lot. Although the event in itself did not generate impacts to neighboring properties, the preparation work did impact neighbors. Unbeknownst to the City, in order to accommodate the Gala tent, holes in the asphalt of the parking were needed to support the infrastructure of the tent. This was accomplished using an air-hammer that occurred throughout the day and extended beyond the City's permitted hours of construction (7:00 p.m.). In addition, the tent was much larger than any temporary tents used on the site before. In response, pursuant to Condition No. 13 of the Special Use Permit, the City intends to reopen Marymount's Special Use Permit to impose additional conditions in advance of the Graduation Ceremonies to prevent the reoccurrence of the impacts experienced by the neighbors during the set-up for the Gala event. Some of the conditions being considered include the following:

- Requiring City-approval of a tent plan consisting of dimensions, heights and support structure information in advance of the event;
- Providing the City Manager with Mr. Jim Reeves, Vice-President of Marymount, contact information in the event complaints are reported to the City; and,
- Clarifying the set-up hours

Building Geologic Setback Area Wording

Condition No. 79 was modified clarifying this condition to more accurately reflect the improvements permitted within the Building Geologic Setback Area based on the 2010 Council-approved project plan and the 2012 Council-approved parking lot plan. The required covenant was recorded in November 2012 and this modified condition now accurately reflects the 2010 Council-approved Campus Expansion Plan and the 2012 Council-approved East Parking Lot Plan by allowing a parking lot and site improvements (including the existing sports courts) within the designated Building Geologic Setback Area but not "primary occupancy buildings".

ADDITIONAL INFORMATION

Public Notification of Tonight's Meeting

On November 13, 2014, tonight's meeting was publicly noticed to property owners within a 500-foot radius of the subject property, all interested parties, and published in the *Peninsula News*. Furthermore, the City's website, under the Marymount homepage, was updated to include information regarding tonight's meeting and a list-serve message was sent to Marymount subscribers.

Public Comments

Attached are the public comments letters received by the City since the April 15, 2014 meeting. The concerns raised in the public comments letters have been discussed in this

Staff Report. Comments letters submitted after the transmittal of this Staff Report will be provided to the Council as late correspondence.

CONCLUSION

Based on the foregoing discussion, the City Council is being asked to receive and file a report on the effectiveness of the conditions of approval imposed in April 2014 on the operation of the East Parking Lot determining that the conditions are accomplishing their intended purpose

ALTERNATIVES

In addition to Staff's recommended amendments to the 2010 Council-adopted Conditions of Approval, the City Council may consider the following alternatives:

1. Based on public testimony identifying additional issues of concern, direct Staff to work with Marymount California University to address the additional issues of concern and continue this item to a date certain; or,
2. Require an additional follow-up review for a period identified by the City Council to further assess, among other things, noise impacts associated with the operation of the East Parking Lot.

ATTACHMENTS

- A. Council-adopted Conditions of Approval (on April 15, 2014)
- B. April 1, 2014 City Council Meeting Minutes (Excerpt)
- C. Public Comments Letters (since April 15th)
- D. Kelvin Scale

Attachment A

**Council-Adopted
Conditions of Approval
(April 15, 2014)**

**Marymount California University
Follow-Up Review of the
East Parking Lot Project**

**December 2, 2014
City Council Meeting**

RESOLUTION NO. 2014-25
EXHIBIT "B"
MARYMOUNT CALIFORNIA UNIVERSITY
AMENDED CONDITIONS OF APPROVAL (APRIL 15, 2014)
ZON2003-00317 (Conditional Use Permit No. 9 Revision 'E',
Grading Permit, Variance, and Minor Exception Permit)

GENERAL CONDITIONS

- 1) The approvals granted by this Resolution shall not become effective until the applicant submits a written affidavit that the applicant has read, understands and accepts all conditions of approval contained herein. Said affidavit shall be submitted to the City no later than ninety (90) days from the date of approval of the project by the City Council. If the applicant fails to submit the written affidavit required by this condition within the required 90 days, this resolution approving planning case number ZON2003-00317 (Conditional Use Permit No. 9 Revision 'E,' Grading Permit, Variance and Minor Exception Permit) shall be null and void and of no further effect.
- 2) In accordance with the provisions of Fish and Game Code §711.4 and Title 14, California Code of Regulations, §753.5, the applicant shall pay all applicable filing fees, payable to the County of Los Angeles, for the Fish and Game Environmental Filing Fee, including posting fees. This check shall be submitted to the City within five (5) business days of final approval of this project. If required, the applicant shall also pay any fine imposed by the Department of Fish and Game.
- 3) Each and every mitigation measure contained in the Mitigation Monitoring Program attached as Exhibit "C" of Resolution No. 2010-41 is hereby incorporated into the Conditions of Approval, as Exhibit "B", for planning case number ZON2003-00317 (Conditional Use Permit No. 9 Revision 'E,' Grading Permit, Variance, and Minor Exception Permit).
- 4) The applicant shall fully implement and continue for as long as a college is operated on the subject property the Mitigation Monitoring Program and execute all mitigation measures as identified and set forth in the Final Environmental Impact Report for the project as certified in Resolution No. 2010-41.
- 5) Marymount College shall be responsible for implementing and ensuring compliance with all of the Conditions of Approval stated herein. Accordingly, as used herein, the term "applicant" shall mean Marymount College including operators of educational and recreational programs affiliated with Marymount College and the property upon which the Marymount College is located.

- 6) The project development shall conform to the specific standards contained in these Conditions of Approval or, if not addressed herein, shall conform to the appropriate development and operational standards of the Rancho Palos Verdes Municipal Code ("RPVMC").
- 7) The project, including site layout, the building and appurtenances, and signage throughout the site, must be constructed and maintained in substantial compliance with the plans reviewed and approved by the City Council, on March 31, 2010 and May 4, 2010 (Athletic Field Alternative D-2), and stamped APPROVED by the City with the effective date of the Notice of Decision. Prior to any submittal to Building and Safety, the applicant shall submit to the Community Development Director a complete set of the revised plans (such as, but not limited to, architectural, grading, landscaping, and lighting plans) that reflect the Council's final decision.
- 8) The Community Development Director shall be authorized to approve minor modifications to the approved plans or any of the conditions if such modifications achieve substantially the same result as would strict compliance with such plans and conditions. Otherwise, all other modifications shall be subject to review and approval by the City Council as a revision to this conditional use permit at a duly noticed public hearing.
- 9) Failure to comply with all of the Conditions of Approval will be grounds to revoke the approval of the project pursuant to the revocation procedures contained in RPVMC section 17.86.060.
- 10) These conditions are organized by topic type for ease of reference. Regardless of such organization, each condition is universally applicable to the entire project site, unless a condition clearly indicates otherwise. The conditions shall be applicable as long as a college is operated on the property, unless otherwise stated herein.
- 11) In the event that a Condition of Approval is in conflict or is inconsistent with any Mitigation Measure for this project, the more restrictive shall govern.
- 12) All applicable permits required by the City's Building and Safety Division shall be obtained by the applicant prior to the commencement of any construction activities associated with this approval.
- 13) If applicable, prior to issuance of any certificate of occupancy, the applicant shall pay the City's Environmental Excise Tax in accordance with the Rancho Palos Verdes Municipal Code (RPVMC).

- 14) If applicable, prior to issuance of any Certificate of Occupancy the applicant shall comply with the Affordable Housing requirements of the RPVMC.
- 15) If applicable, the applicant shall comply with all applicable provisions of the City's Transportation Demand Management and Trip Reduction Ordinance as set forth in RPVMC section 10.28.
- 16) The applicant shall be required to pay 110% of the estimated amount of the cost of services to be provided on behalf of the City by any outside consultants that have been retained by the City to render services specifically in connection with this project, in the form of a trust deposit account, prior to commencement of such services (e.g. City Engineer, City Attorney, geotechnical consultants, biologist, landscape architect, City Arborist, noise consultant, environmental consultants, recycling consultants, etc.). The College shall adequately fund said trust deposit accounts prior to the commencement of services, in amounts reasonably requested by the City, based upon an estimate of the cost of services for the period of at least 90 days for which services are rendered. In addition, the trust deposits shall be replenished within two weeks of receipt of notice from the City that additional funds are needed.
- 17) All costs associated with plan check reviews and site inspections for the Department of Public Works shall be incurred by the applicant through the establishment of a trust deposit with the Director of Public Works at the time of plan check submittal or site inspection request.
- 18) No later than six (6) months after the completion of each of the three Construction Phases described herein, the City Council shall review these Conditions of Approval at a duly noticed public hearing. As part of said review, the City Council shall assess the applicant's compliance with the Conditions of Approval and the adequacy of the conditions imposed. At that time, the City Council may add, delete or modify any Conditions of Approval as evidence presented at the hearing demonstrates are necessary and appropriate to address impacts resulting from operation of the project. Such modifications shall not result in substantial changes to the design of the project structures. Notice of such review hearing shall be published and provided to owners of property within a 500' radius of the site, to persons requesting notice, to all affected homeowners associations, and to the property owner in accordance the RPVMC. As part of the review, the City Council shall consider such items, including, but not limited to, the effectiveness of the parking conditions, on-site circulation patterns, lighting, landscaping, noise, hours of operation, the operation of outdoor events, the operation and effectiveness of the retractable net, the use of the athletic field and tennis courts, and the use of the outdoor pool. The City Council may also

consider other concerns raised by the public in response to the public notice of the review hearing. The City Council may require such subsequent additional reviews, as deemed appropriate. This provision shall not be construed as a limitation on the City's ability to enforce any provision of the RPVMC regarding this project.

In addition to the three 6-month reviews required above, no later than 18 months after the completion of Construction Phase III, as described herein, the City Council shall review these Conditions of Approval and the operations of the College at a duly noticed public hearing. As part of said review, the City Council shall assess the applicant's compliance with the Conditions of Approval and the adequacy of all the conditions imposed similar to the 6 month reviews such as, but not limited to, the effectiveness of the parking conditions, on-site circulation patterns, lighting, landscaping, noise, hours of operation, the operation of outdoor events, the operation and effectiveness of the retractable net, the use of the athletic field and tennis courts, and the use of the outdoor pool. At that time, the City Council may add, delete or modify any Conditions of Approval if evidence presented at the hearing demonstrates that new or modified conditions are necessary and appropriate to address impacts resulting from operation of the project.

The Campus Landscape Maintenance Plan shall also be subject to a three (3) month review as stated in Condition No. 170.

- 19) This approval authorizes the construction of a Facilities Expansion Plan (Facilities Plan) for Marymount College located at 30800 Palos Verdes Drive East, including the athletic field and tennis courts depicted in Alternative D-2 of Appendix D of the Final EIR. The approval does not include or allow the construction of Residence Hall buildings included in the applicant's original submittal. Any significant changes to the characteristics of the development, including, but not limited to, the introduction of new uses or buildings, the site configuration, the size or operation of the facilities, or other ancillary uses shall require an application for revision to this Conditional Use Permit pursuant to the provisions stated in the RPVMC. At that time, the City Council may direct that the Planning Commission consider the proposed application, or it may deny the proposed application, or it may approve the proposed application and impose such conditions, as it deems necessary upon the proposed use resulting from operations of the project. Further, the City Council may consider all issues relevant to the proposed change of use.

GENERAL CONSTRUCTION CONDITIONS

- 20) Temporary construction fencing shall be installed in accordance with the RPVMC. Prior to the issuance of any grading or building permit, the applicant shall submit a Temporary Construction Fence Plan, as part of the Construction Management Plan, that identifies items including, but not limited to, the type, the location and the time duration of construction fencing to be installed to address health and safety issues that are related to grading or other construction activities.
- 21) All on-site construction and grading activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall occur on Sundays or Federal holidays as set forth in RPVMC unless a special construction permit, allowing construction work on Sundays or Federal holidays between the hours of 7:00 am and 7:00 pm, is first obtained from the Community Development Director at least 48-hours in advance of construction work. Any deviation from this Condition shall require an amendment to these Conditions of Approval and the approval of a Variance Permit.
- 22) The construction site and adjacent public and private properties and streets shall be kept free of all loose materials in excess of the material used for immediate construction purposes. Such excess material includes, but is not limited to, the accumulation of debris, garbage, lumber, scrap metal, concrete asphalt, salvage materials, abandoned or discarded furniture, appliances, or fixtures.
- 23) No overnight parking or storage of vehicles associated with construction shall be permitted in the public right-of-way during construction.
- 24) Prior to issuance of any grading permit, the applicant shall submit final geotechnical and soils reports to the City for review and approval by the Building Official and the City's Geotechnical Consultant. All conditions specified in the approved geotechnical and soils reports will be incorporated into the project.
- 25) The applicant shall prepare a notice to all property owners within a 500-foot radius of the project site at least 30-days prior to the commencement of each phase of construction. Such notice shall be sent by the City, at the expense of the applicant, and shall include a contact (name, telephone number, and e-mail address) in the event complaints need to be filed. A similar notice shall be visibly posted from the right-of-way (PVDE) at the entrance to the campus. The size, exact location, and content of such notice shall be reviewed and approved by the Director at least 30-days prior to installation.

- 31) The applicant shall be responsible for repairs to any public streets that may be damaged as a result of development of the project as required by the Director of Public Works.
- 32) Prior to issuance of any grading or building permit for each construction phase described in these Conditions of Approval, the applicant shall film the public roads that will be used for construction traffic to and from the project site, as described in the City approved Construction Management Plan, to document the pre-construction road condition. Said film, in either a DVD or CD format, shall be submitted to the Director of Public Works and shall be used to document any roadway damage that may be associated with project construction.
- 33) Prior to the issuance of any grading or building permit, the applicant shall submit security, in a form reasonably acceptable to the City, to cover any damage to existing public roadways caused by project construction. The amount of such security shall be determined by the Director of Public Works and shall not be released until all construction related activities have been completed and after final inspections by the City's Building Official.
- 34) Prior to the release of the security to cover any damages to existing public roadways (see above conditions), the applicant shall repair or replace all curbs, gutters, and sidewalks that are damaged as a result of project construction, as determined by the Director of Public Works.
- 35) All proposed driveways shall be designed in substantially the same alignment as shown on the approved site plans, subject to final design review and approval by the Los Angeles County Fire Department and the Director of Public Works.
- 36) Any on-site raised and landscaped medians and textured surfaces, including parking lot planters, shall be approved by the Director of Public Works, and by the City Geologist in areas adjacent to or within the Building Geologic Setback Area.
- 37) Handicapped access ramps shall be installed and or retrofitted in accordance with the current standards established by the Americans with Disabilities Act. Access ramps shall be provided at all intersections and driveways.
- 38) All sidewalks and pathways throughout the project site shall be designed to comply with the minimum width standards set forth in the most recent California Disabled Accessibility Guidebook.

- 26) Prior to issuance of the Final Certificate of Occupancy for Phase Three, the applicant shall provide a detailed as-built Classroom Student Seat Plan. Such Plan shall substantially comply with the student seats depicted in Exhibit 4 of Appendix A of the Final EIR and shall not exceed a maximum of 655 student seats. An increase to the maximum number of student seats permitted herein shall be subject to review and approval by the City Council, at a duly noticed public hearing, and shall not result in new impacts or the intensification of impacts identified in the Final EIR, including but not limited to traffic, parking and noise.
- 27) Construction and grading activities within the public right-of-way shall be limited to the days and hours approved by the Director of Public Works at the time of permit issuance.
- 28) No on-site repair, maintenance, delivery of equipment and materials or vehicle idling shall occur before 7:00 a.m. or after 7:00 p.m. Monday through Saturday, nor on any Sunday or Federal holiday, unless otherwise specified in these Conditions of Approval or a Special Construction Permit is obtained from the City. Emergency repairs are exempt from this condition.
- 29) All construction activity shall not extend beyond the phasing plan identified in the Certified Environmental Impact Report described in Resolution No. 2010-41 and actual physical construction shall not exceed a total of three years during the eight year phased schedule, as described in Condition No. 60. Any significant changes to the construction activity schedule shall be reviewed and approved by the Community Development Director.
- 30) Prior to the issuance of any grading permits, the applicant shall submit to the Director of Public Works, for review and approval, a Construction Management Plan. Said Plan shall include, but not be limited to, the proposed routes to and from the project site for all deliveries of equipment, materials, and supplies, and shall set forth the parking plan for construction employees, the installation of traffic control signs at and around the project site, hours of arrival and departure for construction workers, sound abatement measures, and street maintenance (street cleaning and repairs). All construction related parking must be accommodated on-site. No on-street construction related parking shall be permitted. The queuing and idling of construction worker vehicles and construction vehicles/equipment shall be prohibited on-site and on City streets. Furthermore, the applicant shall prepare and submit a Haul Plan to the Public Works Department for review and approval prior to issuance of grading permits.

- 39) If excavation is required in any public roadway, the roadway shall be resurfaced with an asphalt overlay to the adjacent traffic lane line to the satisfaction of the Director of Public Works.
- 40) Prior to commencing any excavation or construction within the public rights-of-way, the applicant shall obtain all necessary permits from the Director of Public Works.
- 41) The project shall comply with all requirements of the various municipal utilities and agencies that provide public services to the property.
- 42) All existing easements shall remain in full force and effect unless expressly released by the holder of the easement.

INDEMNIFICATION/INSURANCE

- 43) The owner of the property upon which the project is located shall hold harmless and indemnify and past, present and future City, members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials, (collectively, "Indemnitees"), from any claim, demand, damage, liability, loss, cost or expense, including but not limited to death or injury to any person and injury to any property ("Loss"), resulting from willful misconduct, negligent acts, errors or omissions of the owner, the applicant, the project operator, or any of their respective officers, employees, or agents, arising or claimed to arise, directly or indirectly, in whole or in part, out of, in connection with, resulting from, or related to the construction or the operation of the project approved by this resolution including but not limited to the operation and use of the athletic field. The obligation to indemnify the Indemnitees shall not include any loss caused by the sole negligence or willful misconduct of the Indemnitees.
- 44) The applicant shall defend, indemnify and hold harmless the City and its and past, present and future agents, officers, commissions, boards, committees and employees from any claim, action or proceeding against the City or such agents, officers, commissions, boards, committee or employees, to attack, set aside, void or annul this resolution or one or more of the approvals set forth in Resolution 2010-41 brought by one or more third parties. Alternatively, at the City's election, the City may choose to defend itself from any claim, action or proceeding to attack, set aside, void or annul this resolution or one or more of the approvals set forth in this resolution with counsel of its choosing, in which case, the applicant shall reimburse the City for all of its costs, including attorney fees, arising from such claim, action or proceeding. The obligations set forth in this condition include the obligation to indemnify or reimburse the City for any

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attorney fees or monetary judgments that the City becomes obligated to pay as a result of any claim, action or proceeding within the scope of this condition.

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

- 45) The applicant shall procure and maintain in full force and effect during the operation of the College primary general liability insurance in conjunction with umbrella coverage, which is applicable to, and provides coverage in an amount of at least \$5 million dollars, which amount shall be increased on each fifth anniversary of the issuance of the first certificate of occupancy for any structure authorized by this approval to reflect increases in the consumer price index for the Los Angeles County area. Such insurance shall insure against claims for injuries to persons or damages to property that may arise from or in connection with the operation of the athletic field at the College as authorized by the conditional use permit as amended by this approval. Such insurance shall name the City and the members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. Said insurance, shall be issued by an insurer that is admitted to do business in the State of California with a Best's rating of at least A-VII or a rating of at least A by Standard & Poor's, and shall comply with all of the following requirements:
- (a) The coverage shall contain no limitations on the scope of protection afforded to City, its officers, officials, employees, volunteers or agents serving as independent contractors in the role of city or agency officials which are not also limitations applicable to the named insured.
 - (b) For any claims related to the operation of the athletic field, including balls that may enter the public road right-of-way, applicant's insurance coverage shall be primary insurance as respects City, members of its City Council, boards, committees, commissions, officers, employees, attorneys, volunteers and agents serving as independent contractors in the role of city or agency officials.
 - (c) The limits of applicant's insurance shall apply separately to the project site.
 - (d) Each insurance policy required by this condition shall be endorsed to state that coverage shall not be canceled except after 30-days prior written notice by first class mail has been given to City.

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- (e) Each insurance policy required by this condition shall be endorsed to state that coverage shall not be materially modified except after 5-business days prior written notice by first class mail has been given to City.
- (f) Each insurance policy required by this condition shall expressly waive the insurer's right of subrogation against City and members of its City Council, boards and commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials.
- (g) Copies of the endorsements and certificates required by this condition shall be provided to the City when the insurance is first obtained and with each renewal of the policy.
- (h) No activities involving field balls at the athletic field shall be permitted unless such general liability insurance policy is in effect and on file with the City.

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

PROJECT DESCRIPTION

- 46) This approval, the Marymount College Facilities Expansion Project, allows for the expansion of the existing College's facilities (92,268 square feet of floor area) consisting of the demolition of 18,022 square feet of existing floor area and the construction of 61,928 square feet of new floor area, including expanding 14,916 square feet of existing buildings, the proposed development would result in a total of 151,090 square feet of campus floor area, as outlined in the table shown below:

<u>Building</u>	<u>Total Existing Building (SF)</u>	<u>Proposed Building Demolition (SF)</u>	<u>Proposed Building Addition (SF)</u>	<u>Total Building (SF)</u>
Existing Buildings				
Classroom/Academics	26,180	0	0	26,180
Auditorium/Fine Arts Studio	8,012	0	1,869	9,881
Faculty Office	7,346	0	7,455	14,801
Student Union/Bookstore/Faculty Dining	18,158	0	3,492	21,650
Administration/Admissions	9,450	0	2,100	11,550
Chapel	5,100	0	0	5,100
Buildings to be Removed				
View Room/Hall	1,530	(1,530)	0	0
Maintenance/Photo Lab	2,696	(2,696)	0	0
Bookstore/Health Center	2,870	(2,870)	0	0
Arts	3,648	(3,648)	0	0
Preschool	2,998	(2,998)	0	0
Library	4,072	(4,072)	0	0
Pool Equipment	208	(208)	0	0
Subtotal Existing Buildings	92,268	(18,022)	14,916	89,162
Library			26,710	26,710
Maintenance			1,975	1,975
Athletic Building			33,243	33,243
Subtotal New Buildings			61,928	61,928
Total Square Footage			76,844	151,090
Source: Rasmussen & Associates, <i>Proposed Master Site Plan</i>				

- 47) A Square Footage Certification prepared by a registered surveyor or engineer shall be submitted to the Community Development Director, prior to a framing inspection, indicating that the buildings, as identified in the condition herein, do not exceed the maximum permitted gross square footages (as measured from exterior walls).
- 48) A security/information booth shall be allowed to be constructed at the entry driveway, as depicted on the site plan approved by the City Council. This structure shall not exceed 54 square feet and a maximum height of 10-feet, as measured from the lowest adjacent finished grade (935.50') to the highest roof ridgeline (945.50'). Architectural details, as shown on the project plans reviewed

and approved by the City Council at its March 31, 2010 meeting (plans dated May 9, 2009), shall be allowed to exceed the maximum 10-foot height limit.

- 49) Building setbacks shall comply with the Institutional zoning requirements, unless otherwise noted herein. A Setback Certification shall be prepared by a licensed engineer and submitted to Building and Safety prior to the framing inspection on each structure or prior to the final inspection of grading activities, whichever occurs first.
- 50) The approved structures, including additions to existing structures, shall not exceed the building heights and number of stories described as follows:

BUILDING	LOWEST ADJACENT FINISHED GRADE	MAXIMUM ROOF RIDGELINE	MAXIMUM HEIGHT	NUMBER OF STORIES
Auditorium / Fine Arts Studio	925'	942'	17-feet	One
Faculty Building	912'	940'	28-feet	Two
Student Union (bookstore and faculty dining expansion)	910'	940'	30-feet	Two
Administration/Admissions	926'	951'	25-feet	One
Library Building	912'	951'	39-feet	One
Maintenance Building	913'	933'	20-feet	One
Athletic Building	897.75'	930'	32.25-feet	Two

- 51) A Building Pad Certification shall be prepared by a licensed engineer and submitted to Community Development Director and the Building Official prior to final inspection of grading activities.

A Roof Ridgeline Certification, indicating the maximum height of each building, shall be prepared by a licensed engineer and submitted to Community Development Director and the Building Official prior to the final framing certifications for each building.

- 52) New or replaced flagpoles shall be permitted at a maximum height of 16-feet, as measured from adjacent finished grade to the highest point of the flag poles.

BUILDING DESIGN STANDARDS

- 53) Prior to the submittal of the Athletic Building plans into Plan Check, plans shall be submitted to the Director of Community Development to demonstrate that the

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portion of the Athletic Building that was allowed by the Planning Commission at 41-feet in height (elevation 938.75') has been reduced in height by a total of 10-feet from the height of the original Athletic Building so that the maximum roof ridgeline does not exceed an elevation of 930'. The Community Development Director shall determine that the revised Athletic Building is designed in compliance with the City Council's decision at its March 31, 2010 meeting.

- 54) The applicant shall submit an Architectural Materials Board for review and approval by the Community Development Director prior to issuance of building permits. The Materials Board shall identify, at a minimum, a sample of the proposed exterior building materials, roof tile materials, and paint colors for all new, expanded and modified structures. Such materials shall substantially comply with the materials called out on the project plans approved by the City Council on March 31, 2010 including, but not limited to, the use of stone veneer facades, stained wood trellises, cast-stone caps, stone veneer columns, and baked enamel aluminum windows with tinted glazing to name a few.
- 55) All new, expanded or modified buildings, including but not limited to the Athletic Building, the Library, the Student Union, and the Classroom buildings shall be finished in a muted earth-tone color, as deemed acceptable by the Community Development Director based on the review of the Materials Board.
- 56) The roof materials for all new, expanded or modified buildings with pitched roofs, including but not limited to the Library, Student Union, Athletic Building as revised per Condition No. 53, and Classrooms, shall be tile, consisting of a muted color, as deemed acceptable by the Community Development Director based on the review of the Materials Board. To the extent permitted by the City's Building Code, the material for all flat roofs shall be a color that is compatible with the color of the tiles used on the pitched roofs throughout the project, as deemed acceptable by the Community Development Director.
- 57) All trash enclosure areas shall be designed with walls six (6) feet in height with the capability of accommodating recycling bins. The enclosures shall be consistent with the overall building design theme in color and material, and shall include self-closing / self-latching gates. The enclosures shall integrate a solid roof cover to screen the bins from view from all public rights-of-way and surrounding properties. Trash enclosures shall be prohibited in all setback areas.
- 58) Mechanical equipment, vents or ducts shall not be placed on roofs unless approvals are obtained pursuant to Section 17.48.050 of the RPVMC regarding building heights and screening from view of all public rights-of-way and surrounding properties. This condition shall apply to all new and expanded

project buildings, including but not limited to the Athletic Building, Student Union, and Library Building.

- 59) The storage of all goods, wares, merchandise, produce, janitorial supplies and other commodities shall be permanently housed in entirely enclosed structures, except when in transport.

CONSTRUCTION PHASING

- 60) This Facilities Expansion Plan approval shall remain valid as set forth below, and shall be constructed in no more than 3 phases totaling 36 months of actual construction time over a period not to exceed eight (8) years from the date the approval becomes final:
- a. Phase One (Years 1-2): Phase One includes demolition of existing buildings, grading including the installation of drainage and water quality facilities, installation of utilities, the construction of new parking areas, athletic field, tennis courts, and the installation of temporary modular buildings to replace demolished facilities and those buildings subject to future construction. The planning entitlements, including grading and building permits, for all construction described under Phase One shall remain valid and the construction thereof shall be completed no later than September 30th of the year that is two years from the date the decision becomes final. Approvals for any Phase One components that are not completed with the two-year period shall lapse and become null and void unless an extension is granted by the City Council at a duly noticed public hearing.
 - b. Phase Two (Years 2-5): Phase Two includes fine grading, the construction of the new library, maintenance facility, Athletic Building, outdoor pool, and additions to the faculty building and student union. The planning entitlements, including building permits, for all construction described under Phase Two shall remain valid and the construction thereof shall be completed no later than five (5) years from the date the decision becomes final. Approvals for any Phase Two components that are not completed with the five-year period shall lapse and become null and void unless an extension is granted by the City Council at a duly noticed public hearing.
 - c. Phase Three (Years 6 -8): Phase Three includes the construction of the new fine arts building and an addition to the admissions building. The planning entitlements, including building permits, for all construction described under Phase Three shall remain valid and the construction thereof shall be completed no later than eight years from the date the decision becomes final.

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- d. All project buildings and improvements stated in these Conditions of Approval shall be completed in a total of three (3) years of construction activity and Certificates of Occupancy shall be issued within eight (8) years of the final decision of the project. All elements of the approved Facilities Plan that are not completed within the time period stated in this Condition shall require additional review and approval through an additional revision to Conditional Use Permit No. 9 and additional CEQA review if required.

TEMPORARY MODULAR BUILDINGS

- 61) The installation and use of temporary modular buildings (consisting of several modular segments each, as shown on the Phase One phasing site plan prepared by Rasmussen Associates) shall be permitted until the completion of the applicable permanent buildings or additions in Phase Two or Phase Three and in no event longer than eight years from the issuance of the first grading or building permit for Phase One, unless a revision to this CUP is approved. Upon the issuance of the certificate of occupancy for the applicable building or addition, the temporary modular building serving such use shall be removed from the project site within 30-days and the site restored to a condition deemed acceptable by the Community Development Director.
- 62) The permanent use of the temporary modular building shall be prohibited unless a revision to this CUP is approved.
- 63) The temporary modular buildings shall not exceed 15-feet in height, as measured from the lowest adjacent grade to the highest roof ridgeline.
- 64) The exterior facades for the temporary modular building facades shall be painted a neutral color to match existing or the new structures and incorporate materials that are similar to the proposed finish for the permanent buildings (not including Palos Verdes Stone or other stone material) as deemed acceptable by the Community Development Director.
- 65) The areas adjacent to the temporary modular buildings shall be landscaped to reasonably screen the buildings from Palos Verdes Drive East and properties to the south as deemed acceptable by the Community Development Director.
- 66) A building permit shall be obtained for applicable modular exterior improvements (e.g., decks, stairs, facade details, etc.) from the Department of Building and Safety.

GRADING

- 67) The following maximum quantities and depths of grading are approved for the Facilities Expansion Plan, as shown on the Preliminary Grading Plan received by the City on March 5, 2010 and reviewed and approved by the City Council at its March 31, 2010 meeting:
- a. Maximum Total Grading (Cut and Fill): 79,155 cubic yards.
 - b. Maximum Cut: 39,255 cubic yards (13,545 cubic yards with 15% shrinkage).
 - c. Maximum Fill: 39,900 cubic yards.
 - d. Maximum Depth of Cut: 25 feet.
 - e. Maximum Depth of Fill: 18 feet.

The maximum grading quantities shown above shall constitute total on-site earth movement, including but not limited to, combined raw cuts and fills (outside and under building footprints, parking lots, walkways, athletic facilities, etc.) remedial grading, and buttressed slopes to name a few.

The Community Development Director shall be authorized to allow deviations to the above grading quantities up to 200 cubic yards over the stated maximum quantities for unforeseen circumstances or due to conditions encountered in the field provided that such deviation or modification to the grading quantities achieve substantially the same results as with the strict compliance with the grading plan.

Any modifications resulting in additional grading in excess of the above quantities shall require approval of an amendment to the grading permit by the City Council at a duly noticed public hearing. This is a balanced grading project. No import or export of earth shall be permitted, except for fine grading materials, such as select fill and landscaping soils/materials.

Prior to the final inspection of the precise grading, the applicant shall provide the Building Official with a certified as-built grading plan prepared and wet-stamped by a licensed engineer. Additionally, prior to the final inspection, the applicant shall provide the City with documentation of the location of existing or relocated bentonite soil material. If applicable, the as-built grading plan shall identify all revisions to the City Council's approved grading plan.

- 68) Should the project require removal or delivery of earth, rock or material other than demolition and construction debris and waste from the site or building materials, the applicant shall first obtain City approval in the form of a revised Conditional Use Permit and Grading Permit application. Said review shall

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evaluate potential impacts to the surrounding environment associated with such export or import. If the revised grading impacts results in impacts greater than those identified in the Certified EIR that cannot be mitigated to an insignificant level, a Supplemental EIR shall be prepared and reviewed by the City, at the expense of the applicant.

- 69) The grading plans shall identify the location of the building geologic setback line. Limited irrigation shall be allowed within the geologic setback area as reviewed and approved by the City geologist pursuant to Condition Nos. 79 and 171. All water runoff in this area shall be collected and diverted to the City approved drainage system for the project.
- 70) Recommendations made by the City Geologist, the City Engineer, and the Building and Safety Division during the ongoing review of the project shall be incorporated into the design and construction of the project.
- 71) Recommendations made by the project applicant's geologist, as modified by comments from the City's Geologist, shall be incorporated into the design and construction of the project.
- 72) Prior to issuance of any grading permit, the City's Geologist and Building Official shall review all applicable structural plans or design information and reports as deemed necessary by the City's Geologist, Building Official, or both, including but not limited to, geotechnical reports during the Plan Check review process to ensure that the proposed project will not threaten public health, safety, and welfare.
- 73) If applicable, as determined by the City Geologist, prior to the issuance of any grading permit, a bond, cash deposit, or combination thereof, shall be posted to cover costs for any geologic hazard abatement in an amount to be determined by the Director of Public Works. Said security shall be released after all grading related activities are completed and after the approval of the as-built grading plans by the Building Official.
- 74) Prior to issuance of any grading permit or building permit in any phase, the applicant shall submit to the City a Certificate of Insurance demonstrating that the applicant or its applicable contractor has obtained a general liability insurance policy in an amount not less than \$5 million dollars per occurrence and in the aggregate to cover awards for any death, injury, loss or damage, arising out of the grading or construction of this project. Said insurance policy must be issued by an insurer that is authorized to do business in the State of California with a minimum rating of A-VII by Best's Insurance Guide or a rating of at least A by Standard & Poors. Such insurance shall name the City and past, present and

future the members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. A copy of this endorsement shall be provided to the City. Said insurance shall be maintained in effect at all times during actual project construction until the approval of the Final Certificate of Occupancy for each Phase shall not be canceled or reduced during the grading or construction work without providing at least thirty (30) days prior written notice to the City. Further, the insurance shall remain in place for a minimum period of five (5) years following final inspection and approval, but only as to the proposed drainage system, including detention basins.

- 75) Prior to issuance of any grading permits, a bond, cash deposit, or other City-approved security, shall be posted to cover the costs of grading in an amount to be determined by the Director of Public Works. The bond, cash deposit, or other City-approved security, at a minimum, shall be sufficient to pay for the cost of restoring the project site to an acceptable condition, as determined by the Building Official and the Director of Public Works, in the event that the project is not completed and shall include, but not be limited to, stabilizing and hydro-seeding all slopes, completing all retaining walls that are required to maintain the slopes, installing erosion control improvements, and filling in grade depressions or holes. Said security shall be released after all grading related activities are completed and after the approval of the as-built grading plans by the Building Official.
- 76) Prior to issuance of a grading permit, the applicant shall provide the Community Development Director a plan that demonstrates how dust generated by grading activities will be mitigated so as to comply with the South Coast Air Quality Management District Rule 403 and the City's Municipal Code requirements that require watering for the control of dust.
- 77) Prior to the issuance of any grading permit, the applicant shall prepare a plan indicating, to scale, clear sight triangles, which shall be maintained at the reconfigured driveway intersection. No objects, signs, fences, walls, vegetation, or other landscaping shall be allowed within these triangles in excess of thirty inches in height as measured from the adjacent curb.
- 78) Prior to the issuance of any grading permit, the following improvements shall be designed in a manner meeting the approval of the Director of Public Works: 1) all provisions for surface drainage; 2) all necessary storm drain facilities, including the detention basin, extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and 3) all water quality related

improvements. Where determined necessary by the Director of Public Works, associated utility easements shall be dedicated to the City.

- 79) The City has approved and the applicant has recorded a restricted use covenant against its property (recorded on 11-1-2012 as Document No. 20121663570 in the Official Records of Los Angeles County). The purpose of this restricted use covenant is to provide notice that the development of buildings or other structures and improvements for primary occupancy is prohibited within the designated Building Geologic Setback Area. The development of secondary structures or improvements that are not for primary occupancy, such as parking areas, landscaping, fences, walkways, play fields or courts is permitted with appropriate City approvals. Limited improvements associated with the parking lot and irrigation approved by the City Council on April 17, 2012 in this area shall be permitted pursuant to the approval of the City's Geologist as stated in these Conditions of approval. Said Building Geologic Setback Area shall be shown on all future plans.

(AMENDED PER RESOLUTION NO. 2014-25 ON APRIL 15, 2014)

- 80) Prior to the issuance of building permits, a Geology and/or Soils Engineer's report on the expansive properties of soils on all building sites shall be submitted for review and approval by the City Geologist. As required in Condition No. 67, the applicant shall provide the City with documentation of the on-site location of bentonite soil material.
- 81) Prior to the issuance of a building permit, an as-built geological report shall be submitted for new structures to be founded on bedrock, and an as-built soils and compaction report shall be submitted for new structures to be founded on fill as well as for all engineered fill areas.
- 82) Prior to the issuance of any grading permit, the applicant's project geologist shall review and approve the final plans and specifications and shall stamp and sign such plans and specifications.
- 83) Prior to the issuance of any grading permit, a grading plan review and geologic report, complete with geologic map, shall be submitted for review and approval by the City's Geotechnical Engineer.
- 84) Except as specifically authorized by these approvals, foundations shall be set in accordance with the RPVMC and shall extend to such a depth as to be unaffected by any creep-prone surficial soil and/or weathered bedrock. Field review and certification by the project geologist is required.

- 85) All grading shall be monitored by a licensed engineering geologist and/or soils engineer in accordance with the applicable provisions of the RPVMC and the recommendations of the City Engineer. Written reports, summarizing grading activities, shall be submitted on a weekly basis to the Director of Public Works and the Community Development Director.
- 86) The project shall comply with all appropriate provisions of the City's Grading Ordinance, unless otherwise approved in these conditions of approval.
- 87) Grading activity on-site shall occur in accordance with all applicable City safety standards.
- 88) Prior to final grading inspection by Building and Safety, the graded slopes shall be properly planted and maintained in accordance with the approved Landscape Plan required in Condition Nos. 164 and 165. Plant materials shall generally include significant low ground cover to impede surface water flows.
- 89) Prior to final grading inspection by Building and Safety, all manufactured slopes shall be contour-graded to achieve as natural an appearance as is feasible and shall be less than 35%.
- 90) Any water features (fountains, etc.), including the detention basin, shall be lined to prevent percolation of water into the soil. Designs for all water features shall be included on the grading plans submitted for review by the City's Building Official and Geotechnical Engineer prior to the issuance of any grading permits.
- 91) The proposed swimming pool shall be lined and shall contain a leak detection system, subject to review and approval by the City's Building Official.
- 92) The use of on-site rock crushing equipment and raw stone cutting shall be prohibited. However, cutting and shaping of pre-cut stone veneer, as deemed acceptable by the Community Development Director, for the final fitting and installation of said stone veneer on the building and site walls shall be allowed provided that the stonecutting occurs immediately adjacent to the areas where the stone veneer is being applied and as far as possible from nearby residences. The Community Development Director has the authority to limit any stone cutting that is determined by the Director to adversely impact the neighbors, including but not limited to restricting the hours of stone cutting, restricting the areas of stone cutting and/or limiting the number of stone cutting saws and requiring saws to be located within a structure.
- 93) Retaining walls shall be limited in height as identified on the grading plans reviewed and approved by the City Council at its March 31, 2010 meeting. Any

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retaining walls exceeding the permitted heights shall require the processing of a revised grading permit for review and approval by the City Council at a duly noticed public hearing as set forth in the provisions of the Municipal Code.

UTILITIES

- 94) Prior to issuance of the final inspection for the project grading, all new utilities exclusively serving the project site shall be placed underground including cable television, telephone, electrical, gas and water. All appropriate permits shall be obtained for any such installation. Cable television, if utilized, shall connect to the nearest trunk line at the applicant's expense.
- 95) No above ground utility structure cabinets, pipes, or valves shall be constructed within the public rights-of-way without prior approval of the Director of Public Works. If permitted, above ground utility structure cabinets, pipes, or valves shall not impede on the pedestrian circulation flow.
- 96) Use of satellite dish antenna(e) or any other antennae shall be controlled by the provisions set forth in the RPVMC. Centralized antennae shall be used rather than individual antennae for each building.
- 97) Prior to issuance of any building or grading permits, the applicant shall prepare sewer plans in accordance with the Countywide Sewer Maintenance District. The applicant shall be responsible for the transfer of sewer facilities to the Countywide Sewer Maintenance District for maintenance.
- 98) A sewer improvement plan shall be prepared as required by the Director of Public Works, Building Official, and the County of Los Angeles.
- 99) Prior to issuance of building or grading permits, the applicant shall submit to the Director of Public Works, a written statement from the County Sanitation District accepting any new facility design and/or any system upgrades with regard to existing trunk line sewers. Said approval shall state all conditions of approval, if any.
- 100) Prior to issuance of any final Certificate of Occupancy, if applicable, the applicant shall dedicate sewer easements to the City, subject to review and approval by the Community Development Director and the Director of Public Works with respect to the final locations and requirements of the sewer improvements.
- 101) Sewer Improvement plans shall be approved by the County of Los Angeles, the County Sanitation Districts, and the Director of Public Works.

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- 102) A sewer connection fee shall be paid to the County Sanitation Districts of Los Angeles County prior to the issuance of a permit to connect to the sewer line.
- 103) Prior to the construction of any water facilities, the Director of Public Works shall review and approve the water improvement plan. Any water facilities that cannot be constructed below ground shall be located on the subject property and screened from view from any public rights-of-way, to the satisfaction of the Director of Public Works and the Community Development Director. In addition, an easement to California Water Service shall be dedicated prior to issuance of any grading or building permits.
- 104) The project site shall be served by adequately sized water system facilities that shall include fire hydrants of the size and type and location as determined by the Los Angeles County Fire Department. The water mains shall be of sufficient size to accommodate the total domestic and fire flows required for the development. Domestic flow requirements shall be determined by the City Engineer. Fire flow requirements shall be determined by the Los Angeles County Fire Department and evidence of approval by the Los Angeles County Fire Department is required prior to issuance of building permits.
- 105) Framing of structures shall not begin until after the Los Angeles County Fire Department has determined that there is adequate fire fighting water and access available to such structures.
- 106) The applicant shall file with the Director of Public Works an unqualified "will serve" statement from the purveyor serving the project site indicating that water service can be provided to meet the demands of the proposed development. Said statement shall be dated no more than six months prior to the issuance of the building permits for the project. Should the applicant receive a qualified "will serve" statement from the purveyor, the City shall retain the right to require the applicant to use an alternative water source, subject to the review and approval of the City, or the City shall determine that the conditions of the project approval have not been satisfied.
- 107) Prior to the issuance of building or grading permits, the applicant shall file with the Director of Public Works, a statement from the purveyor indicating that the proposed water mains and any other required facilities will be operated by the purveyor, and that under normal operating conditions the system will meet the needs of the project.

HYDROLOGY AND WATER QUALITY

- 108) Prior to issuance of any grading permit, the applicant shall submit an updated Master Drainage Plan for the College campus and any adjacent tributary area, including supporting documents, for review and approval by the Director of Public Works, Building Official, and Geologist. The Plan shall demonstrate adequate storm protection from the design storm, under existing conditions, as well as after the construction of future drainage improvements by the City along Palos Verdes Drive East immediately abutting the project site. The updated Master Drainage Plan shall also include, but not be limited to, the items listed in the adopted Mitigation Monitoring and Reporting Program and the following:
- Drop inlets connecting to the proposed storm drain system shall be added along the eastern edge of the subject site including the eastern parking area. The added drop inlets shall extend to the rose garden.
 - An on-site storm water collection system that is designed to prevent water run-off flows from entering off-site properties, including properties on Vista del Mar and the City-owned San Ramon Reserve (Palos Verdes Nature Preserve)
 - Identification of the final size of the detention basin.
 - Sheet overflow and ponding shall be eliminated or the floors of buildings with no openings in the foundation walls shall be elevated to at least twelve inches above the finished pad grade
 - Calculations shall be made according to the latest adopted Los Angeles County Department of Public Works Drainage Calculation Methodologies.
- 109) Prior to issuance of any building or grading permits, the applicant shall submit for review and approval by the Director of Public Works a Storm Water Pollution Prevention Plan (SWPPP) to ensure compliance with the current California State Regional Water Quality Control Board (RWQCB) regulations.
- 110) The irrigation system and area drains proposed shall be reviewed and approved by the City's Geotechnical Engineer, Building Official and Director of Public Works.
- 111) A construction specific drainage report(s) shall be prepared demonstrating that the grading, in conjunction with the drainage improvements, including applicable swales, channels, street flows, catch basins, will protect all building pads from design storms, as approved by the Building Official and the Director of Public Works.

- 112) All drainage swales and any other at-grade drainage facilities (detention basin, etc.), including gunite swales, shall be of an earth tone color, as deemed appropriate by the Community Development Director.
- 113) Prior to the issuance of any grading permit, the applicant shall demonstrate to the satisfaction of the Director of Public Works and City Engineer that the design storm can be conveyed through the site without conveying the water in a pipe and without severely damaging the integrity of the Standard Urban Stormwater Mitigation Plan (SUSMP). If such integrity cannot be demonstrated, the applicant shall redesign the SUSMP to the satisfaction of the Director of Public Works and City Engineer, which may require off-site flows to be diverted into a piped system and carried through the site.
- 114) Prior to the issuance of any grading permit that proposes to convey off-site drainage through the subject property, the applicant shall execute an agreement with the City that is satisfactory to the City Attorney agreeing to defend, indemnify and hold the City, members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials, (collectively, "Indemnitees") harmless from any damage that may occur to the subject property or to any improvements, persons or personal property located on the subject property due to the flow of off-site storm flows that are designed, as of the date the College's drainage plans are approved by the City, to flow onto, over, and through the subject property ("Claims"). The indemnity agreement need not (i) obligate the Applicant or its successor or assigns to defend, indemnify or hold harmless any party other than the Indemnitees, or (ii) prohibit the Applicant or its successor or assigns from taking any action against parties other than Indemnitees with respect to the Claims or on any other basis.
- 115) Prior to the acceptance and final inspection of the storm drain system, all catch basins and public access points that crosses or abut an open channel shall be marked with a water quality message in accordance with the SUSMP and SWPPP.
- 116) Prior to issuance of any building or grading permit, the applicant shall submit for approval by the City a SUSMP pursuant to the guidelines in *Development Planning for Stormwater Management – A Manual for the Standard Urban Stormwater Mitigation Plan (SUSMP)* prepared by Los Angeles County Department of Public Works 2002 (or most current version). The SUSMP shall include both structural and non-structural BMPs and shall comply with RWQCB and applicable National Pollution Discharge Elimination System (NPDES) permits. The SUSMP shall identify how on-site flows and off-site water flows that mix with on-site water flows are treated for pollutants prior to leaving the site.

The WQMP shall also include an Integrated Pest Management Plan (IPMP) that addresses the use of grasscycling and pesticides for the lawn and landscape areas including the athletic field.

All costs associated with the review, installation and maintenance of the SUSMP and project related Best Management Practices (BMPs) shall be the responsibility of the applicant. If the plan requires construction of improvements, such plans shall be reviewed and approved by the Director of Public Works.

- 117) Prior to issuance of any final Certificate of Occupancy, the SUSMP Maintenance Agreement, outlining the post-construction Best Management Practices, shall be recorded with the Los Angeles County Records Office.
- 118) Prior to issuance of any building or grading permits, the applicant shall file any required documents, including the Notice of Intent (NOI), and obtain all required permits from the California RWQCB.
- 119) Prior to issuance of any building or grading permits, the applicant shall submit for review and approval by the Director of Public Works an Erosion Control Plan. Said Plan shall be designed in conformance with the City standards and the requirements of the RWQCB.
- 120) Prior to issuance of any final Certificate of Occupancy the applicant shall implement the project in full compliance with the standard urban storm water mitigation plan adopted by the RWQCB.
- 121) Prior to the approval of the SUSMP, the City's Geotechnical Engineer shall review and approve the Plan. In the event the City's Geotechnical Engineer determines that additional improvements need to be constructed, the applicant shall revise the Plan accordingly.
- 122) Marymount College, or subsequent landowners, shall maintain all on-site drainage facilities, including, but not limited to structures, pipelines, open channels, detention and desilting basins, mechanical and natural filtering systems, and monitoring systems. The cost of maintaining these systems shall be based on costs estimated and developed by the applicant and approved by the Director of Public Works and the City Engineer. A bond, letter of credit or other security acceptable to the City shall be provided to secure completion of such drainage facilities. A bond to cover the cost of their maintenance for a period of 2 years after completion shall also be provided to the City.
- 123) Subject to the agreement of Los Angeles County and if applicable, the applicant shall turn over all eligible drainage facilities to the Los Angeles County Public

Works Department upon completion and acceptance of the facilities by the County of Los Angeles.

SOURCE REDUCTION AND RECYCLING

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

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By June 15, 2014, a minimum of five trash receptacles with lids shall be placed in the East Parking Lot, with at least two receptacles placed along the eastern edge of the parking lot adjacent to the City-owned San Ramon Reserve.

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OPERATIONAL

- 129) Any repair work conducted in or outside the Maintenance Building that may be visible to the public, including from the public right-of-way, shall be screened with landscaping from public view.
- 130) Unless an earlier time is specified in these Conditions of Approval, campus facilities open for student, participant, and public use shall close by 10:00 p.m. with the exception of the Library, Auditorium, and Athletic Building, which shall close by 11:00 p.m. Notwithstanding the foregoing, the College may hold up to six student activity events, such as dances, within a calendar year in which campus facilities for such events may remain open until midnight provided that at least three weeks before the event, the College provides written notice of the special event to the Community Development Director. All such events shall also be posted on the College's website.
- 131) The following areas of the campus shall be closed for all use between sunset and sunrise and such hours of closure shall be visibly posted in the applicable location, unless a special use permit is obtained:
- Library Building outdoor deck
 - athletic field
 - tennis courts
 - Athletic Facility outdoor balcony
 - rose garden
 - campus garden

By June 15, 2014, the 80-foot setback area, as measured from the property line abutting 2742 and 2750 San Ramon Drive, extending towards the northern edge of the East Parking Lot, as depicted on the landscape plan reviewed by the City Council on April 1, 2014, shall be landscaped, as deemed acceptable by the Community Development Director, so that this area is established as a buffer zone where no activities may occur, other than maintenance of the landscaping by Marymount staff. Accordingly, said landscaped buffer zone shall not be used

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for any formal or informal school or other group or individual activities, group congregation or as a viewing area by individuals, the school or outside groups.

The campus garden (referred to as the GROW project), shall not be located within the buffer zone and shall be limited to the unconstructed parking lot footprint approved by the City Council in 2010 and shall be enclosed with a 6-foot high vinyl earth tone screening fence that is parallel to the rear property line of 2750 San Ramon Drive and a 5-foot high vinyl earth tone screening fence that is parallel to the City-owned San Ramon Reserve property line as required by Condition No. 173.

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- 132) Use of the outdoor pool shall be prohibited between 10:00 p.m. and 6:00 a.m. Monday through Friday, and between 8:00 p.m. and 6:00 a.m. on Saturday and Sunday, unless a Special Use Permit is obtained.
- 133) The delivery of goods and supplies, including food supplies, shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Sunday.
- 134) All regular truck deliveries shall use the loading docks adjacent to the student union.
- 135) 24-hour campus security shall be provided, including but not limited to the monitoring of parking lots, to ensure outdoor noise levels are kept to a minimum and the College's Code of Conduct, as described in the Mitigation Monitoring and Reporting Program attached to Resolution No. 2010-41, is being adhered to. Between the hours of 7 a.m. and 7 p.m., Monday to Friday, a security guard shall be on duty at the information booth located near the campus entrance. At all other times, the campus security shall patrol the campus.
- 136) The use of outdoor amplification equipment for outdoor events shall be prohibited unless a Special Use Permit is obtained. Prior to September 1st of each year, the College may request an annual Special Use Permit to conduct no more than 24 outdoor events that include amplified sound, including sporting events, graduation ceremonies, and evening tent events, during the next twelve months (ending August 31st) Such activities and other outdoor events shall only be allowed to occur at Chapel Circle, the plazas adjacent to the Library and the Auditorium (as shown on the site plan approved by the City Council), and the outdoor pool area. The Athletic Field and Tennis Courts are the only location on site that may be used for graduation ceremonies with amplified sound; provided, however, graduation ceremonies and one tent event (the gala) with amplified

sound may be held on the East Parking Lot and existing tennis courts until the construction of an athletic field on this site has been completed.

(AMENDED PER RESOLUTION NO. 2014-25 ON APRIL 15, 2014)

- 137) The existing preschool shall discontinue its operation upon the demolition of the building occupied for this use in Phase I, as described in these Conditions of Approval. The future use of a preschool, either within an existing building or in a new building that needs to be constructed, shall require a revision to this Conditional Use Permit pursuant to the provisions stated in the RPVMC and the appropriate environmental review.
- 138) The College shall establish a Neighborhood Advisory Committee consisting of one representative selected by each of the following neighboring homeowner's associations: El Prado, San Ramon, Mira Catalina, Seacliff Hilltop, and Mediterranean; two at-large representatives who live within 3000 feet of the campus (one of which shall be selected by the Community Development Director and one by the College); and a representative from City Staff (non-voting member). The Committee shall meet, at a minimum of once every fall and spring term, to review any campus operational and neighborhood concerns. Reports on the meetings shall be provided to the City Council.

PROGRAMS / STUDENT ENROLLMENT

- 139) The use of the College campus is permitted for only the following academic and recreational programs and related activities as further described below and defined in Condition 140:
 - Traditional Degree Programs
 - Non-Traditional Degree Programs
 - Continuing Educational Programs, such as but not limited to English as a Second Language (ESL)
 - Recreational Activities
 - Summer Educational Programs, such as but not limited to:
 - Upward Bound
 - High School Courses
 - International Students Taking ESL courses

The use of the campus by groups or organizations unaffiliated with the College's educational and recreational programs listed above that would have less than 100 participants or visitors present on campus at one time or would occupy less than 20% of the 463 required parking spaces during such use is also allowed.

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Any and all other uses and activities on the College campus that do not meet this threshold are prohibited unless approved with a revision to this Conditional Use Permit or a Special Use Permit is obtained, whichever is applicable based on the request.

The sub-leasing of the campus for commercial purposes that are unaffiliated with the College is prohibited.

- 140) The College's "Traditional Degree Programs" are the academic programs (Associates and Bachelors degrees) that offer classes primarily during the day on weekdays (Monday to Friday). The College's "Non-Traditional Degree Programs" are the academic programs (Associates, Bachelors, and Masters degrees) that offer classes, including post-secondary academic classes, primarily during weekday evenings and on weekends (Saturday and Sunday), so as to generally avoid overlap with the class schedules of the Traditional Degree Programs. The Traditional and Non-Traditional Degree Programs are referred collectively as the "Degree Programs."
- 141) The College may also provide lifelong learning programs ("Continuing Education Programs") such as English as a second language (ESL). For the purposes of this Conditional Use Permit, all students in such Continuing Education Programs will be included as part of the total full-time and part-time permitted student enrollment for both the Traditional and Non-Traditional Degree Programs. The determination as to which enrollment category such students are counted towards will be based on whether the applicable classes are primarily offered during the weekdays (in which case the students would be classified as part of the Traditional Degree Program enrollment) or nights/weekends (in which case they would be classified as part of the Non-Traditional Degree Program enrollment).
- 142) As used in this Conditional Use Permit, a "student" means either a "full-time student," who is a person enrolled in a Bachelor of Arts or Associates of Arts Degree Program or a Continuing Education Program on campus for at least 12 hours of course work during the applicable Term (as defined below), or a "part-time student," who is a person enrolled in a Bachelor of Arts or Associates of Arts Degree Program or Continuing Education Program on campus for at least 3 hours, but up to 11 hours, of course work during the applicable Term.
- 143) The campus facilities may also be used for "Summer Educational Programs." Summer Educational Programs are educational programs for persons generally 14 years or older such as college-credit classes for local high school students, Upward Bound, and international students taking ESL classes along with other educational classes and recreational activities. Persons enrolled in Summer

Educational Programs are referred to in this CUP as “participants” for the purpose of establishing enrollment limitations.

- 144) The College may operate throughout the calendar year under the following general “Term” schedule: “Fall Term” (August through December), “Winter Term” (January), “Spring Term” (February to May) and “Summer Term” (June through July/August).

The College shall provide all of its incoming students a driver’s training course regarding local roadway conditions. The total number of students receiving the required driver’s training course shall be included in the enrollment report for each term as described in Condition No. 146.

- 145) The following enrollment limitations apply:

- A. The maximum total permitted enrollment in Traditional Degree Programs on campus during the Fall, Winter, and Spring Terms is 793 students (full-time and part-time). Of these 793 students, a maximum of 250 students shall be enrolled in a Bachelor of Arts degree program (BA Program). For the Summer Term, if other educational or recreational programs are concurrently offered during weekdays, the maximum total permitted enrollment in Traditional Degree Programs must be proportionally reduced so that the combined enrollment in all such programs (e.g., Traditional Degree Programs and Summer Educational Programs) does not exceed a total of 600 students (full-time and part-time) and participants.
- B. The maximum total permitted enrollment in Non-Traditional Degree Programs on campus during any Term is 150 students.
- C. The maximum total permitted enrollment in any combination of Traditional Degree Programs and Summer Educational Programs offered concurrently during summer weekdays (June to August) is 600 students and participants.

- 146) The College shall submit to the City an enrollment report for each Term within an academic year for all Traditional and Non-Traditional Degree Programs and Summer Educational Programs no later than 30-days after a term has commenced. Failure to submit such a report on a timely basis will constitute a violation punishable by administrative citation per the RPVMC.

NOISE / MECHANICAL EQUIPMENT

- 147) All new mechanical equipment, regardless of its location, shall be housed in enclosures designed to attenuate noise to a level of 65 dBA CNEL at the project

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site's property lines. Mechanical equipment for food service shall incorporate filtration systems to reduce exhaust odors.

- 148) Mechanical equipment shall be oriented away from any sensitive receptors such as neighboring residences, and where applicable, must be installed with any required acoustical shielding.
- 149) All hardscape surfaces, such as the parking area and walkways, shall be properly maintained and kept clear of trash and debris. The hours of maintenance of the project grounds shall be restricted to Mondays through Fridays from 7:00 a.m. to 5:00 p.m., and on Saturdays from 9:00 a.m. to 4:00 p.m. Said maintenance activities shall be prohibited on Sundays and Federal holidays listed in the RPVMC.
- 150) Noise levels resulting from on-campus activities (parking areas, athletic field, tennis courts, swimming pool, and outdoor gathering areas and plazas), including those allowed through the annual Special Use Permit, except for graduation ceremonies, shall not exceed 65 dba CNEL at all property lines. Within 6 months of completion or operation, whichever comes first, of each Phase of the Facilities Plan, as described in these conditions, after the vinyl screening fence required by Condition No. 173 is installed and classes are in session during the fall 2014 term and before the additional 6-month review, Marymount shall provide the City with sound test reports prepared by a certified noise consultant that has been approved by the Community Development Director. Said sound test reports shall be taken during peak attendance periods and at locations identified by the Community Development Director, to establish compliance with this condition. Marymount shall establish a Trust Deposit, in an amount deemed acceptable by the Community Development Director, to cover all City costs incurred for the noise monitoring.

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LIGHTING

- 151) The applicant shall prepare and submit a Lighting Plan for the project site that is in compliance with the RPVMC. The Lighting Plan, including a Photometric Plan, shall clearly show the location, height, number of lights, wattage and estimates of maximum illumination on site and spill/glare at property lines for all exterior circulation lighting, outdoor building lighting, trail and sidewalk lighting, parking lot lighting, landscape ambiance lighting, and main entry sign lighting. The Lighting Plan shall be submitted for review and approval by the Community Development Director prior to issuance of any building permit. An as-built lighting plan shall

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be submitted to the City prior to the issuance of the Final Certificate of Occupancy for each construction phase (as described in the conditions herein).

Prior to the installation of any on-site lighting for the parking lots and walkways, one illuminated mock-up of each type of light fixture that would be used for the parking lots and walkways shall be set-up for review and approval by the Community Development Director to ensure compliance with the Municipal Code. The applicant shall make any adjustments to the light fixtures determined by the Community Development Director necessary to prevent the fixture from being excessively bright or creating other adverse impacts.

- 152) Parking and Security lighting shall be kept to minimum safety standards and shall conform to City requirements. By June 15, 2014, the six fixtures attached to the three eastern-most 10-foot tall light standards in the East Parking lot shall be shielded, as deemed acceptable by the Community Development Director, so that only the subject property is illuminated. There shall be no light spillover onto residential properties or halo into the night sky. The light emitted by the light bulbs in the standards must be of a warm hue (i.e., not white/blue) and may not exceed 1700 lumens. There shall be a trial period of thirty (30) days from the installation of all the project exterior lighting, including building and parking lot lighting, during which the lighting shall be assessed for potential impacts to the surrounding properties. At the end of the thirty (30) day period, the Community Development Director may require additional screening or reduction in the intensity or numbers of lights which are determined to be excessively bright or otherwise create adverse impacts. Furthermore, said lighting shall be reviewed as part of the six (6) month review described in Condition No. 18.

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- 153) No outdoor lighting is permitted where the light source or fixture, if located on a building, is above the line of the eaves. If the light source or fixture is located on a building with no eaves, or if located on a standard or pole, the light source or fixture shall not be more than ten feet above existing grade, adjacent to the building or pole.
- 154) No outdoor lighting shall be allowed for the tennis courts or the athletic field, other than safety lighting used to illuminate the walkways and trails through the campus. A Special Use Permit shall be obtained for the temporary use of lighting in these areas for special events as described in Condition No. 139.
- 155) The light standards at the parking lot along the property line adjacent to the properties located on San Ramon Drive shall be no higher than the top of the existing 5-foot tall privacy wall.

- 156) The light standards at the East Parking Lot, located within the lower tier, shall be limited to a height of 42-inches, as measured from adjacent finished grade. Pursuant to Condition No. 152, for security and safety reasons, the access driveway, pedestrian pathway and parking lot perimeter bollard lighting shall be permitted to be illuminated throughout the night. The 10-foot light standards located within the East Parking Lot, as shown on the City approved parking lot plans, shall be turned off nightly at 9:00 pm.

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PARKING

- 157) Prior to the issuance of any grading permit, a Parking Lot Plan shall be reviewed and approved by the Community Development Director. The Parking Lot Plan shall be developed in conformance with the parking space dimensions and parking lot standards set forth in RPVMC or allowed in this condition of approval, and shall include the location of all light standards, planter boxes, directional signs and arrows. No more than 20% of the total parking spaces shall be in the form of compact spaces.
- 158) The applicant shall construct and maintain no fewer than 463 on-site parking spaces consisting of 391 standard parking spaces at a minimum dimension of 9' wide by 20' deep and a maximum 72 compact parking spaces at a minimum dimension of 8' wide by 15' deep. In addition, the applicant shall construct and maintain off-street loading spaces pursuant to the criteria set forth in Section 17.50.050 of the RPVMC.

Prior to the completion of Phase I, as described in Condition No. 60, the applicant shall institute, to the satisfaction of the Community Development Director and the Director of Public Works, a Parking Management Strategies Plan to reduce College related parking in order to minimize street parking by students and visitors by the following values:

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

Parking Management Strategies may include, but are not limited to, the following:

- Provision of "carpool only" parking spaces

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- Implementation of parking restrictions for students living in College-owned off-campus residential housing
- Utilization of remote parking
- Provision of increased shuttle service
- Offering of financial incentives, such as providing transit passes
- Utilization of campus security to direct vehicles to available on-campus parking during peak times (8am to noon, Monday through Friday)
- Utilization of campus security personnel to monitor street parking and direct students and visitors to available on-campus parking spots

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

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

- 159) Parking on the east side of the campus adjacent to the properties on San Ramon Drive in the area marked on the site plan reviewed and approved by the City Council at its March 31, 2010 meeting shall be limited to faculty and staff between 7:00 a.m. and 10:00 p.m. All parking between 10:00 p.m. and 7:00 a.m. is prohibited in this area.
- 160) Parking in the East Parking Lot as shown in the plan reviewed and approved by the City Council at its April 17, 2012 meeting shall be prohibited between 6:00 p.m. and 7:00 a.m. During this period, the parking lot shall be closed off with the use of an automated arm to prevent vehicles from parking or accessing the parking lot. Any vehicles remaining in the parking lot after 6:00 p.m. must exit the parking lot by 9:00 p.m. No motorcycles shall be permitted to park in the East Parking Lot. Buses, campers, commercial trucks, shuttle vans or other similar vehicles shall be permitted to park in the East Parking Lot only as part of a special event approved through a Special Use Permit process.

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- 161) Prior to the final inspection of project grading in Phase One, emergency vehicular access shall be installed at the project site. A plan identifying such emergency access shall be submitted to the Los Angeles County Fire Department and the Director of Public Works for review and approval prior to issuance of any building permit.

- 162) Prior to issuance of any building permit, the applicant shall prepare an Emergency Evacuation Plan for review and approval by the Community Development Director. Such plan shall comply with the City's SEMS Multihazard Functional Plan.
- 163) The use of grasscrete pavers shall be prohibited within the Geologic Building Setback Area.

LANDSCAPING

- 164) A Landscape Plan shall be prepared by a qualified Landscape Architect in accordance with the standards set forth in RPVMC. The Landscape Plan shall be reviewed and approved by the Community Development Director, a qualified Landscape Architect, and an Arborist hired by the City, prior to the issuance of any building or grading permits. The applicant shall establish a Trust Deposit account with the City prior to the submittal of Landscape Plans to cover all costs incurred by the City in conducting such review. The Landscape Plan shall include, at a minimum, the plant species (Latin and common names), growth rate, and maximum height at maturity for all proposed trees. The Landscape Plan shall also identify the areas to be landscaped based on the phased construction plan described in these conditions of approval. Included in the Landscape Plan shall be a maintenance schedule as stated in these conditions. During the Director's review, the Landscape Plan shall also be made available to the public for review and input.

The Landscape Plan shall comply with the water conservation concepts, the View Preservation Ordinance, the planting requirements, the irrigation system design criteria, and all other requirements of the RPVMC. All new trees and foliage shall not exceed 16-feet in height, as measured from grade adjacent to the tree or foliage, except along the south slope of the campus where the height of such new trees must be maintained at a level below the ridgeline of the nearest structure to the tree or foliage.

Prior to the completion of Phase I, as described in Condition No. 60, the existing eucalyptus trees located on the upper western portion of the southern slope and the existing canary pine trees located at the existing parking lot and drop-off circle shall either be laced, trimmed, removed or any combination thereof, as determined by the Community Development Director to restore views of Catalina Island from the viewing area of properties to the north, including 2925 Crest Rd.

- 165) The applicant shall preserve existing on-site mature trees for the purpose of incorporating the mature trees into the landscaping of the southern slope, which shall be planted in a manner to reasonably screen the Athletic Building and the retaining walls that support the Fire Access Lane when viewed from the Palos

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Verdes Drive East roadway. The selection of the mature trees for preservation and re-planting shall be made by the Community Development Director based on consultation with the City Arborist. The re-planting of the mature trees shall occur prior to the completion of Phase I as described in Condition No. 60. Additionally, the applicant shall replace any of the existing trees removed from the southern slope and the adjacent area prior to the completion of Phase I, as described in Condition No. 60, with 24" box trees at a 2:1 ratio, to minimize the scarring or erosion of the southern slope that may result from the project grading. Included in the Landscape Plan described in the above Condition No. 164, the applicant shall indicate the location of the existing mature trees that will be removed, preserved, and replanted. The replacement tree species shall be approved by the Community Development Director based on consultation with the City Arborist as part of the Landscape Plan review and prior to the issuance of any grading permit. If any of the retained mature trees become diseased or die, such trees shall be removed and replaced with 24" box trees at a 2:1 ratio by the applicant within thirty days of removal with a tree species approved by the Community Development Director after consultation with the City Arborist. The College shall establish a Trust Deposit account with the City to cover costs incurred by the City Arborist's in implementing this condition.

- 166) Where practical, landscaping shall be planted and maintained to screen the project buildings, ancillary structures, and the project's night lighting as seen from surrounding properties and/or public rights-of-way, as depicted on the Landscape Plan. Landscaping, as described in Condition No. 165, shall be planted and maintained to reasonably screen the Athletic Building and the retaining walls for the Fire Access Lane from Palos Verdes Drive East and down-slope properties.
- 167) All landscaping shall be planted and maintained in accordance with the City approved Landscape plan. During project construction, the respective planting for each phase must be completed prior to the issuance of the certificate of occupancy for the adjacent building or improvement area, as deemed appropriate by the Community Development Director.
- 168) The area between the retaining wall along the eastern parking area and the existing privacy wall for the adjacent properties along San Ramon Drive shall be used as a landscaped buffer area and planted with trees not to exceed 16-feet in height to provide additional screening.
- 169) The area between the front and street-side property lines and the required 42-inch wrought iron fence/wall adjacent to the parking areas and the 6-foot wrought iron fence along the curvature of Palos Verdes Drive East between the northeastern corner of the tennis courts and the detention basin shall be landscaped and maintained on both sides of the fence/wall.

170) Prior to issuance of any grading permit, a Campus Landscape Maintenance Plan shall be submitted and approved by the Community Development Director. At a minimum, the Campus Landscape Plan shall be consistent with the following requirements:

- That landscape maintenance activities, including lawn mowing, are prohibited between the hours of 7:00 p.m. and 7:00 a.m. Monday through Saturday, and on Sundays and Federal holidays.
- That the use of weed and debris blowers and parking lot sweeping shall be prohibited before 8:00 a.m. or after 5:00 p.m., Monday through Friday, or before 9:00 a.m. or after 4:00 p.m. on Saturday or at any time on Sundays and Federal holidays.
- General identification of the irrigation hours.
- General tree pruning and trimming schedule.

The implementation of the Campus Landscape Maintenance Plan shall be formally reviewed by the Community Development Director three (3) months after the installation of the campus landscaping for each phase of construction, and shall be subsequently reviewed by the City Council at the six (6) month review described in Condition No. 18. At either review, the Director and/or the City Council may determine that the Plan needs to be revised to address confirmed noise impacts.

If the City receives any justified noise complaints that are caused by the maintenance of the athletic field or campus landscape and lawn areas, as verified by the Community Development Director, upon receipt of notice from the City, the College shall respond to said verified complaint by notifying the City of the implementing corrective measures within 24 hours from the time of said notice.

Notice of the Director's decision resulting from the 3-month review of Campus Landscape Maintenance Plan shall be provided to all interested parties and may be appealed to the City Council by any interested party. Any violation of this condition may result in the revocation of the Conditional Use Permit.

171) The area between the eastern parking lot and the property line (adjacent to the City-owned San Ramon Reserve) depicted on the approved site plan shall be landscaped with native plants that require little to no irrigation, as deemed acceptable by the City Geologist. Such landscaping shall be reviewed and approved by the Fire Department prior to planting for fuel modification

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compliance. Such plants shall not exceed a height of 42-inches, unless the Community Development Director determines that such landscaping may exceed 42-inches, but no higher than 7-feet, in order to minimize any view impairment to the properties at 2742 and 2750 San Ramon Drive.

FENCES, WALLS, AND HEDGES

- 172) The applicant shall install and maintain a 42-inch tall combination wrought iron fence and wall, finished in a stone veneer similar to the approved entry signs, along the entire Palos Verdes Drive East frontage between the eastern property line (adjacent to the corner of the rear property line for San Ramon) to the northeastern corner of the eastern tennis courts. Said fence/wall shall be setback a minimum of 5-feet from the property line to allow this area to be landscaped, irrigated and maintained with approved plants, not to exceed 42-inches in height, as identified on the Landscape Plan.
- 173) By June 15 2014, the applicant shall install a 6-foot tall vinyl screening fence finished in an earth tone color along the entire length of the eastern portion of the East Parking Lot and the northern portion of the campus garden (closest to 2750 San Ramon Drive), and a 5-foot tall vinyl screening fence along the eastern portion of the campus garden that parallels the City-owned San Ramon Reserve property line, as depicted in the landscape plan dated March 25, 2014, to the satisfaction of the Community Development Director. The alignment of the vinyl screening fence shall follow the perimeter of the original parking lot approved by the City Council in 2010 and the project plan reviewed by the City Council on April 1, 2014. An access gate in the vinyl fence shall be permitted solely for maintenance purposes by Marymount staff and shall be locked when not in use Staff.

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- 174) The applicant shall install and maintain a wrought iron fence, painted black, along the westerly edge of the property, between the northeast corner of the tennis courts and the detention basin, at a maximum height of 6-feet and 80% open to light and air, as permitted with the City Council's approval of the Minor Exception Permit, as part of planning case number ZON2003-00317. Said wrought iron fence shall be setback a minimum of 3-feet from the property line to allow this area to be landscaped, irrigated and maintained with approved plants, not to exceed 42-inches in height, as identified on the Landscape Plan. The installation of lighting onto said fence is prohibited.
- 175) The applicant shall install and maintain a retractable net at the south, north and west sides of the Athletic Field as depicted in Athletic Field Alternative D-2 and the plans dated December 2008 and January 2009. Said net, when extended,

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shall not exceed a height of 30-feet, as measured from the lowest adjacent grade (891') on the Athletic Field side. The Athletic Field net shall be extended at all times when the field is used for recreational activities involving balls and shall be lowered at the conclusion of the recreational activity. Recreational activities requiring the use of said net shall be prohibited on Sundays and the Federal holidays listed in the RPVMC, unless a Special Use Permit is obtained.

Use of the Athletic Field shall be prohibited for activities involving baseballs, golf balls, or other similar sized balls that cannot be adequately contained by the use of the field net.

- 176) The use of chain link fencing shall be prohibited within the front and street-side setback yards (along Palos Verdes Drive East) with the exception of the chain link fencing for the tennis courts permitted with the City Council's approval of the Minor Exception Permit, as part of planning case number ZON2003-00317.
- 177) The chain link fence for the tennis courts shall be 20-feet in height along the entire perimeter of the westerly tennis courts and 10-feet in height for the easterly tennis courts (including combined retaining walls and fencing), as measured from the lowest adjacent finished grade to the top of the fence. Said fence shall consist of a green or black mesh that is 80% open to light and air. The installation of lighting onto said fence is prohibited.
- 178) All pools and spas shall be enclosed with a minimum 5' high fence (80% open to light and air), with a self-closing device and a self-latching device located no closer than 4' above the ground.

SIGNS

- 179) The applicant shall be permitted to construct two entry signs, adjacent to the driveway entrance at Palos Verdes Drive East and Crest Road, at a maximum height of 6-feet and affixed to a stone veneer decorative wall, as illustrated in the project plans reviewed by the City Council on March 31, 2010. The entry signs shall consist of individually mounted brass finished letters that are reverse channel lighting (back lit).
- 180) Prior to the issuance of any grading permit by Building and Safety, the applicant shall submit for review and approval by the Community Development Director a Master Sign Plan that is consistent with the sign requirements of the RPVMC. The Master Sign Plan shall include, but not be limited to, the entry identification signs for the University, the way-finding signs, the building signs, and other signs related to an educational use to ensure that such signs are in compliance with the City's Codes.

By June 15, 2014, Marymount shall install "NO SMOKING" and "NO LITTERING" signs in the east parking lot with the number of signs and location of each to be approved by the Community Development Director.

(AMENDED PER RESOLUTION NO. 2014-25 ON APRIL 15, 2014)

Attachment B

**April 1, 2014 City Council
Meeting Minutes (Excerpt)**

**Marymount California University
Follow-Up Review of the
East Parking Lot Project**

**December 2, 2014
City Council Meeting**

PUBLIC HEARINGS:

Marymount California University – 6-Month Review of the Expanded Parking Lot Project (Planning Case No. ZON2003-00317) / 30800 Palos Verdes Drive East [Continued from February 18, 2014]

City Clerk Morreale reported that this public hearing was continued from February 18, 2014, late correspondence was provided prior to the meeting, and there were four requests to speak regarding this item.

Deputy Community Development Director Mihranian provided a detailed staff report and PowerPoint presentation regarding this item.

Councilwoman Brooks disclosed that although she lives near Marymount California University she is outside of the 500 foot radius notification area, and she taught in the past at Marymount, she is able to make a fair decision regarding this matter.

In response to comments from the public and a question from Councilwoman Brooks, Deputy Community Development Director Mihranian explained the difference between the enrollment numbers as part of the Conditions of Approval (Conditions) where there is a requirement to report the enrollment numbers of traditional and non-traditional students; and the Traffic Mitigation Measures, where the enrollment numbers are based on weekday and weekend student enrollment. He noted that there was an inconsistency between the two; added that the Conditions define what a weekday, weeknight and weekend student means; and noted that since 2010, staff has enforced the Conditions, not the Traffic Mitigation Measures, since the Conditions were completed after the traffic studies.

Mayor Duhovic added that the enrollment issue will be addressed at a later time, as part of the Conditional Use Permit review, noting that any issue can be addressed at that time.

Discussion ensued among Council Members, staff and City Attorney Lynch.

RECESS AND RECONVENE:

Mayor Duhovic called a brief recess from 8:25 P.M. to 8:36 P.M.

Don Davis, attorney for Marymount California University, commented that he was appreciative of the extra time allowed by the continuance of this item from the February meeting.

Jim Reeves, Senior Vice President of Finance and Administration, Marymount California University, stated that staff has been cooperative in addressing the issues and concerns

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April 1, 2014
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raised by neighbors and the City. He noted the University would prefer a five foot high fence along the entire length of the parking lot; disagreed with the vehicle type and day prohibition in the parking lot; requested that the City allow one other tent event (Gala) at the East Parking Lot; and, requested the extension of the condition compliance date from May 1, 2014 to June 15, 2014.

Don Davis, stated that the University was open to different types of materials for the preferred 5 foot fence/barrier and would appreciate views from many locations on the campus, including the parking lot; questioned where trucks and buses should be allowed to park, to avoid view obstruction issues; noted the parking lot is voluntarily closed by the University on the weekends, but the University would like flexibility when events necessitate the use of the lot without the need for a Special Use Permit; reported the University was interested in the possibility of using the parking lot for its annual Gala as part of the application process; and requested flexibility in the extension of the condition compliance date.

Discussion ensued among Council Members and Mr. Davis.

Dr. Michael Brophy, stated that the location for the garden was picked for its quiet setting away from the bustle of the main campus, to allow for prayer and reflection.

Diane Smith, Rancho Palos Verdes, stated that the community near Marymount has not changed much over the years, commented on historic limitations regarding campus expansion, enrollment, and parking issues; and, noted there were two additional local campuses. She requested a clarification and verification regarding the enrollment; commented on the use of the new garden area and parking lot noise; and, noted she was in favor of a 6 foot fence along the parking perimeter.

Sara Dokter, Rancho Palos Verdes, asked for clarification regarding the location of the garden and commented on the following problems in the parking lot: smoking problems, cigarette butts, invasion of privacy, and parking issues.

Dr. Michael Brophy, in rebuttal, stated that he was appreciative of the collegial manner in which the matter has been handled; commented that the University was in agreement on many of the issues that were raised; and, noted there were four areas of concern for which the University has requested the Council's consideration.

Mayor Duhovic declared the public hearing closed.

Discussion ensued among Council Members and staff.

Mayor Duhovic declared the public hearing closed.

Councilwoman Brooks moved, seconded by Councilman Misetich, to approve the staff recommendation on the following points: 1) Requiring a noise study be conducted after installation of the new vinyl fence and when classes are in session during the fall 2014

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April 1, 2014

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term; 2) Requiring shields be placed on the six light fixtures attached to the three eastern most 10-foot tall parking lot light standards, limiting the parking lot light bulbs to 1700 lumens per bulb (current lumens), and requiring the light standards to be turned off at 9:00 p.m.; 3) Requiring additional trash receptacles with lids and “no smoking” and “no littering” signs be installed in the East Parking Lot; 4) Prohibiting outdoor programs and gatherings within the 80-foot parking lot buffer zone and limiting the location of the outdoor garden to the footprint of the original parking lot approved by the City Council in 2010; 5) Clarifying the wording for the Building Geologic Setback condition; 6) Allowing graduation ceremonies with amplified sound to occur in the East Parking Lot until an athletic field is constructed on site; and, 7) Conducting an additional review six months from April 1, 2014 to review the effectiveness of the added conditions of approval.

Mayor Pro Tem Knight suggested an amendment to consider the use of less intense warmer lighting in the parking lot. The amendment was accepted.

The motion, as amended, passed on the following roll call vote:

AYES: Brooks, Campbell, Knight, Misetich and Mayor Duhovic
NOES: None
ABSENT: None

Councilman Misetich moved, seconded by Councilwoman Brooks, to approve the staff recommendation for a 6-foot tall vinyl fence along the eastern and northern perimeter of the East Parking Lot and a 5-foot tall vinyl fence along the campus garden that parallels the City-owned San Ramon Reserve.

The motion passed on the following roll call vote:

AYES: Brooks, Knight, Misetich and Mayor Duhovic
NOES: Campbell
ABSENT: None

Councilman Campbell moved, seconded by Mayor Duhovic, to allow, subject to a Special Use Permit, one additional tent event (Gala) with amplified sound to occur in the East Parking Lot until an athletic field is constructed on site.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Knight, Misetich and Mayor Duhovic
NOES: None
ABSENT: None

Mayor Duhovic moved, seconded by Mayor Pro Tem Knight, to extend the condition regarding the compliance date from May 1, 2014 to June 15, 2014.

The motion passed on the following roll call vote:

AYES: Brooks, Campbell, Knight, Misetich and Mayor Duhovic
NOES: None
ABSENT: None

Mayor Duhovic moved, seconded by Councilwoman Brooks, to approve the staff recommendation to restrict commercial vehicles and buses from the parking lot and reduced hours for use of the parking lot.

Discussion ensued among Council Members, Mr. Davis, Dr. Brophy, staff and City Attorney Lynch.

Mayor Duhovic suggested an amendment to his motion to allow the parking lot to be open on the weekends, with the provision that the effectiveness of this condition will be reviewed in 6 months. The seconder of the motion, Councilwoman Brooks, accepted the amendment.

The motion, as amended, was the following: To approve the staff recommendation regarding prohibiting commercial trucks and buses from parking in the East Parking Lot, but allowing the parking lot to be open for use on the weekends.

The motion, as restated, passed on the following roll call vote:

AYES: Brooks, Campbell, Knight, Misetich and Mayor Duhovic
NOES: None
ABSENT: None

REGULAR BUSINESS:

Consideration of whether to Appeal the Planning Commission's Recent Approval of a Conditional Use Permit Revision for a New Roof-Mounted Antenna Structure on the Commercial Building at 28041 Hawthorne Blvd. (Case No. ZON2013-00111)

City Clerk Morreale reported that correspondence was distributed prior to the meeting and there were eight requests to speak regarding this item.

Community Development Director Rojas provided a brief staff report regarding this item.

Discussion ensued among Council Members and City Attorney Lynch.

Attachment C

**Public Comments
(since April 15, 2014)**

**Marymount California University
Follow-Up Review of the
East Parking Lot Project**

**December 2, 2014
City Council Meeting**

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Tuesday, November 25, 2014 10:00 AM
To: Ara Mihranian
Cc: Leza Mikhail
Subject: RE: Marymount Site Description and Staff's Mindset

Hi Ara,

Thank you Ara – I know that you did not anticipate what Marymount did to us – it is not your fault. I thank you for trying to figure out a way to deal with this so it does not happen again. I want you to appreciate that while we care for you and our City Council we are upset at what we have endured since at least June 29, 2013 when the parking lights went on. You would think after all of our complaints – bright overhead lights, vehicle headlights, graffiti, skateboarders, numerous instances of invasion of privacy, violations of setbacks, smoking, broken pipes, noises of all sorts at all hours and then jackhammering?

When we spoke you had mentioned that you suggested Marymount cap the jackhammered footings to avoid future jackhammering. I never did get a full report on what happened so it is hard for me to understand and feel confident in future representations.

I'm mad at myself that I allowed the nerve-shattering noise to continue all day and as long as it did. I was receiving sad news from family and the mean spirited actions of Marymount only exacerbated the situation. Marymount knew full well that their set-up permit time ended at 5 pm. They tied up their security phone number and just allowed their contractors to keep on going in blatant defiance of your efforts and our City Council's agreement.

This is the attitude we are infuriated over Ara.

Did you read Idelle Clarke's email report? She agrees with me – the teachers are so sweet and nice but management is horrible to us. Those ladies I spoke to at the Grow Garden were just lovely and dedicated to their work. They did not have a clue about what Marymount management had represented to Dr. Tooley and the neighbors and of course it was not my business to speak to them about it. I just arranged to give them plants.

Idelle did speak to the out-of-town teachers she met about the horrible noise. They were very nice and concerned and sympathetic as you can tell by Idelle's report and photographs. Idelle took pictures of the cylindrical sand-covered footings but she did not know what they were for. I expected the City to take pictures too and find out exactly what the tent contractors did and why they violated the permit by two and a half hours. People have told us that Marymount wanted to save money on labor – so they saved money at our expense. What point is there to have a permit when Marymount just snubs it and laughs at us.

These continuous violations of permits and laws and codes by Marymount add up to more distrust of Marymount and the City.

If you can't prove to us that you can enforce existing conditions then adding additional conditions is just more empty words.

You add more words, I add more words, and Marymount kicks me out for taking pictures of their defiance of the 40-foot setback, their failing to repair leaking pipes, provide trash receptacles and cigarette butts flicked into a brittle dry field, etc. etc. I'm sure Idelle will be banned from Marymount too for taking pictures of the area after the tents were taken down – a job that the city should have done and reported on.

I don't know how many more words I can use to convey our disappointment in Marymount.

Yes I am thankful for the fence as it has definitely reduced the noise and light but then there has not been much activity in the parking lot this semester. Jim Reeves admitted it has been quiet. I asked for a worst-case scenario test of the vehicle lights but agreed not to push it.

I was so surprised when Jim arranged his own test with his automobile and his employee.

We saw no light at all.

Should we trust that test? Last year the lights were so bright and the vehicles were so active in the parking lot at night that I likened the vehicle headlights to a disco ball.

Last week I asked you and Jim for another test by residents.

To date I have had no response.

We just want to see the effect, if any, of headlights of one truck, one van, one SUV driving around in combination with the overhead lights, in the east parking lot before the December 2 City Council meeting. If we cannot conduct the test then we ask for another 6 month review – especially since last night’s traffic committee meeting where neighbors unanimously opposed permit parking and insist Marymount contain students on its own property. I expect the east parking lot will then have more vehicles.

Thank you too for considering more accurate description of Marymount’s property to show that San Ramon unquestionably has received the brunt of nuisances from Marymount University – and San Ramon was here first.

Diane

From: Ara Mihranian [mailto:AraM@rpv.com]

Sent: Tuesday, November 25, 2014 8:05 AM

To: Diane Smith

Cc: Leza Mikhail

Subject: RE: Marymount Site Description and Staff's Mindset

Hi Diane,

The City is reopening to impose additional conditions to the SUP for outdoor events with amplified sound to minimize the impacts the neighbors’ experienced in September with the tent set-up. This will occur after the holidays well in advance of the graduation ceremonies in May that include a tent structure. Staff is providing the Council with this information in the December 2nd Staff Report.

As for the project site description, your suggestions are noted and from this point forward will better describe the properties on San Ramon Drive.

Ara

Ara Michael Mihranian

Deputy Director of Community Development



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From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Sunday, November 23, 2014 10:35 PM
To: Ara Mihranian
Cc: Leza Mikhail
Subject: FW: Marymount Site Description and Staff's Mindset

Dear Ara,

I came across this email and note it was BEFORE Marymount's violation of its special event permit, exceeding the set-up time by 2.5 hours with jackhammering throughout the day. I never did find out if Marymount was penalized for this. From now on I would like a fair and accurate description of Marymount's property taking into consideration my comments below.

Thanks Ara.
Diane

From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Tuesday, September 09, 2014 9:03 AM
To: 'Ara Mihranian'
Cc: 'Leza Mikhail'
Subject: Marymount Site Description and Staff's Mindset

Dear Ara,

I just read your response to my concerns about Leza's memo.

With regard to San Ramon Drive's proximity to Marymount, your comment "Staff is aware of the close proximity of the surrounding neighborhoods to Marymount, particularly San Ramon and Vista del Mar," is correct. Staff is aware but no one else is!! Staff is so aware of the proximity of San Ramon Drive to Marymount that Staff ignores San Ramon – leaving a little "by the way" sentence at the end of Marymount's site description. Rancho Palos Verdes residents and City council members and planning commissioners that have never visited our property have no way of knowing exactly how close Marymount is to San Ramon Drive. Staff does not give us the dignity we deserve.

Your Site Description reads:

"Marymount is located towards the eastern edge of the City at 30800 Palos Verdes Drive East. The subject property is approximately 26 acres and in an area designated by the City's Zoning Map as Institutional (1). The campus is bound by Palos Verdes Drive East, which wraps around the campus' northern, southern and western property lines and Ganado Drive and Crest Road to the north. The main structures of the University are located on the northern portion of the campus that consists of terrain that is generally flat, while the southern portion of the campus is undeveloped with downward slopes. The subject site is surrounded by single-family residential structures to the north, south, and west. The majority of these homes are situated on the opposite side of Palos Verdes Drive East, which creates a slight buffer between the campus and the neighboring homes, which vary in elevation. However, the homes located along the northeastern edge of the subject site (along San Ramon Drive) are immediately adjacent to the campus' property line and are separated by an approximately six (6) foot high privacy wall."

This description clearly shows the "Community Development Department's" mind-set.

"Marymount is located towards the eastern edge of the City at 30800 Palos Verdes Drive East. **(The campus is south east edge of RPV.)**

The subject property is approximately 26 acres and in an area designated by the City's Zoning Map as Institutional (1). The campus is bound by Palos Verdes Drive East, which wraps around the campus' northern, southern and western property lines and Ganado Drive and Crest Road to the north.

(Staff omits the eastern property line – San Ramon Drive to the south – in its boundary description)

The main structures of the University are located on the northern portion of the campus that consists of terrain that is generally flat, while the southern portion of the campus is undeveloped with downward slopes. **(the main structures are linked from the east center of the property to the north east corner by parking)**

The subject site is surrounded by single-family residential structures to the north, south, and west. **(what about immediately to the east and the South Shores Landslide and Vista del Mar?)**

The majority of these homes are situated on the opposite side of Palos Verdes Drive East, which creates a slight buffer between the campus and the neighboring homes, which vary in elevation. **(buffer? what about immediately to the east – right against the small back yards of San Ramon homes? and right next to the backyard of Vista del Mar?)**

However, the homes located along the northeastern edge of the subject site **(along San Ramon Drive)** are immediately adjacent to the campus' property line and are separated by an approximately six (6) foot high privacy wall." **(and Vista del Mar is totally left out.)**

Staff does not even dignify San Ramon Drive with a stand-alone name – it hides San Ramon Drive in parentheses at the end like, "oh, by the way."

Staff describes the wall separating Marymount improvements from San Ramon backyards as "an approximately six (6) foot high privacy wall" putting in the mind of the reader that it provides "privacy."

San Ramon homeowners (too many to list) as well as the Vista del Mar homeowner (Mr. DiNardo) sold their homes and left the area because their complaints were met by deaf ears by Staff.

Mr. DiNardo complained during the EIR process and nothing happened.

Mrs. McSherry complained during the EIR process and nothing happened. She was totally ignored even though, at her age, she waited until midnight before she was called to speak.

No one came to her home downslope of the parking lot regarding the lights and noise.

San Ramon Drive is thrown in, in parentheses, at the end of the Site Description.

San Ramon Drive tax-paying residents are treated like the Lomita Condominium Homeowners were treated by Green Hills Cemetery and the City's Planning Department – like outcasts!

We are fed up with being treated like this.

Again, it is a mind-set Ara and I believe Staff is, consciously or subconsciously, pushing San Ramon homeowners to the back end of all considerations regarding Marymount.

I am angry that Staff would allow Marymount parking lot more lumens than RPV's Hess Park parking lot and Peninsula High School parking lot lumens.

I am angry that Staff would allow Marymount to add more vehicles to their east parking lot, to service a public garden, adding more unconsidered noise and disruption to San Ramon residents.

Marymount is so arrogant that they refused to fix their leaking pipes at the top of the South Shores Landslide, despite my photographs, until it came to the point where three security guards demanded I take no more photographs of trash and leaking pipes and go away. I am angry that Staff did not insist Marymount fix its leaking pipes when I first insisted they do so. Those pipes leaked for MONTHS AND MONTHS at the top of the South Shores landslide – and I get kicked out for bringing this to their attention?

I am angry that Marymount concealed from San Ramon neighbors their intent to put a public garden between San Ramon buffer zone and the noisy parking lot and Staff just ignored it.

Yes, the wall is very nice Ara. The wall is really beautiful and I thank you for that. But look at the hours and hours of nagging and complaining that I took to get this done. It is exhausting and I feel that Staff counts on just wearing down the tax-paying community. What of our Development Code – our City's vision for a semi-rural environment – shouldn't that come first? Shouldn't the tax-payers come first? Shouldn't the Cornelius' (bedridden), Dr. Tooley, Harris, Hamilton, McSherry, Smith, Jensen, Doktor, properties and Mr. DiNardo's property taken priority? Sure, Harris enjoys playing tennis at Marymount but what of the rest of us?

I used to believe in our Development Code and our Municipal Code but it is no good without enforcement and oversight.

I should not have to spend so much of my cherished retirement time dealing with these issues.
Staff and Marymount, hand in hand, are so inconsiderate that they can't even accurately describe the site and provide sound drawings to show where the sound waves shoot onto immediate properties – San Ramon and Vista del Mar.
Yeah, maybe next year.
Sincerely,
Diane Smith

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Thursday, November 20, 2014 10:29 AM
To: Ara Mihranian; 'Jim Reeves'
Subject: Marymount-Neighborhood Meeting regarding East Parking Lot overhead Lights and vehicle headlights overspill and glare

Dear Ara and Jim,

Thank you for taking the time to come to my home and to Laura & Ron McSherry's home to experience the overhead lights from our perspectives.

Jim, you agreed to reach out to your parking light vendor for fixtures/bulbs that would diminish the light still emanating from the overhead lights.

You also agreed, Jim, to find out from Marymount's insurance company what their minimum safety requirements are for parking lot lights.

We already know that the City and the School District are insured for safety of their parking lots and that their parking lot lights are 1560 lumens – well below Marymount's 1700 lumens.

I also appreciate your willingness to conduct a light demonstration. You arranged last night for your assistant to turn the lights on in both his car and yours to demonstrate the effect, if any, of headlights into our properties both from a parked car situation and the situation of driving a car from the lower to upper levels. We all agreed that we could see no light whatsoever from the cars. However, as I told you last night, both Laura McSherry and I, on two occasions, Monday and Tuesday this week, observed an SUV and a truck parked on the upper level of the parking lot. We could see the hood of the vehicles to the top of the headlights indicating if the headlights were turned on then they would cast light above the fence into the direction of our properties. I therefore ask if you would be willing to allow residents to participate in a second light demonstration to test the effect of an SUV, van and truck headlights shining in the direction of our properties from the parking lot. If we downslope San Ramon residents do not experience headlights spilling over onto our properties under the second vehicle light demonstration then we will be satisfied that Marymount has fulfilled the City Council's expectations and consultant representations as to vehicle headlights, if any, during the EIR process.

Our only remaining objection would then be to the existing spillover of light from the overhead parking lot lights to downslope residents.

Please let me hear from you.

Sincerely,
Diane Smith

20 Ara

November 19, 2014

From Laura McSherry 2714

What I find strange about the East View parking lot situation is that there has been little parking activity there since the deadline was extended. The ~~fact~~ unannounced jack hammering activity was scary because we couldn't tell at first where it was coming from. The whole hillside from my vantage point was involved. This is so typical of my long experience with Manymount. They "hit" you when least expected. No warning. You are "lulled" to expect some peace and quiet, then they act, again and again.

Ara Mihranian

From: Idelle Clarke <idelle@cox.net>
Sent: Wednesday, November 19, 2014 3:25 PM
To: Ara Mihranian
Subject: Re: Marymount Neighborhood Meeting

Mr. Mihranian

I was copied on the notice that Keith Reynolds our next door neighbor is unable to attend the meeting tonight. I only just now learned from your note that El Prado HOA is considered a neighbor of Marymount and that Keith is on the committee as you explained. Tim and I joined the HOA only this year because of the Marymount impact on us and the much elevated motorcycle traffic and noise. When we attended our first HOA meeting last week (we thought oddly at Marymount!) not a single word about the lights or traffic or parking or the meeting tonight or Dec 2 ever came up. Keith Reynolds was there. After the meeting we told him how disappointed we were that there had been no discussion at all regarding the Marymount intrusions and got 10 mins of apologies. Ms. Shackleton clearly had no plans to ever bring up the issue. So I apologize for my incorrect statement in the note I sent you yesterday. I hope you will communicate to the group tonight what I have explained here that there has been no discussion or notice by the HOA regarding anything having to do with Marymount. Ms. Shackleton's property is on the other side of Tarapaca, very close to Calle Adventura so I expect that she is not impacted much by Marymount. You need not come by our home tonight. The letter submitted should be sufficient.

Idelle Clarke
30751 Tarapaca Road RPV

From: [Ara Mihranian](#)
Sent: Wednesday, November 19, 2014 8:52 AM
To: [Idelle Clarke](#)
Subject: RE: Marymount Neighborhood Meeting

Ms. Clarke,

Thank you for taking the time to share your concerns with me regarding the operation of Marymount particularly the recently completed East Parking Lot. The City does consider the El Prado HOA a neighbor of Marymount. In fact, a representative from the El Prado HOA (Keith Reynolds) is on the Marymount Neighborhood Advisory Committee that meets once each term (tonight is the Fall 2014 meeting). The purpose of this Committee is to communicate neighborhood concerns pertaining to the operation of the University to Marymount representatives (Jim Reeves).

With that send, your comments/concerns regarding the parking lot lights and the impacts from the Gala tent event in September are duly noted and part of the public record. Your email will be shared with Marymount and the City Council at its December 2nd meeting when the Council will be reviewing the conditions they imposed on the parking lot back in April 2014.

I also want to let you know that tonight (between 7 and 8:30pm) I will be visiting some properties to view the parking lot at night. Let me know if you want me to stop by tonight.

Ara

Ara Michael Mihranian
Deputy Director of Community Development


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From: Idelle Clarke [mailto:idelle@cox.net]
Sent: Tuesday, November 18, 2014 10:49 AM
To: Ara Mihranian
Subject: Marymount Neighborhood Meeting

Greetings Mr. Mihranian,

It is confusing and disappointing that neither the City nor Marymount acknowledge that many El Prado residents are indeed neighbors of Marymount. Our home at 30751 Tarapaca is heavily impacted by noises and lights and numerous activities that occur on Marymount property. You may recall that we showed you the lights in their parking lot from our family room and entertainment deck. Their lights had become our nighttime vista before the new fence was erected. I wanted to let you know in advance of the "Marymount neighborhood meeting" tomorrow that the new fence does provide a significant shield for us from the intrusion of most of those lights – with the exception of the two tallest light poles nearest the canyon – and we do appreciate that.

I do however, want to also mention that the day a couple of months ago after the huge tents were installed and used for festivities on that parking lot I went over to the school to see what had been done that caused intrusive and persistent noise at our home when they were going up. There I learned about the fundraising activity – referred to by one of their instructing staff as an "annual event". That particular event was NOT a repeat of anything we have seen/experienced in the past. The enormous tent was similar in size and installation process to the tents put up annually in the Rose Bowl area for construction of parade floats in my old neighborhood by the Pasadena Rose Bowl ! I ask that those of us along our side of the canyon who are indeed impacted by Marymount's activities across from our homes be included in notices regarding that institution's proposed events and activities.

I want to mention that when I went over to the campus to see what had caused all the noise we experienced when the tents were going up, the person I happened to see and speak to identified themselves as an

instructor involved in some aspect of teaching about community outreach and interaction – and as we spoke and I pointed out our home, they lamented that it was a shame the school did not see the value in using actual life events as teaching opportunities for the benefit of both students and neighbors. It would be so nice if the administration of Marymount was equally perceptive. The El Prado neighborhood meeting was last week and I was shocked that there was not even a word of news regarding the Marymount Neighborhood Meeting you are evidently involved with this week which I learned about from friends residing on San Ramon.

Idelle Clarke
Resident, 30751 Tarapaca Road

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Tuesday, November 18, 2014 7:45 AM
To: Ara Mihranian
Cc: 'LOIS Karp'; 'James'; 'Linda Gordon'; 'George Zugsmith'
Subject: RE: Marymount - Neighborhood Meeting November 19, 2014

OK Ara – thanks – (you are working too late Ara).

Please let me know, in the future, if there is anything else Marymount management is going to do that may hurt San Ramon homeowners. Again, I don't think there is even one more foot of land next to San Ramon homeowners that the city could allow Marymount to develop.

Actions by Marymount that diminish quality of life for San Ramon neighbors are:

- adding more students
- making more noise,
- making more exhaust,
- making more light,
- making more trash on and against neighbor properties,
- endangering land by failing to repair broken water pipes at the top of the South Shores landslide,
- allowing students to park on our street after the 5 o'clock permit time,
- allowing excess trash by failing to replace stone trash receptacle that was previously vandalized,
- allowing student skateboarding and graffiti
- abusing City's permits by failing to adhere to set-up hours and noise (like the Gala event jackhammering 2.5 hours beyond the permit hour0, failing to maintain emergency number active.

Marymount management should practice what their organization preaches.

Diane

From: Ara Mihranian [mailto:AraM@rpv.com]
Sent: Monday, November 17, 2014 10:22 PM
To: Diane Smith
Cc: 'LOIS Karp'; 'James'; 'Linda Gordon'; 'George Zugsmith'
Subject: RE: Marymount - Neighborhood Meeting concerns

Diane,

Going off my memory, the area of the former soccer field as it wrapped around the existing basketball courts and tennis courts dropped in grade. In order to account for this grade change and to support the parking lot originally proposed by Marymount, grading and retaining walls were proposed to create flat areas to accommodate the parking lot. I understand that in the overall picture the northeastern portion of the campus supports most of the existing improvements (parking, campus buildings, basketball and tennis courts, swimming pool, etc.). With that said, conditions were imposed on the master plan to minimize impacts to the San Ramon neighbors. Most of these

I cannot predict what Marymount will request in the future, but I can assure you that through the CUP and CEQA process all the issues you raise will be vetted. Additionally, the 2010 findings is a source of information the City and its decision makers can refer to in the future. That record is there and available on the City's website.

Ara

From: Diane Smith <radlsmith@cox.net>
Sent: Monday, November 17, 2014 11:35 AM
To: Ara Mihranian
Cc: 'LOIS Karp'; 'James'; 'Linda Gordon'; 'George Zugsmith'
Subject: Marymount - Neighborhood Meeting concerns

Hi Ara,

I am preparing my concerns for the Marymount – Neighborhood meeting this Wednesday but I need answers to my questions below.

Without making a trip to City Hall and diving into the records, would you tell me who required Marymount to make a slope out of a perfectly flat area of land used as a soccer field, and why?

Would you tell me what the reasoning was behind covering up the flat soccer field and making it into a slope? I have never heard of turning flat land into a slope before in a hillside community. If the soccer field had remained “as is” then it would have made a nice “project grow” or parking lot, thus distributing Marymount’s effect on all the neighbors equally.

I do not believe there is even one more foot of land that Marymount could utilize next to San Ramon homeowners – please confirm this Ara.

So far, the bulk of noise from Marymount is focused immediately adjacent San Ramon homeowners. It took San Ramon homeowners’ threat of litigation to stop the volleyball courts going in next to San Ramon. Right now San Ramon homeowners suffer periodic noise and disruption from:

- the new east parking lot (excessive overhead lights, yet unknown effects of vehicle headlights and future noise),
- the erection of enormous temporary tent structures using jackhammers and exceeding agreed-upon terms of permit with no final report of what happened nor penalty whatsoever for abuse;
- the new public Grow Garden (who knows what that will bring);
- the basketball courts;
- the tennis courts;
- the swimming pool (a little farther beyond homes but still audible in summer camps);
- more parking and exhaust immediately next to homes;
- more parking lot, front lights and noise;
- then bus stop with students climbing on neighbor walls, looking into windows, depositing their waste, trash, bottles, cigarettes.

Every single foot of land between Marymount and San Ramon appears now to be accounted for.

We would like a promise from Marymount and the City to stop any further new activities next to San Ramon Drive and to adhere to terms of their temporary permits from now on or face heavy monetary penalties to be distributed to south-side San Ramon homeowners.

We do not want to have to hover over the City and Marymount anymore.

Please give us your assurances that the City will adhere to the City's Development Code and all other laws to protect us from further abuse by Marymount.

Please let me hear from you as soon as possible.

Thank you.

Diane Smith
2704 San Ramon Drive
Rancho Palos Verdes, CA 90275
(310) 547-3856

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Monday, November 17, 2014 11:35 AM
To: Ara Mihranian
Cc: 'LOIS Karp'; 'James'; 'Linda Gordon'; 'George Zugsmith'
Subject: Marymount - Neighborhood Meeting concerns
Attachments: Marymount - FOUR TENTS Sat. Sept. 27 2014.jpg; Marymount - FOUR TENTS Thurs. Sept. 25 2014.jpg; Marymount - East Parking Lot Night Lights.docx

Hi Ara,

I am preparing my concerns for the Marymount – Neighborhood meeting this Wednesday but I need answers to my questions below.

Without making a trip to City Hall and diving into the records, would you tell me who required Marymount to make a slope out of a perfectly flat area of land used as a soccer field, and why?

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- the erection of enormous temporary tent structures using jackhammers and exceeding agreed-upon terms of permit with no final report of what happened nor penalty whatsoever for abuse;
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- the tennis courts;
- the swimming pool (a little farther beyond homes but still audible in summer camps);
- more parking and exhaust immediately next to homes;
- more parking lot, front lights and noise;
- then bus stop with students climbing on neighbor walls, looking into windows, depositing their waste, trash, bottles, cigarettes.

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Please let me hear from you as soon as possible.

Thank you.

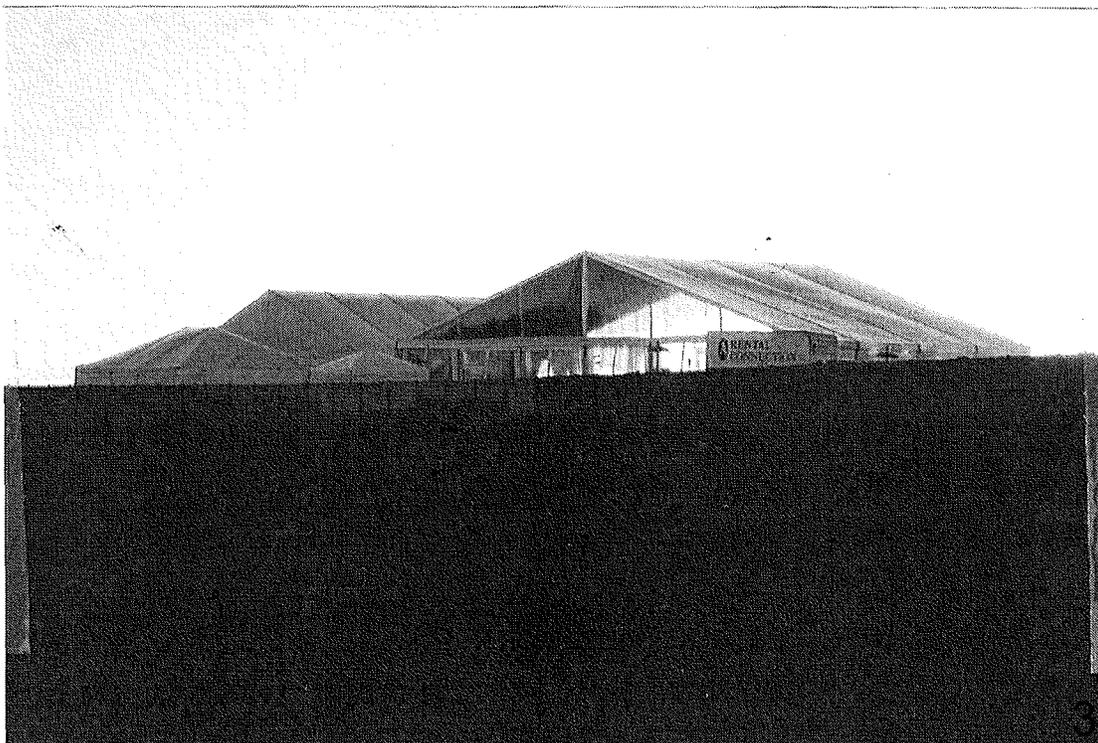
Diane Smith
2704 San Ramon Drive
Rancho Palos Verdes, CA 90275
(310) 547-3856

MARYMOUNT SAT. SEPT. 27, 2014

MEDIUM TENT BIG TENT LITTLE TENT HUMONGOUS TENT

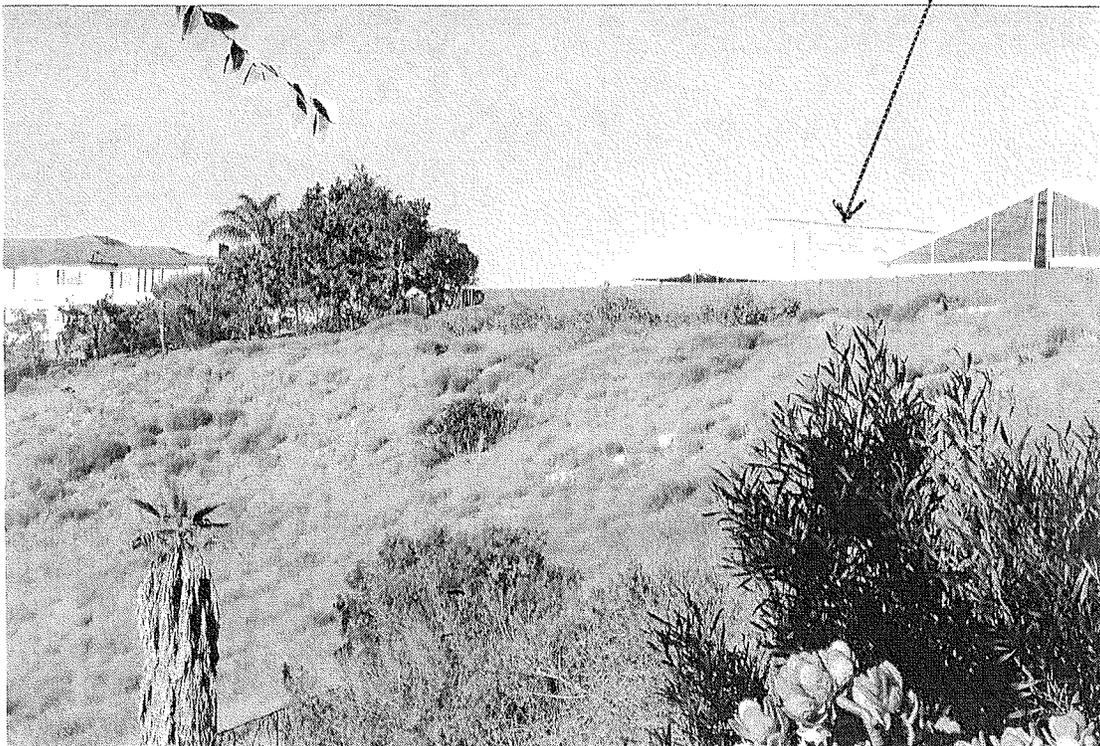


FOUR TENTS AT SUNSET



MAR Y MOUNT THURS, SEPT, 25, 2014
BIG TENT FRAMEWORK

This photo shows the 4 tents
IN CONSTRUCTION - SIZES
CAN BE COMPARED TO
VISTA DEL MAR HOME



BIG TENT
FRAMEWORK

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Monday, November 10, 2014 2:33 PM
To: Ara Mihranian
Cc: mfrusteri@cox.net; gensar@cox.net; hjcollins@yahoo.com; roni@roniramosphoto.com; ronmcsherry@hotmail.com; utopia4u@cox.net; dtooley1@cox.net; marc_90277@yahoo.com; idelle@cox.net; racisz@cox.net; vickihanger@aol.com; anita_reynolds@att.net
Subject: Marymount East Parking Lot Review - TEST of Vehicle Headlights and Parking Lot Overhead Lights

Hi Ara,

Has Marymount agreed to my proposed "demonstration" of the effects of vehicle headlights combined with the overhead lights in the East Parking Lot on downslope properties? If so, I think next Monday would be good. I need enough time to coordinate community resident volunteers.

Thanks,
Diane

From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Wednesday, November 05, 2014 9:23 AM
To: 'Ara Mihranian'
Subject: RE: Marymount Neighborhood Meeting - First Issue - Special Event Permit

Thanks Ara – I'll let you know.
Diane

From: Ara Mihranian [mailto:AraM@rpv.com]
Sent: Monday, November 03, 2014 4:57 PM
To: Diane Smith
Subject: RE: Marymount Neighborhood Meeting - First Issue - Special Event Permit

Hi Diane,

The next NAC meeting is scheduled for Wednesday, November 19th.

I will add your items to the agenda.

On separate matter, the Council will be reviewing the east parking lot at its upcoming December 2nd meeting. Let me know when is a good time to come by in the evening to assess the parking lot at night from your house and your neighbors houses...may be next Wednesday (November 12th).

Ara

Ara Michael Mihranian
Deputy Director of Community Development



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Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Thursday, November 06, 2014 6:44 PM
To: Ara Mihranian
Subject: RE: Marymount student parking on San Ramon Drive

The permit time ends at 5 pm.

Thanks for your attention Ara. Now with night classes increasing maybe we'll have to expand the hours of permit parking? Sigh

From: Ara Mihranian [mailto:AraM@rpv.com]
Sent: Thursday, November 06, 2014 5:32 PM
To: Diane Smith
Subject: RE: Marymount student parking on San Ramon Drive

I forwarded your email to Jim Reeves. Since San Ramon is parking by permit, you can call the sheriff to ticket these two vehicles.

Ara Michael Mihranian
Deputy Director of Community Development


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From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Thursday, November 06, 2014 5:02 PM
To: Ara Mihranian
Subject: Marymount student parking on San Ramon Drive

Hi Ara,

I just got home now and passed by a young man with a backpack walking up our street. I turned around and followed him to make sure he was going to Marymount and he indeed was. Two vehicles are right now parked on the street near

the top outside of 2824 San Ramon. One is a taupe color Honda Civic License Plate 7FQD828 and the other is a Black GMC Envoy SUV 5CW543. Please advise Marymount. Thank you.

Diane

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Wednesday, November 05, 2014 10:18 AM
To: Ara Mihranian
Subject: FW: Marymount Neighborhood Meeting - First Issue - Special Event Permit

Ara,

By the way, you were going to speak to Marymount and get back to me about where the people attending "Project Grow," including handicapped, mothers and children from San Pedro's Harbor Interfaith and other places referenced in Marymount's financial grant for the project, are parking their cars? (I need this for my list of concerns for the Neighborhood Meeting too.)

It was explained to me that the City required Marymount to provide a very specific number of parking spaces in the new parking lot. The flow of the parking lot was carefully arranged in order to make enough spaces available. It was explained to me that the reason the cars had to park with headlights facing resident windows instead of facing student classroom windows was because it was the only way Marymount could fit those specific number of cars into the parking lot.

Immediately before the first consideration of Marymount's East Parking Lot, (without any consideration by the Planning Commission nor City Council), staff permitted Marymount to install their "PROJECT GROW" within the 40-foot setback from residents' properties.

As you know, set-backs are very important to residents.

Residents assume that staff knows and enforces set-backs.

Marymount did not advise residents Tooley, Harris, nor Cornelius and Hamilton of their intent to create Project Grow and provide viewing areas on the boulders and picnic benches for Harbor Interfaith families to pray and enjoy the view while participating in and enjoying the Project Grow Garden.

The project was launched just before the closing period for residents to object.

Fortunately I was able to attend the public launching of Project Grow and take photographs of its proximity to neighbors and take notes from Marymount organizers as to how they intend to use this "public garden." Marymount never told any residents about this.

Fortunately my memo and photographs sent to you on that very day enabled you to safeguard the 40-foot setback, insist that Marymount move the location of the "garden" between the end of the 40-foot setback and the beginning of the parking lot, separated by the lovely 6-foot vinyl fence.

I objected to the Grow Garden being placed in that location because there was no study involving the additional noise that this Garden would create and where these people would park.

I spoke at the public meeting with the above objections, including questioning why the garden had to be in that particular spot when Marymount had acres and acres of unused property to put their grow garden.

Dr. Brophy spoke at the public meeting insisting Marymount must have the Grow Garden in that particular location so that people could enjoy the garden and pray in the parking lot.

The Marymount process has all flags of frustration as the Green Hills fiasco.

Because of the Green Hills fiasco, we residents are watching every single thing that happens at Marymount. Our experiences have created our loss of faith in our city's desire and ability to protect us.

Once we select a date for you to come to view the vehicle headlights in Marymount's east parking lot, I am concerned Marymount will arrange for only a few vehicles to be in the parking lot on that date and time.

Therefore, I would like you and Marymount to agree to an organized demonstration of the effects of the vehicle headlights on downslope properties in a worst case scenario. Once you have agreed to this then I will then reach out to our community for a date and for volunteers on that date to drive their vehicles onto the East Parking Lot, park and then at the designated time to get out of their cars, click their security devices and make other such typical student parking lot noises, put on their headlights and leave them on for "chat time" of 5 minutes and then drive back to their homes.

We residents will arrange for noise recorder(s) and video-taping from residents' back yards.

I hope we will not see vehicle headlights and amplified night light causing spillover, halos and other negative effects on the community and I hope that we will not hear excess noise as to continue to cause disruptions in our lives which we did not experience before the installation of the parking lot.

The vinyl fence has helped keep down the light and noise, however, I believe the block wall would have been much better at keeping out the noise. I understand the proximity of the fence to the sensitive South Shores Landslide prevented erection of a block wall – which brings me back to Marymount's failure to promptly repair its broken pipes after months of complaining and another reason for objecting to the Project Grow garden and the required water and increased danger of repeated unrepaired broken pipes.

I hope to hear from you soon.

Diane Smith

From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Wednesday, November 05, 2014 9:23 AM
To: 'Ara Mihranian'
Subject: RE: Marymount Neighborhood Meeting - First Issue - Special Event Permit

Thanks Ara – I'll let you know.
Diane

From: Ara Mihranian [mailto:AraM@rpv.com]
Sent: Monday, November 03, 2014 4:57 PM
To: Diane Smith
Subject: RE: Marymount Neighborhood Meeting - First Issue - Special Event Permit

Hi Diane,

The next NAC meeting is scheduled for Wednesday, November 19th.

I will add your items to the agenda.

On separate matter, the Council will be reviewing the east parking lot at its upcoming December 2nd meeting. Let me know when is a good time to come by in the evening to assess the parking lot at night from your house and your neighbors houses...may be next Wednesday (November 12th).

Ara

Ara Michael Mihranian
Deputy Director of Community Development


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From: Diane Smith [<mailto:radlsmith@cox.net>]
Sent: Monday, November 03, 2014 8:01 AM
To: Ara Mihranian
Subject: FW: Marymount Neighborhood Meeting - First Issue - Special Event Permit

Do you know the date of the next Marymount Neighborhood Advisory Meeting?

There are some unfinished complaints/issues that need to be addressed for the meeting.

First is my complaint about Marymount's abuse of its Special Event Permit. We residents have never received a full report from the City regarding what happened the Thursday before Marymount's fundraising Gala event.

More particularly:

The jackhammering involved in Marymount's erection of the Gala Event tent as well as Marymount's understanding of their permit hours, noise, etc. is very important to residents.

As you know, Marymount abused its special event permit by exceeding tent erection stop time of 5:00 PM by over two and one half hours – (ended at 7:37 pm.) Marymount's complaint phone number did not work and residents therefore had to reach out to other Marymount security numbers with the threat of calling police! Some residents believed Marymount allowed their contractors to violate the special permit deadline so they could save money on labor – save money at the expense of residents. That is why a full investigation needs to be conducted so that this does not happen again.

I sent an email to Dr. Brophy for his permission for me to go onto Marymount's property with my camera to investigate and photograph the cause of the jackhammering, integrity of the sensitive slope, etc. Dr. Brophy refused to give me permission and therefore I relied on the City to investigate and give a full report. Someone from the City was sent to the Marymount parking lot to investigate but I never did get a report – I did not see the pictures that the City investigator took of the jackhammered areas, etc. I did get a call from the Mayor on October 16, 2014 saying that Dr. Brophy apologized to him but we residents never received an apology. The Mayor said he would get back to me with details but to date he has not done so. I asked for details from you Ara and you told me that there was some sort of misunderstanding with security and the contractor and all sorts of vague stuff and Dr. Brophy apologized to you – but we residents did not get an apology. Marymount has obtained these permits annually and they have abused their

permits in the past and unfortunately we nice residents just let it slide – only to have Marymount continue the abuses. We are now going to report to the City every single concern we have about Marymount in our quiet little community and we request a full response to every concern.

I understood you would get the details from the City person who conducted the investigation of the jackhammering and other noises 2-1/2 hours beyond the 5 pm deadline but to date I have not received the details from you.

I hate to have to push for a full response but in the past everyone just shrugged off these things after a while. In the past Marymount has gotten away with misleading residents and being disrespectful to residents but we are now making a stand. Marymount has mislead the residents and doesn't care about the permits issued to Marymount, nor our city codes and that attitude overflows to other developers and the word gets out that you just have to beat the public down and "fool the city" and they'll give up.

We are seeing these tactics unfold with Green Hills and we want to put a stop to this behavior.

I will send my "Second Issue" in a separate email.

Diane

From: Diane Smith [<mailto:radlsmith@cox.net>]
Sent: Monday, November 03, 2014 7:23 AM
To: 'mfrusteri@cox.net'; 'marc_90277@yahoo.com'
Cc: 'LOIS Karp'
Subject: Marymount Neighborhood Meeting

Would someone let me know the date of the next Neighborhood Advisory Meeting?

Thanks.

Diane

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Tuesday, September 30, 2014 10:47 AM
To: Ara Mihranian
Cc: bubba32@cox.net; 'Linda Gordon'; 'LOIS Karp'; 'George Zugsmith'; Carolynn Petru; CC
Subject: MARYMOUNT - FOUR tents - Saturday Sept. 27, 2014
Attachments: Marymount - FOUR TENTS Sat. Sept. 27 2014.jpg; Marymount - FOUR TENTS Thurs. Sept. 25 2014.jpg

Hello Ara,

Attached is a page with a photograph taken Thursday Sept. 25, 2014 to show the size of these tents next to the Vista del Mar home. We residents assumed the tent would be like the Graduation tent – not a huge colony of tents. This photo was taken during the horrendous noise amplified by the jackhammers. Three of the tents had been erected and the “big tent” is in the framing stage.

A second page includes two photographs of the finished TENT COLONY including what I refer to as a “medium tent” and a “big tent” and a “humongous tent”. The fourth tent may possibly be a tent for porta potties but I am not sure. I refer to it as the “little tent”. Regarding the latter, the restroom facilities was a concern to me when Marymount originally planned their public grow garden within the 40’ setback from San Ramon homes. I pointed out to you that it was bad enough that Marymount put those galvanized planters in the 40’ setback but no way would we stand for porta potties facing and next to our homes, downwind from the parking lot. So I hope that if the little tent did house porta potties then, in the future, Marymount should have them looking at their student windows and not ours.

Thank you.

Sincerely,
Diane Smith
2704 San Ramon Drive
(310) 547-3856

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Tuesday, September 30, 2014 7:52 AM
To: Ara Mihranian
Cc: bubba32@cox.net; 'Linda Gordon'; 'LOIS Karp'; 'George Zugsmith'
Subject: RE: Marymount East Parking Lot - Permission to go to Marymount campus east parking lot

Hi Ara,

Thank you for acknowledging where we are coming from Ara.

I do not understand why the city's code-enforcement person, Julie, would not take photos of the tents AND the JACKHAMMERED FOOTINGS (or whatever they were). My complaint was about the ear-piercing noise, that continued TWO and one half hours after the permit deadline, from jackhammering, on top of all the "normal" noise of erecting a humongous tent with metal supports dropping, etc. When you send a code-enforcing person to investigate jackhammering it would seem logical to me that the person investigating would take photos of the stuff that required jackhammers.

I do not mind speaking out for Bill Cornelius (who is bedridden) and, other residents who are not computer-literate but who have, in the past, submitted hand-written letters, etc. but, I have encouraged neighbors to contact you directly with their complaints so you do not think I am the only one complaining for my household and Cornelius, Hamilton and McSherry households.

Last February Marymount's president, Mike Brophy, was furious that I had photographic evidence of their broken leaking pipes at the top of the south shores landslide and he was furious that I had photographic evidence of live cigarettes flicked into the bone dry field next to the parking lot and tons of trash from beer bottles, hard alcohol bottles, fast food wrappers, plastic bottles and reflective plastic food containers, condoms and all sorts of junk.

You will remember Ara and I certainly won't forget.

Brophy told me I could not come on the property ever again without his permission.

So now I ask permission to come on the property and document one more broken promise and representation by Marymount and Brophy does not give his permission.

What does a resident have to do to protect their property if the City won't?

I must rely on you, and your designated representatives at the city.

Thank you again,
Sincerely,
Diane

From: Ara Mihranian [mailto:AraM@rpv.com]
Sent: Monday, September 29, 2014 10:19 PM
To: Diane Smith
Cc: bubba32@cox.net; Linda Gordon; LOIS Karp; George Zugsmith
Subject: Re: Marymount East Parking Lot - Permission to go to Marymount campus east parking lot

Hi Diane,

I understand where you are coming from regarding the activities that occurred on Thursday that was a violation of the SUP. staff has documenting this and is considering the consequences. I will keep you all posted on what transpires. Again, I really appreciate the information and the correspondence that occurred thursday night. As much as you neighbors feel burdened by having to constantly be on watch on Marymount's doings, your efforts are assisting the city since we cannot be there at all times. The input the neighbors provide help paint a picture of the expected quality of life that the city needs to uphold.

As for Julie's response, I pretty much copied it verbatim in my email response last Friday afternoon. Julie did not take any photos of the tent, but I was able to get some photos from Marymount that I can share with you. I also look forward to seeing your photos.

Have a goodnight,
Ara

Sent from my iPad

On Sep 29, 2014, at 5:22 PM, "Diane Smith" <radlsmith@cox.net> wrote:

Dear Ara,

Dr. Brophy has not responded to my request for permission to go onto Marymount property to take pictures of the east parking lot. I therefore hope the City's Code enforcer, Julie, has taken pictures of all three tents and pictures of the jackhammered footings, or whatever they were. I'll get my photographs developed, scan and email them to you "for the record."

Please let me have Julie's full report on this incident.
Thanks so much.

I am sorry to be a pest Ara but I must make this "stand."
In the past I and others have complained but nothing much, if anything, has been done. Now we residents have decided we must make a stand and document all of our complaints as the use and enjoyment of our lovely city gradually diminishes.

Sincerely,
Diane Smith

From: Diane Smith [<mailto:radlsmith@cox.net>]

Sent: Monday, September 29, 2014 3:45 PM

To: 'MBrophy@marymountcalifornia.edu'

Cc: 'Jim Reeves'; 'Ara Mihranian'

Subject: FW: Marymount East Parking Lot - Permission to go to Marymount campus east parking lot

Dear Mr. Brophy,

Once again I ask you to please return my telephone call or respond to me in writing regarding your permission for me to take photos of the east parking lot today. It appears that the contractor trucks have left.

It is important for me to see what has been jackhammered on the east parking lot because that main tent was humongous and I want to see for myself what was hammered into the land there. As you know, the parking lot is under a second 6-month City review consideration and residents must submit their comments and concerns to City Staff well before the deadline. It is important that City Staff have as much information as possible in order to give accurate information in their staff report to the City Council.

Therefore, once again, please return my telephone call or, at this point it would be better to respond in writing, as to when you will permit me to go on the campus and take photographs of the condition of east parking lot.

Thank you,
Diane Smith
2704 San Ramon Drive, RPV
310/547-3856

From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Monday, September 29, 2014 1:42 PM
To: 'MBrophy@marymountcalifornia.edu'
Cc: 'Jim Reeves'; 'Ara Mihranian'
Subject: FW: Marymount East Parking Lot - Permission to go to Marymount campus east parking lot

Dear Dr. Brophy,

Please return my telephone call or respond to me in writing regarding permission to take photos of the east parking lot today. The tents are down and it looks like your contractor, <http://www.arentalconnection.com/> will be gone soon.

Thank you,
Diane Smith

From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Monday, September 29, 2014 12:08 PM
To: 'MBrophy@marymountcalifornia.edu'
Cc: 'Jim Reeves'; 'Ara Mihranian'
Subject: Marymount East Parking Lot - Permission to go to Marymount campus east parking lot

Dear Dr. Brophy,

As you previously instructed, I have just left a voice message with you (310) 944-2306 requesting permission to go onto the Marymount RPV campus and take photographs of the East Parking Lot. Please let me hear from you at your earliest convenience.

Thank you.

Sincerely,
Diane Smith
2704 San Ramon Drive
Rancho Palos Verdes, CA 90275
(310) 547-3856

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Monday, September 29, 2014 2:32 PM
To: Leza Mikhail
Cc: Ara Mihranian
Subject: RE: Hesse Park Community Center Parking Lot lights - light output in lumens

Good afternoon Leza,

Thank you for your attention to this.

Just so you understand my concern - I am determined to get answers to all my outstanding questions before the deadline consideration of Marymount's East Parking Lot. I feel it is unfair to allow Marymount University students to have brighter parking lot lights that our high school students and our city residents. These allowances may be used as an alarming precedent for the whole campus – especially if the City allows Marymount to go forward with a new athletic field despite the fact that all deadlines have lapsed.

I am sorry you are short-staffed there Leza.

Sincerely,

Diane Smith

From: Leza Mikhail [mailto:LezaM@rpv.com]
Sent: Monday, September 29, 2014 1:51 PM
To: Diane Smith
Cc: Ara Mihranian
Subject: RE: Hesse Park Community Center Parking Lot lights - light output in lumens

Hello Diane,

I understand your question now. I also understand your position on the maximum lumens you would hope for Marymount's parking lot. I'm sure that Ara has heard your question and will respond to you as soon as possible. Please forgive us, we have been extremely short staffed lately, but I believe he will have a response for you in the next day or so.

Thank you for your patience at this time.

Sincerely,

Leza Mikhail
Associate Planner

 *City of Rancho Palos Verdes*

Planning Department
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275
www.palosverdes.com/rpv/planning/planning-zoning/index.cfm

(310) 544-5228 – (310) 544-5293 f
lezam@rpv.com

From: Diane Smith [<mailto:radlsmith@cox.net>]
Sent: Monday, September 29, 2014 1:37 PM
To: Leza Mikhail
Cc: Ara Mihanian
Subject: RE: Hesse Park Community Center Parking Lot lights - light output in lumens

My question is:

Ara Mihanian has recommended the lumen output for Marymount parking lot lights as follows:

“light bulbs shall not emit more than 1700 lumens”

It is my position that Marymount parking lot lights should not be any brighter than the parking lot lights at Hesse Park Community Center.

Why is Marymount permitted to have more light output (lumens) than our parking lot at Hess Park and our Peninsula High School parking lot?

No one has answered my question and I have asked it over, and over, and over again.

From: Leza Mikhail [<mailto:LezaM@rpv.com>]
Sent: Monday, September 29, 2014 12:55 PM
To: Diane Smith
Subject: RE: Hesse Park Community Center Parking Lot lights - light output in lumens

Ok...I must have misunderstood. Were you asking me a question? I'm confused. Sorry ☹

Leza Mikhail
Associate Planner



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lezam@rpv.com

From: Diane Smith [<mailto:radlsmith@cox.net>]
Sent: Monday, September 29, 2014 10:00 AM
To: Leza Mikhail
Subject: RE: Hesse Park Community Center Parking Lot lights - light output in lumens

Mr. Ortiz told me Hesse Park emits 1,580 lumens (see below)

From: Leza Mikhail [<mailto:LezaM@rpv.com>]
Sent: Monday, September 29, 2014 8:39 AM
To: Diane Smith
Cc: Ara Mihranian
Subject: RE: Hesse Park Community Center Parking Lot lights - light output in lumens

Hello Diane,

Unfortunately, I am not sure how many lumens are emitted from the parking lot lights at Hesse Park. This would be a question for Public Works Staff. I see that you sent a message to Chris Ortiz back in February. Chris is no longer with the City. He moved on to another City. His position has not yet been filled since his departure.

Let me see if I can get someone from Public Works to answer that question. The tough part is going to be finding out the answer. This answer may not be simple without physically taking the light apart to see if the bulbs show the lumens on them. I'm not sure when the last time Public Works changed the parking lot light bulbs was...hopefully they have a log of the actual bulbs they used.

Let's see what we can find out from Public Works.

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From: Diane Smith [<mailto:radlsmith@cox.net>]
Sent: Friday, September 26, 2014 9:08 PM
To: Leza Mikhail
Subject: FW: Hesse Park Community Center Parking Lot lights - light output in lumens

Dear Leza,

I still want an answer to this but do not have one yet. I wasn't sure if I sent this to you or not.

Diane

From: Diane Smith [<mailto:radlsmith@cox.net>]
Sent: Tuesday, February 18, 2014 5:42 PM
To: 'Ara Mihranian'
Cc: 'chriso@rpv.com'
Subject: FW: Hesse Park Community Center Parking Lot lights - light output in lumens

Dear Ara,

Mr. Ortiz tells me Hesse Park emits 1,580 lumens.

Diane

From: Diane Smith [mailto:radlsmith@cox.net]

Sent: Tuesday, February 18, 2014 4:51 PM

To: 'chriso@rpv.com'

Cc: 'Ara Mihranian'

Subject: Hesse Park Community Center Parking Lot lights - light output in lumens

Dear Mr. Ortiz,

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I therefore need to know how much light the bulbs at Hesse Park Community Center parking lot emit.

Thank you.

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2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Monday, September 29, 2014 1:42 PM
To: MBrophy@marymountcalifornia.edu
Cc: 'Jim Reeves'; Ara Mihranian
Subject: FW: Marymount East Parking Lot - Permission to go to Marymount campus east parking lot

Dear Dr. Brophy,

Please return my telephone call or respond to me in writing regarding permission to take photos of the east parking lot today. The tents are down and it looks like your contractor, <http://www.arentalconnection.com/> will be gone soon.

Thank you,
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Cc: 'Jim Reeves'; 'Ara Mihranian'
Subject: Marymount East Parking Lot - Permission to go to Marymount campus east parking lot

Dear Dr. Brophy,

As you previously instructed, I have just left a voice message with you (310) 944-2306 requesting permission to go onto the Marymount RPV campus and take photographs of the East Parking Lot. Please let me hear from you at your earliest convenience.

Thank you.

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2704 San Ramon Drive
Rancho Palos Verdes, CA 90275
(310) 547-3856

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Friday, September 26, 2014 7:20 PM
To: 'jlkarp'
Cc: Ara Mihranian; jduhovic@hotmail.com;Carolynn Petru
Subject: RE: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Well said Lois.

I am not standing for this anymore and I am amazed at how many neighbors and people beyond our immediate community feel the same way. `

My husband coaches Rolling Hills Little League baseball and is on the board and he is coaching Pop Warner Football too and I hear these people talking. It is amazing how people are talking about being fed up with things going on in the city – stuff I don't even follow like these phone taxes and trail issues – and then my son's surfer friends approached me about all the tourists and terrible cliff rescues. It's a head-shaker Lois. Our city needs strong management – not the "family" cover-each-other set-up people are talking about that we have now.

I am learning more and more every day so I want to follow-through on each and every issue involving Marymount – look at the past, deal with the present, and protect the future.

If I have time I'll give a hand to others.

I did not know about the Detention Basin or I would have been even more vigilant about Marymount.

Thanks,

Diane

From: jlkarp [mailto:jlkar@cox.net]
Sent: Friday, September 26, 2014 5:30 PM
To: James; Diane Smith
Cc: Ara Mihranian; jduhovic@hotmail.com; Carolynn Petru
Subject: Re: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

These are the same old excuses that Marymount always uses. Oh the contractor wasn't advised. Why not?

When Marymount was constructing the Detention Basin we had the same stories. We had trucks entering Ganado and backing up on to PVDE with no Flagmen. Got the same answers oh we are sorry the contractor didn't know. Someone could have been killed. This no one taking responsibility has got to have some consequences! This is the usual of Marymount doing what it wants when it wants it and forget the residents. They don't count. Without consequences the behavior will never change.

Lois

----- Original Message -----
From: James
To: Diane Smith
Cc: Ara Mihranian ; <jduhovic@hotmail.com> ; Carolynn Petru
Sent: Friday, September 26, 2014 5:02 PM
Subject: Re: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Diane

So lying to the inspector about what happened is "acceptable" to Staff in this situation! Isn't that the obvious message?

It has become painfully obvious that no-one is taking any responsibility for these problems - not Marymount (Reeves) and certainly not the City. There are no consequences to anyone except the residents who are impacted for this serious violation and future violations will not stop until there are real consequences! Sound familiar?

The appropriate next step right now is to withdraw and cancel Marymount's previously-approved May 2015 graduation SUP for cause, and require re-submittal under changed conditions of serious enforcement, including requirement of an indemnification bond that is sufficient to deter a repeat of this type of offense. Such amount would be equal to or greater than the obvious "savings" they got from working late to avoid another day's crew charge for a second day of installing the support stakes.

In addition, stringent new conditions should be included that prevent recurrence of these serious noise impacts and a fee to the City should be required and levied up front to pay for the City's inspector to be on-site at all times when any work was being performed. This is the same requirement that OSHA has (inspector on site) when deep open trenching is being constructed. Having an on-site inspector will then avert any further such problems as no one is taking responsibility or now in this situation.

Doing nothing will guarantee future violations. There need to be consequences for violations, not just lame excuses!

Jim

Sent from my iPad

On Sep 26, 2014, at 4:30 PM, "Diane Smith" <radlsmith@cox.net> wrote:

Ara,

Marymount/Marymount's contractors are lying to Julie about the extent of the jackhammering.

The jackhammering was ALL DAY AND UNTIL 7:37 PM YESTERDAY – TWO HOURS AND 37 MINUTES BEYOND THEIR PERMIT.

We should have been told.

There was no jackhammering for the Graduation tent – why now – why this tent?

Shouldn't Marymount have had to have a special noise permit or construction permit to do that jackhammering? The parking lot is in an extremely sensitive zone – right next to the South Shores Landslide.

The permit is good until 5:00 pm and it is now 4:30 pm and there is no jackhammering.

I will be ready to call the police at 5:05 pm if there is one jackhammer.

It should not have to be like this but we are fed up.

Diane

From: Ara Mihranian [<mailto:AraM@rpv.com>]
Sent: Friday, September 26, 2014 3:52 PM
To: Diane Smith
Cc: jduhovic@hotmail.com;Carolynn Petru; Joel Rojas
Subject: Re: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Diane,

Based on today's inspection this is what transpired last night. The jackhammering that was done last night was to put the tent stakes into the asphalt of the parking lot. There were approximately 20 stakes that they put in, and each stake is about 3 feet long. They used an air compressor and jack hammer. We learned that they will be putting in 6 more stakes today – probably happening as I'm writing this. That will be the last of it. On Monday they will be using the air compressor and a stake remover to remove all of the stakes. It may be loud, not as loud as the jackhammering.

Staff is keeping track of this activity for the future including the approved graduation ceremony in may.

Ara

Sent from my iPhone

On Sep 26, 2014, at 3:35 PM, "Diane Smith" <radlsmith@cox.net> wrote:

Thanks, I and others have been anxiously awaiting to know what is going on since this morning.

From: Ara Mihranian [<mailto:AraM@rpv.com>]
Sent: Friday, September 26, 2014 2:52 PM
To: Diane Smith
Cc: jduhovic@hotmail.com
Subject: Re: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Diane,

I believe you were copied on my response to Jim reeves. Julie Peterson from code enforcement is going out to inspect and investigate the tent and event set up.

In regards to the noise sounding like jack hammering, I have asked Julie to inspect the site to see if any unpermitted construction occurred. As soon as I hear back from her I will email you

Ara

Sent from my iPhone

On Sep 26, 2014, at 2:00 PM, "Diane Smith" <radlsmith@cox.net> wrote:

Hello again Ara,

I am sorry to keep bugging you but I really need to know – other neighbors have been asking me what was going on yesterday and I keep telling them that the City has not told me. Are they building something new up there under the “cloak” of the permit?

Would you please give me the name of the city representative you assigned to determine what they were jackhammering yesterday all day long until 7:37 – I will then reach out to him personally.

We residents have decided that we will no longer let our questions remain unanswered – lost in cyberspace – with an indifferent response by Marymount. There were so many questions left unanswered during the now-abandoned athletic field process that we decided to turn a new leaf and demand answers.

Please let me hear from you or the person you assigned to investigate this. Thank you.

Diane

From: Diane Smith [<mailto:radlsmith@cox.net>]
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To: 'Ara Mihranian'
Cc: 'jduhovic@hotmail.com'
Subject: FW: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Hi Ara,

Has the city representative you assigned, personally visited the site and determined what they were jackhammering all day long until 7:37? It is 10:30 am and I am still waiting for the promised report.

Jim Reeves' reference to “some activity” is absurd.

It is irresponsible for Marymount not to advise their 24-hour security and the contractor the hours of work and that work stops at 5 o'clock as stated in the permit (not 6 o'clock).

Marymount is a terrible irresponsible neighbor. When is the City going to put a stop to this horrible behavior? I and other neighbors are anxiously waiting for an explanation.

Diane

From: Jim Reeves [<mailto:JReeves@marymountcalifornia.edu>]
Sent: Friday, September 26, 2014 10:04 AM
To: Ara Mihranian
Cc: BrophyMBrophy@marymountpv.edu; Rozas, David T.; Joel Rojas; Carol Lynch <clynch@rwglaw.com>; Donald M. Davis; Diane Smith; Leza Mikhail; Richard Schult; Carolynn Petru
Subject: RE: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Hello Ara,

I did determine this morning that some activity associated with setting up the tent in preparation for the weekend's Gala did go beyond the 6:00 pm City guideline for work of this sort. Unfortunately, University officials did not advise the contractor of this constraint. Ms. Smith did contact the University and staff did respond immediately. Please accept our apologies for this oversight.

Jim

Jim Reeves

Sr. Vice President

Finance & Administration

Marymount California University

(310) 303-7330

JReeves@MarymountCalifornia.edu

<image001.jpg>

From: Ara Mihranian [<mailto:AraM@rpv.com>]
Sent: Thursday, September 25, 2014 7:52 PM
To: Jim Reeves
Cc: Jim Reeves; BrophyMBrophy@marymountpv.edu; Rozas, David T.; Joel Rojas; Carol Lynch <clynch@rwglaw.com>; Donald M. Davis; Diane Smith; Leza Mikhail; Richard Schult; Carolynn Petru
Subject: Re: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Jim,

If work is occurring as indicated by Mrs. Smith, Pursuant to the special use permit conditions of approval the work being conducted for Saturday's event is in violation of the permitted work hours and must stop immediately!

I am requesting an explanation on what occurred by tomorrow.

Ara

Sent from my iPhone

On Sep 25, 2014, at 7:25 PM, "Diane Smith" <radlsmith@cox.net> wrote:

I just called Marymount's security number listed on their website and complained that they must stop those jackhammers now or I'm calling the police. When I first called (310) 261-6150 there was a recording "due to the high volumes of calls" we cannot answer (something like that) so I left a message and then went to their website where they advertise:

A Secure Environment in which to Learn and Work

Marymount California University students, staff and visitors can count on the Campus Safety and Security department to provide the highest quality public service. Our captain, two sergeants, two corporals and 15 officers maintain California Bureau of Security and Investigative Services (BSIS) licenses and remain current in first aid and CPR certifications.

On the main campus, officers are on duty 24 hours a day. If an emergency occurs between 8 a.m. and 5 p.m., dial "0" and the receptionist will connect you with security. Officers also may be reached at all times by dialing ext. 300 or (310) 261-6150. The campus safety officer's desk is located in the Chapel foyer.

CAMPUS SAFETY AND SECURITY

24-Hour Guard Gate

(310) 241-5488

Oceanview Campus

30800 Palos Verdes Dr. East

Rancho Palos Verdes, CA 90275-6299
Telephone: Security (310) 303-7300
Receptionist (310) 377-5501 or "0"
Health Center (310) 303-7244

And I called the 24-Hour Guard Gate who said she was not at the Oceanview Campus but would contact them and find out what is going on "back there". I have not heard back from anyone yet.

This is exasperating!

Diane Smith

2704 San Ramon Drive

RPV 310/547-3856

From: Diane Smith [<mailto:radlsmith@cox.net>]
Sent: Thursday, September 25, 2014 7:15 PM
To: 'idelle@cox.net'; 'vickihanger@aol.com'
Subject: FW: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

fyi

From: Diane Smith [<mailto:radlsmith@cox.net>]
Sent: Thursday, September 25, 2014 7:07 PM
To: 'Ara Mihranian'; 'Jim Reeves';
'BrophyMBrophy@marymountpv.edu'
Cc: 'Rozas, David T.'
Subject: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

I demand you stop those jackhammers in the next 15 minutes or I'm calling the Police!!!

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

This email has been scanned by Marymount California University
email security service

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To: 'James'
Cc: Ara Mihranian; jduhovic@hotmail.com
Subject: RE: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

You are right Jim – I just can't believe Marymount would not have to have a special permit for that amount of jackhammering. It is unreasonable. One of the neighbors just left her home for the day and evening and got back to me with, "how did it go?"

I am not going to ignore this stuff anymore and I've urged my neighbors to do the same and not just come to me but to reach out to Ara.

One lady at the top of the street said she has repeatedly contacted Marymount with little or no results. Sounds just like the Lomita homeowners who said they sent certified letters to Green Hills and Green Hills later told them, "we threw them out."

What kind of people are we dealing with?

It is hard to go to those levels.

Thanks Jim.

Diane

From: James [mailto:bubba32@cox.net]
Sent: Friday, September 26, 2014 4:03 PM
To: Diane Smith
Cc: Ara Mihranian; <jduhovic@hotmail.com>
Subject: Re: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Diane

It has become exceedingly obvious that this City needs a compliance impact procedure.

When a SUP is so grossly violated as documented here by James Reeves not "telling" the contractor to stop jackhammering after 5:00 PM, and thereby leaving that responsibility up to the neighbors instead, who tried frantically to get that stopped, there must be consequences!

Consequences to the applicant! Not the neighbors!

The neighbors should enforce a policy of Call the Police First and ask questions Later!

The City should thereafter deny further such SUP and other permits until a bond is posted of a substantial amount for the first offense, and for any additional offense of any kind, no further permits should be allowed until a public hearing before the City Council is held.

You can fill in alternative penalties, etc. but the points that the present system of no consequences to the perpetrator cannot be allowed to continue because the present system is not working.

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Sent: Thursday, September 25, 2014 7:52 PM

To: Jim Reeves
Cc: Jim Reeves; BrophyMBrophy@marymountpv.edu; Rozas, David T.; Joel Rojas; Carol Lynch <clynch@rwglaw.com>; Donald M. Davis; Diane Smith; Leza Mikhail; Richard Schult;Carolynn Petru
Subject: Re: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Jim,

If work is occurring as indicated by mrs smith, Pursuant to the special use permit conditions of approval the work being conducted for Saturdays event is in violation of the permitted work hours and must stop immediately!

I am requesting an explanation on what occurred by tomorrow.

Ara

Sent from my iPhone

On Sep 25, 2014, at 7:25 PM, "Diane Smith" <radlsmith@cox.net> wrote:

I just called Marymount's security number listed on their website and complained that they must stop those jackhammers now or I'm calling the police. When I first called (310) 261-6150 there was a recording "due to the high volumes of calls" we cannot answer (something like that) so I left a message and then went to their website where they advertise:

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And I called the 24-Hour Guard Gate who said she was not at the Oceanview Campus but would contact them and find out what is going on "back there". I have not heard back from anyone yet.

This is exasperating!

Diane Smith

2704 San Ramon Drive

RPV 310/547-3856

From: Diane Smith [<mailto:radlsmith@cox.net>]

Sent: Thursday, September 25, 2014 7:15 PM

To: 'idelle@cox.net'; 'vickihanger@aol.com'

Subject: FW: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

fyi

From: Diane Smith [<mailto:radlsmith@cox.net>]

Sent: Thursday, September 25, 2014 7:07 PM

To: 'Ara Mihranian'; 'Jim Reeves';

'BrophyMBrophy@marymountpv.edu'

Cc: 'Rozas, David T.'

Subject: MARYMOUNT - STOP THOSE JACKHAMMERS OR
I'M CALLING THE POLICE

I demand you stop those jackhammers in the next 15 minutes or
I'm calling the Police!!!

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

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service

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Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Friday, September 26, 2014 3:42 PM
To: Ara Mihranian
Cc: 'James'; 'LOIS Karp'; 'Linda Gordon'
Subject: RE: Marymount - SMOKING COMPLAINT

Ara,

I know that you dislike smoking as much as I.

Janell Tartaglia has been regularly complaining to Marymount –that’s the problem.

She has children who are harmed by each bit of smoke they inhale from these inconsiderate students. I told Janell to complain to you directly and to “bcc” me on this too so that I can compile the complaints.

All these extra students, over and above the enrollment cap, add to the burden on residents and their children. We won’t stand for it anymore.

Thank you.

Diane

From: Ara Mihranian [mailto:AraM@rpv.com]
Sent: Friday, September 26, 2014 2:53 PM
To: Diane Smith
Cc: James; LOIS Karp; Linda Gordon
Subject: Re: Marymount - SMOKING COMPLAINT

I will pass this on to Marymount and save it for the upcoming review of the parking lot.

Sent from my iPhone

On Sep 26, 2014, at 2:50 PM, "Diane Smith" <radlsmith@cox.net> wrote:

Dear Ara,

I have just received an email from the Tartaglia family that lives at the top of our street next to Marymount:

“Although the sign is not in view from my daughter’s bedroom window, it is clearly visible through my dining room.

Also, the LED lights in and around the parking lot annoyingly illuminates through my living, dining and my daughter’s bedroom at night.

A MAJOR complaint I deal with is the daily 20-30 student smokers. I've complained enough for the college to place standing ashtrays along the sidewalk in front of the college, however, my flower bed along the sideway is often used for their smoking section, since the students can conveniently sit in the shade and have a smoke break. Unfortunately, my kids get the smell of the cigarettes directly through their bedroom windows and I have lovely cigarette butts and trash to clean that they leave behind. “

Janell Tartaglia

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Sent: Friday, September 26, 2014 2:50 PM
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Janell Tartaglia

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Friday, September 26, 2014 2:00 PM
To: Ara Mihranian
Cc: jduhovic@hotmail.com
Subject: FW: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Hello again Ara,

I am sorry to keep bugging you but I really need to know – other neighbors have been asking me what was going on yesterday and I keep telling them that the City has not told me. Are they building something new up there under the “cloak” of the permit?

Would you please give me the name of the city representative you assigned to determine what they were jackhammering yesterday all day long until 7:37 – I will then reach out to him personally.

We residents have decided that we will no longer let our questions remain unanswered – lost in cyberspace – with an indifferent response by Marymount. There were so many questions left unanswered during the now-abandoned athletic field process that we decided to turn a new leaf and demand answers.

Please let me hear from you or the person you assigned to investigate this. Thank you.

Diane

From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Friday, September 26, 2014 10:33 AM
To: 'Ara Mihranian'
Cc: 'jduhovic@hotmail.com'
Subject: FW: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Hi Ara,

Has the city representative you assigned, personally visited the site and determined what they were jackhammering all day long until 7:37? It is 10:30 am and I am still waiting for the promised report.

Jim Reeves' reference to “some activity” is absurd.

It is irresponsible for Marymount not to advise their 24-hour security and the contractor the hours of work and that work stops at 5 o'clock as stated in the permit (not 6 o'clock).

Marymount is a terrible irresponsible neighbor. When is the City going to put a stop to this horrible behavior? I and other neighbors are anxiously waiting for an explanation.

Diane

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]
Sent: Friday, September 26, 2014 10:04 AM
To: Ara Mihranian
Cc: BrophyMBrophy@marymountpv.edu; Rozas, David T.; Joel Rojas; Carol Lynch <clynch@rwglaw.com>; Donald M.

Davis; Diane Smith; Leza Mikhail; Richard Schult;Carolynn Petru

Subject: RE: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Hello Ara,

I did determine this morning that some activity associated with setting up the tent in preparation for the weekend's Gala did go beyond the 6:00 pm City guideline for work of this sort. Unfortunately, University officials did not advise the contractor of this constraint. Ms. Smith did contact the University and staff did respond immediately. Please accept our apologies for this oversight.

Jim

Jim Reeves

Sr. Vice President

Finance & Administration

Marymount California University

(310) 303-7330

JReeves@MarymountCalifornia.edu

amazing trees in view

MARYMOUNT
CALIFORNIA UNIVERSITY

From: Ara Mihranian [<mailto:AraM@rpy.com>]

Sent: Thursday, September 25, 2014 7:52 PM

To: Jim Reeves

Cc: Jim Reeves; BrophyMBrophy@marymountpy.edu; Rozas, David T.; Joel Rojas; Carol Lynch <clynch@rwglaw.com>; Donald M. Davis; Diane Smith; Leza Mikhail; Richard Schult; Carolynn Petru

Subject: Re: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

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This is exasperating!

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RPV 310/547-3856

From: Diane Smith [<mailto:radlsmith@cox.net>]
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Subject: FW: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

fyi

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Rancho Palos Verdes, CA 90275
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Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Thursday, September 25, 2014 7:54 PM
To: Ara Mihranian; 'Jim Reeves'
Cc: 'Rozas, David T.';Carolynn Petru; CC
Subject: JACKHAMMERS HAVE STOPPED FW: MARYMOUNT - STOP THOSE JACKHAMMERS OR I'M CALLING THE POLICE

Ara and Jim,

I just called Sgt. James at the listed 24-hour security gate (310) 241-5488 and thanked her for her call as the jackhammers have stopped for 10 minutes now. Sgt. James told me that Marymount has a permit issued by the city and was allowed to do this work!

NO ONE TOLD US ABOUT JACKHAMMERS. No one had the decency to tell us what was going on. The erection of the Graduation tent was nothing compared to this. I am not alone in my outrage at the city for allowing this nerve-wracking jackhammering all day and into our precious night.

This cannot go on.

Diane Smith
2704 San Ramon Drive
310/547-3856

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Jim Reeves

Sr. Vice President
Finance & Administration
Marymount California University
(310) 303-7330
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amazing lives in view

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Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Thursday, September 25, 2014 3:08 PM
To: Ara Mihranian
Cc: 'LOIS Karp'; bubba32@cox.net; 'Linda Gordon'
Subject: FW: What is Marymount erecting today ????????

Another noise complainant as to Marymount tent erection!

From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Thursday, September 25, 2014 2:55 PM
To: 'Idelle Clarke'
Subject: RE: What is Marymount erecting today ????????

Have a WONDERFUL TIME on Catalina. I don't know where the parking will be but I'm sure we'll find out and I'll let you know!
All the best.
Diane

From: Idelle Clarke [mailto:idelle@cox.net]
Sent: Thursday, September 25, 2014 10:53 AM
To: Diane Smith
Subject: What is Marymount erecting today ????????

and where is parking relocated to? We are leaving to Catalina tomorrow AM, return Sunday night.

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Thursday, September 25, 2014 2:46 PM
To: Ara Mihranian
Cc: bubba32@cox.net; 'LOIS Karp'; 'George Zugsmith'
Subject: Marymount - NOISE NOISE NOISE

Dear Ara,

Just wanted to let you know “for the record” that the noise of Marymount’s tents going up this time is way louder than it was for their graduation ceremony. I don’t know if it is a different tent company or what but the jackhammering was so bad that I called so that you could hear it for yourself but just when your answering machine picked up the noise stopped – still I left a message. I just called again to leave another message for you and it stopped again. On and off – on and off – all day long.

I’m sending copies of this email to some of my neighbors to see if they can get a recording of it. I have all the windows shut and air conditioner on and the noise reverberates and rattles on.

Just wanted you to know – this headache-producing noise is way worse than the actual permit for “amplified sound”. This is what the Mira Catalina and Mediterranea neighbors will experience if that ridiculous athletic field is ever built in our quiet neighborhood!

Sincerely,
Diane Smith

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Monday, September 15, 2014 3:59 PM
To: 'Linda Gordon'
Cc: Ara Mihranian; 'James'; 'LOIS Karp'; glash@cox.net; 'George Zugsmith'
Subject: RE: Marymount Students Parking on Street

WOW!! That's a statement! It is so true about the parking. My friend Sallie Paul is a retired college administrator. I told her about our parking situation and she told me that she has worked at many colleges and it is not unusual to expand permit parking for neighbors only. I suppose the City could impose permit parking along PV Drive East, Crest Road and into Cassilina?

Diane

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

From: Linda Gordon [mailto:gummyg@cox.net]
Sent: Monday, September 15, 2014 3:22 PM
To: aram@rpv.com
Cc: Diane Smith; Jim Gordon; Lois Karp; cc@rpv.com
Subject: Marymount Students Parking on Street

Greetings, Ara,

I know that you are meeting with Diane Smith at her home on San Ramon Drive today to look at the MCU Parking Lot fence erected as a result of the SR Neighbors' multiple concerns. (Thank you, Diane Smith!!)

Hopefully you noted the parking on PVDE all around Marymount as you were on your way to the Smith Residence on San Ramon Drive. Clearly the students have figured out in less than a month since the start of the Fall 2014 semester that parking on PVDE is ----(you fill in the blanks) than parking "on campus". Go figure!! SO one more time, one more semester, we neighbors and concerned citizens visit this situation to be victims of an on going 'shell game', push back by the City and Staff, and/or stonewalling, non-response, or, the favorite bull sh-- response, "we are working with Marymount on this(you can fill in the blank)".

My frustration isn't recent....this goes and has gone on and on and on for years....only thing consistent is the concerned neighbors and the City

Staff-- city councils come and go---.Makes one take a time out and say hmmm. This is disgraceful and so insulting. We neighbors do NOT live in a bubble, but when our concerns have supposedly been addressed in CEQA ,Resolutions, and other supposedly appropriate channels and so many things are ignored, not enforced and so on and on..... It makes one not only angry and disillusioned but think that those in charge just hope we will all die soon, thus be silenced.

Color me sad, angry and disillusioned.

Linda

P. S. I am SO beyond grateful to Diane Smith because she seems to have a voice which is being heard.

Sent from my iPhone=

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Monday, September 15, 2014 3:32 PM
To: Ara Mihranian
Subject: Marymount Parking

Hi Ara,

I just got back from checking to see if my grandson was walking home from school (Mira Catalina) but discovered it was minimum day today. I noticed cars parked on Crest Road and on PV Dr. East and counted 25. I then stopped at Bill Cornelius' house and checked out the parking lot from his back/side yard and noticed the parking lot was less than half full.

Just thought I'd let you know.

Diane

Ara Mihranian

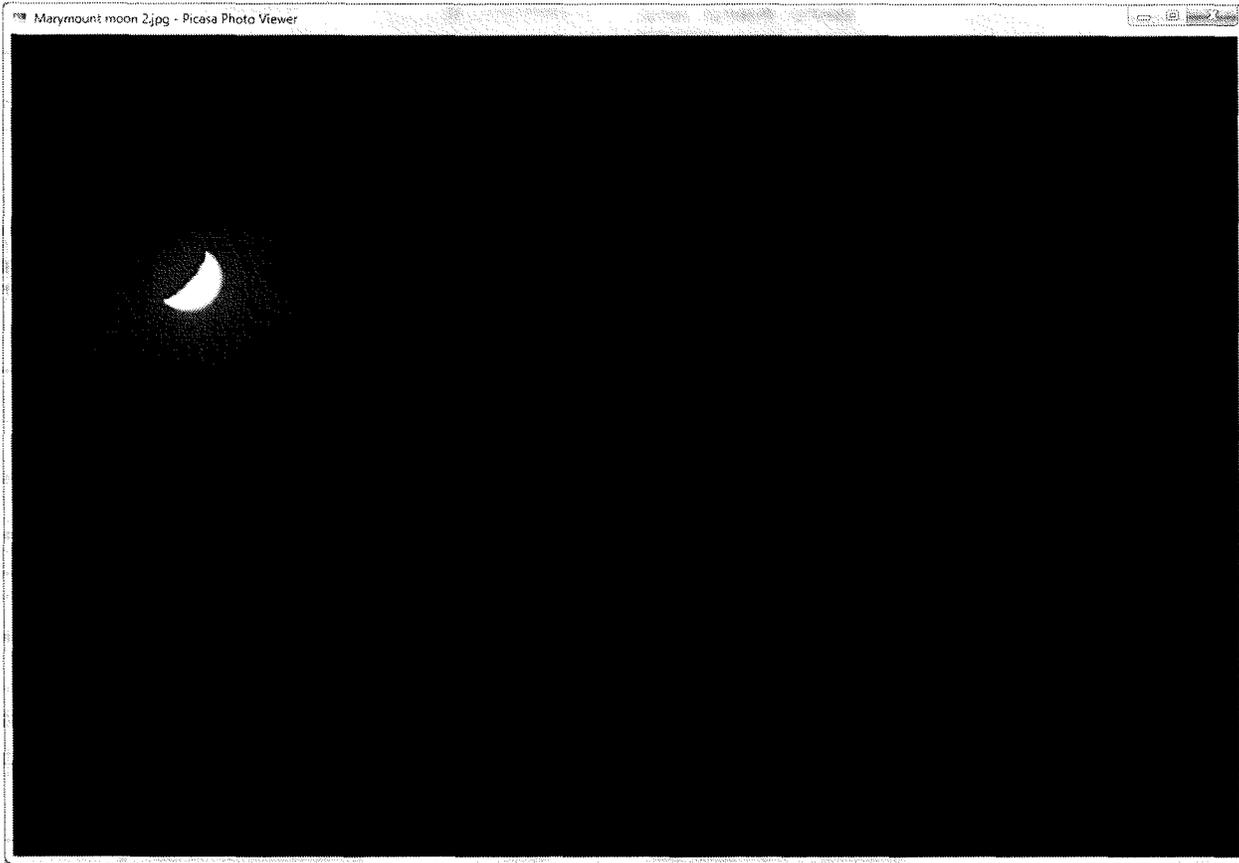
From: Diane Smith <radlsmith@cox.net>
Sent: Monday, September 01, 2014 10:48 AM
To: Ara Mihranian
Subject: Marymount East Parking Lot Lights
Attachments: Marymount - East Parking Lot Night Lights.docx

Dear Ara,

Attached is a comparison of we downslope San Ramon residents' recent view of the moon.

Diane

Both photos below were taken from downslope San Ramon Properties 2702 and 2708

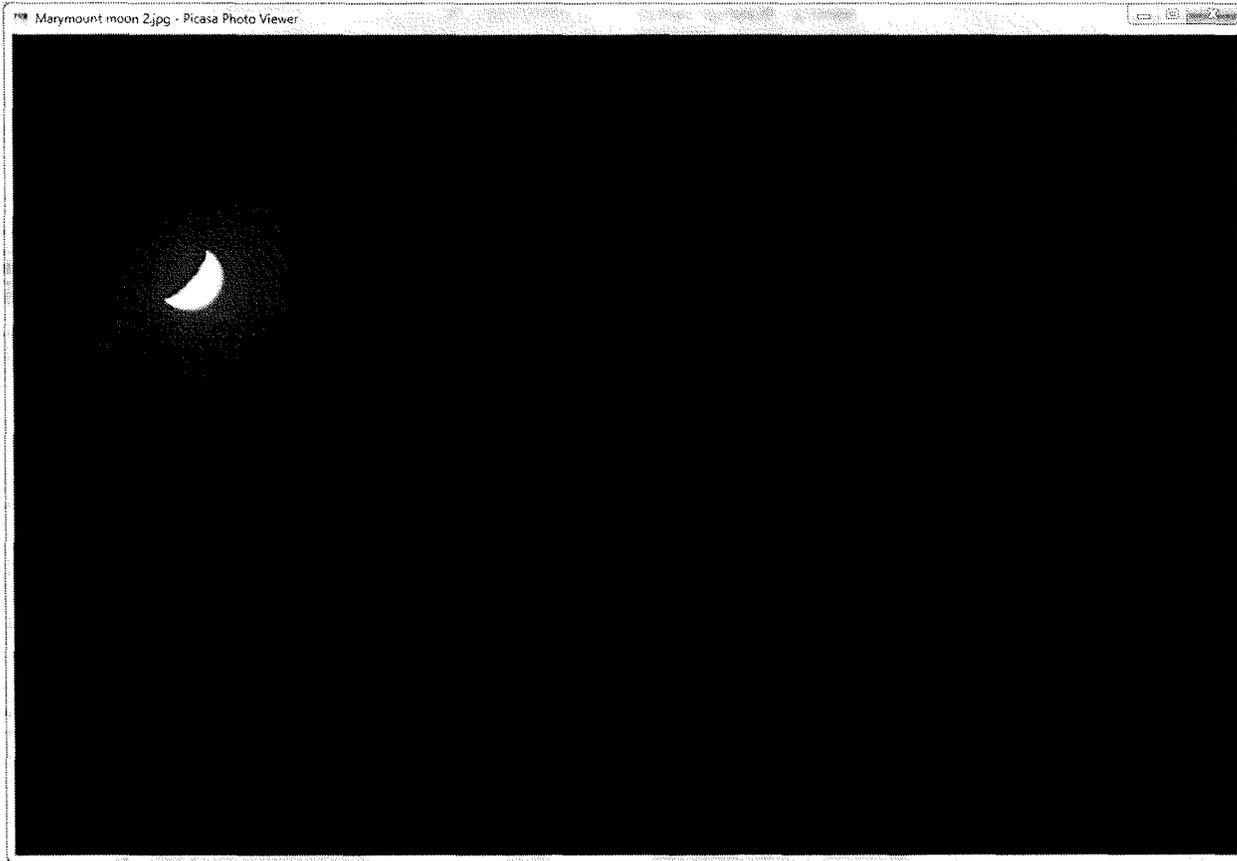


ABOVE - View of the moon, August 31, 2014 at 10:00 p.m.

BELOW - View of the moon, August 29, 2014 at 9:00 p.m. with Marymount East Parking Lot Lights



Both photos below were taken from downslope San Ramon Properties 2702 and 2708



ABOVE - View of the moon, August 31, 2014 at 10:00 p.m.

BELOW - View of the moon, August 29, 2014 at 9:00 p.m. with Marymount East Parking Lot Lights



Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Friday, August 29, 2014 9:22 PM
To: Ara Mihranian; Leza Mikhail
Subject: FW: Moon Marymount Lights
Attachments: IMG_20140829_205823.jpg; IMG_20140829_205812.jpg

Dear Ara and Leza,

As you can see by these photographs, taken by my next door neighbor Matt Levan at 9:00 pm tonight. Matt's house is between the McSherry home and our home. Our enjoyment of the moon is greatly diminished and distracted by the bright overhead lights at Marymount's East Parking Lot.

These lights do not comply with our Development Code. Laura & Ron McSherry complained about the lights during the EIR process, both in writing and in person, and no one came to the McSherry house to consider the effect of the lights downslope of the parking lot. I complained to Marymount on June 29, 2013 when the lights were first turned on, and to the city planning department in July 2013, and still the lights were approved in August with no one coming to my house to check out my complaint.

These lights take away from the value of our property, from the use and enjoyment of our property.

I do not believe these big bright lights are necessary for the safety of Marymount college students. The lights for Peninsula High School students are much darker and the Peninsula High School is located at the junction of two very busy streets (Hawthorne and Silver Spur).

Would you please take another look at how these bright lights affect the San Ramon and other neighbors?

Thank you.

Diane & Rick Smith
2704 San Ramon Drive
Rancho Palos Verdes, CA 90275

From: Matt Levan [mailto:matt.s.levan@gmail.com]
Sent: Friday, August 29, 2014 9:01 PM
To: radlsmith@cox.net
Subject: Moon Marymount Lights



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Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Friday, August 29, 2014 1:36 PM
To: Ara Mihranian
Cc: Leza Mikhail
Subject: FW: Marymount - East Parking Lot Number of Vehicle Spaces Required

Hi Ara,

We residents downslope of Marymount's East Parking Lot appreciated Marymount's parking lot closed this summer. The closing of the lot when school was not in session gave us relief from the terrible lights which ruin the peace, tranquility and dark nights we previously enjoyed.

School is back in session and the lights are still so bright Ara. I am concerned that when the vehicle headlights are added with the time change – especially to top tier of the parking lot – we will see a whole lot of light. I hope I am wrong but by the looks of it now I am very concerned. I have asked neighbors, with better cameras than me, to get photos tonight.

The City Council is considering outdoor lighting this Tuesday. I will be asking the City Council for an extension of time to consider Marymount's East Parking Lot until well after the November 2nd time change so we can actually see the full effects of all of these outdoor lights.

By the way, so far, no one has breached the new fence since the lock was put on the gate. Yvonne Hamilton is not happy from her point of view. I will get the details from Yvonne and bring you current. Thanks Ara.

Diane

From: Ara Mihranian [mailto:AraM@rpv.com]
Sent: Friday, August 22, 2014 2:30 PM
To: Diane Smith
Subject: Re: Marymount - East Parking Lot Number of Vehicle Spaces Required

Hi Diane

I don't have the conditions in front of me but I believe 463 parking spaces are required (there was 343 spaces existing plus the 120 proposed). The EIR includes a full parking analysis that comes up with recommended parking requirements depending on the time of the day. This is where the parking management strategies comes from to reduce the demand to meet the 463 parking space requirement.

You may recall I mentioned in the past that in March and/or April of 2010, staff recommended less parking spaces in the area facing the canyon. This was primarily to increase the setback between the parking lot and Marc Harris' property. Marymount opposed staffs recommendation and the council came up with a modified setback. The staff reports are on the website unless you can wait until Monday and I can email them to you.

Jim and Lois may also recall this.

Ara

Sent from my iPad

On Aug 22, 2014, at 10:00 AM, "Diane Smith" <radlsmith@cox.net> wrote:

Hi Ara,

I remember you told me that Marymount's East Parking Lot had to be configured so that the vehicles were pointed in the direction of our properties in order to accommodate enough student/faculty cars and could not be refigured. I cannot remember the number of spaces that were required. Would you know that number off hand?

Thanks,

Diane

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Friday, August 22, 2014 10:00 AM
To: Ara Mihranian
Subject: Marymount - East Parking Lot Number of Vehicle Spaces Required

Hi Ara,

I remember you told me that Marymount's East Parking Lot had to be configured so that the vehicles were pointed in the direction of our properties in order to accommodate enough student/faculty cars and could not be refigured. I cannot remember the number of spaces that were required. Would you know that number off hand?

Thanks,

Diane

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Friday, July 25, 2014 7:40 PM
To: Ara Mihranian
Cc: 'LOIS Karp'; 'James'
Subject: RE: Marymount - EAST PARKING LOT CUP VIOLATION

Thank you for your response Ara, I understand about the parking lot improvements.

With regard to enrollment, who is "the city."

Not long ago, residents counted up to 99 extra cars on PV Drive East which was a definite indication that there are more kids attending Marymount than the CUP allows. The planning department overstepped its authority by changing the wording to allow more students in its new "interpretation." The planning department had no business playing with the enrollment interpretation without proper public hearings. The city attorney made it quite clear that the more strict apply and that's that.

There can be no consideration of the athletic field until the CUP is enforced – the original CUP. That's what the prior City Council approved many years ago after a long dukes-up ordeal.

We residents accepted the permit parking and the enrollment cap to settle the matter.

The City Attorney was there then and is there now and has rendered her opinion and that is what we pay her for.

Many of the residents who participated in the capping of enrollment are still here – still living here and we remember.

You have a nice weekend too Ara.

Diane

From: Ara Mihranian [mailto:AraM@rpv.com]
Sent: Friday, July 25, 2014 11:35 AM
To: Diane Smith
Cc: 'LOIS Karp'; 'James'
Subject: RE: Marymount - EAST PARKING LOT CUP VIOLATION

Hi Diane,

I finally have a chance to respond...my apologies for the delay.

As mentioned at the April 1st City Council meeting, the parking lot improvements are not being requested by Marymount but being imposed by Staff as added measures to mitigate the impacts associated with the operation of the parking lot as part of the City's six month review...there is a difference as it relates to allowing an applicant to proceed with a requested project (these improvements are not being requested by Marymount...trust me!). in terms of enrollment, the City doesn't believe Marymount is in violation, as reflected in past letters sent to Marymount. However, the City recognizes, as Jim pointed out, that there is a discrepancy in the reporting requirements between the mitigation measures and the conditions of approval. Staff intends to address this discrepancy as part of the CUP revision being considered for the athletic field project.

as for the GROW project, i haven't had a chance to ask Jim reeves about the visitor parking but will next week...i am still waiting for an update on the status of the required parking lot improvements (fence, landscaping, light shields, etc.). Marymount is currently in violation of the CUP and the City is not processing the SUP request for amplified sound events (in fact Marymount withdrew the application). I also noticed that

the sandbags have been removed and interlocking blocks should be installed in the next few weeks according to Marymount. I will keep you all posted, but you will probably know before i do.

Let me know if you have additional questions.

Have a great weekend!

Ara

From: Diane Smith <radlsmith@cox.net>
Sent: Monday, July 21, 2014 12:30 PM
To: Ara Mihranian
Cc: 'LOIS Karp'; 'James'
Subject: RE: Marymount - EAST PARKING LOT CUP VIOLATION

Hi Ara,

So the penalty for non-compliance is restriction of further approvals.

If that is true then why was Marymount allowed to go forward with approvals on the parking lot (with conditions) when they were non-compliant with enrollment?

Also, I thought the whole idea of a six month review was to have six months in which to review the changes when made? We're down to 3-1/2 months with still no sign of the fence. If they comply by the time school starts then we'll just have over a month to evaluate.

Did you find out where the public will park in order to attend to the Grow Garden? Will the public park in the East Parking Lot?

Diane

From: Ara Mihranian [<mailto:AraM@rpv.com>]
Sent: Monday, July 21, 2014 10:57 AM
To: Diane Smith
Cc: 'LOIS Karp'; 'James'
Subject: RE: Marymount - EAST PARKING LOT CUP VIOLATION

Hi Diane,

I understand your concern regarding the date of the second 6-month review and wanting to extend it, but I actually believe that an accurate assessment of the operation of the parking lot with the proposed improvements (if implemented in time) can be made within a few weeks after school starts in late August. Perhaps we can meet to discuss this some more so that we can exchange thoughts on this, I want to make sure I understand your position and vice versa. Let me know when you are available.

Lastly, City Staff did not grant Marymount an extension to complete the parking lot improvements to July 15th. I am not sure where you are getting that information from, but we can discuss that as well. Because the improvements were not completed by the June 15th deadline, the City notified Marymount that they are in violation of the Conditional Use Permit (see attached letter).

Ara

Ara Michael Mihranian



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From: Diane Smith [<mailto:radlsmith@cox.net>]
Sent: Monday, July 21, 2014 8:23 AM
To: Ara Mihranian
Cc: 'LOIS Karp'; 'James'
Subject: RE: Marymount - EAST PARKING LOT CUP VIOLATION

Dear Ara,

The Planning Department gave Marymount a one-month extension to July 15 to erect the fence, light shading, etc. and other than an occasional maintenance vehicle driving by, and the odd person walking, skateboarders and the hillside trash – there's nothing happening there. Here it is, July 21, 2014 and still there is no fence.

The public Grow Garden was not anticipated during the first 6-month review and we did not anticipate the graffiti, vandalism and skateboarders that subsequently occurred. In view of unanticipated "events" it seems reasonable that the six-month review take place after Marymount complies with the City Council's decision so that the rule complies with a full six-month review. In view of all the events that happened in the first six-month review period it is important that we have the same amount of time in the second six-month review period. This is only fair.

October is not enough time to get the full impact when students will have been there only a month. Two more months of living with the effects of the new fence, vehicle headlights, shaded overhead lights and the public Grow Garden can only work in our favor to point out non-compliance with our City's Development Code and vision for a semi-rural environment. The full six-month review time when the school is fully occupied can only go in our favor to be able to point out unpleasant and unforeseen nuisances at Marymount's new east parking lot that come up so unexpectedly. As you say below, Also, since the parking lot is closed for the summer and the lights turned off, an assessment cannot be made until the parking lot is opened for operation. "

I still have a big problem with where the public and other vehicles will park to attend to the Grow Garden? The additional time will help us better see how many people from the public sector actually attend to the garden and see if they use up precious parking spaces – parking spaces that were so carefully assigned to students to get them off the street. The Grow Garden was not considered in the EIR.

Accordingly, I ask again that the six-month review period to commence when Marymount has complied with the City Council's requests.

Thank you.
Sincerely,
Diane

From: Ara Mihranian [<mailto:AraM@rpv.com>]
Sent: Monday, July 14, 2014 10:00 AM
To: 'radlsmith@cox.net'
Subject: FW: Marymount - EAST PARKING LOT CUP VIOLATION

FYI...

Ara Michael Mihranian
Deputy Director of Community Development


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From: Ara Mihranian
Sent: Friday, June 27, 2014 1:39 PM
To: Diane Smith
Cc: 'jlkarp'; bubba32@cox.net
Subject: RE: Marymount - EAST PARKING LOT CUP VIOLATION

Hi Diane,
I am finally able to get to some of the emails that came my way during the week.

In regards to the enrollment, as previously reported, the reports Marymount has provided comply with the Conditions of Approval. However, as Jim Gordon pointed out earlier the Enrollment report provided by Marymount does not comply with the Council adopted Mitigation Measures. This has been brought to Marymount's attention at the April 1st hearing, as well as recently with Mr. Davis. As such, until the City the enrollment conditions are reassessed, the City will be asking Marymount to provide enrollment numbers for both the conditions of approval and the mitigation measures.

As for the parking lot, the fence is intended, among other things, to screen the vehicles parked and their headlights. In my opinion I don't suggest pushing the 6-month review later in the year, the sooner it occurs the sooner we can require additional mitigation to address impacts that continue to exist with the improvements in place. Also, since the parking lot is closed for the summer and the lights turned off, an assessment cannot be made until the parking lot is opened for operation. However, I intend to ask them to turn the lights on once the shields are installed so I can assess their effectiveness sooner than later.

Let me know if you have additional questions...and if not, have a great weekend.

Ara

From: Diane Smith <radlsmith@cox.net>
Sent: Wednesday, June 25, 2014 11:56 AM
To: Ara Mihranian
Cc: 'jlkarp'; bubba32@cox.net
Subject: RE: Marymount - EAST PARKING LOT CUP VIOLATION

Good Morning Ara and thank you for inviting questions.

I am still very concerned about Marymount's enrollment and the car spaces assigned to the east parking lot whose headlights shine into resident properties.

Has Marymount exceeded its enrollment cap as originally described?

I ask this because since the original enrollment cap was fixed, Marymount has added another campus in San Pedro that can easily absorb its growth. It appears that Marymount twisted words to skirt and enhance the conditions of its enrollment cap so that it became obvious to the community that Marymount overflowed its enrollment cap - they simply counted the overflow of cars on PV Drive East. We downslope residents have now paid the price of this abuse by having to deal with a future of noise, light and invasion of property by this new East parking lot. The City required that Marymount a fixed number of parking spaces were necessary to get all of the student cars off of the street. In fact, the City was so particular about those parking spaces that the parking lot had to be configured so that the headlights HAD to face resident properties rather than Marymount's property in order to accommodate those cars. The light generated by those vehicle headlights were not specifically considered in the EIR that I could find. There is therefore no room at all for additional public vehicles and service vehicles for the new public "Grow" garden to be located in the parking lot. Any additional use of those precious parking spaces by anyone other than students/faculty would be another a violation of the conditions of its use. We will be watching this "Grow" garden very carefully to make sure the public is not taking up any of those precious spaces in the East Parking lot. Once again Marymount does not fear compliance with the City's rules and simply snubs them. This costs the city more employee time and increases lack of trust by residents.

I appreciate the City keeping us informed of Marymount's compliance and/or lack of compliance but to be fair, I ask that the 6-month evaluation also be extended to run 6-months from the date of Marymount's compliance.

We must also have confirmation of enrollment at Marymount's RPV campus to comply with the language of the original conditional use permit. The excessive enrollment triggered the new parking lot so the enrollment cap must be enforced as originally stated.

Thanks so very much Ara.

Diane

From: Ara Mihranian [<mailto:AraM@rpv.com>]
Sent: Wednesday, June 25, 2014 9:54 AM
To: bubba32@cox.net; jlkarp; 'radlsmith@cox.net'
Cc: Joel Rojas
Subject: Marymount - EAST PARKING LOT CUP VIOLATION

Good morning,
As requested, attached is a recent letter the City sent Marymount regarding the east parking lot.
Let me know if you have any questions.
Ara

Ara Michael Mihranian
Deputy Director of Community Development


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Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Friday, July 11, 2014 1:47 PM
To: Ara Mihranian
Subject: FW: RPV City Council Draft Minutes of April 1, 2014 meeting

Dear Ara,

Referring back to your response to my inquiries June 16, 2014, please confirm that the vehicles in the East Parking Lot had to be pointed to our backyards in order to accommodate enough student/faculty cars and therefore the parking lot could not be reconfigured to point the vehicle headlights towards Marymount.

I just want to get all my facts lined up.

Thanks Ara.

Diane

From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Monday, June 16, 2014 12:52 PM
To: 'Ara Mihranian'
Subject: RE: RPV City Council Draft Minutes of April 1, 2014 meeting

Hello Ara,

Thanks so much for your responses.

There are people up at the parking lot now. One worker has a noisy trash blower going up and down the parking lot while three people are looking out – maybe “surveying” the situation.

It is a beautiful day.

Thanks so much for answering my questions Ara.

Diane

From: Ara Mihranian [mailto:AraM@rpv.com]
Sent: Monday, June 16, 2014 10:32 AM
To: Diane Smith
Subject: RE: RPV City Council Draft Minutes of April 1, 2014 meeting

Hi Diane,

My responses to your questions are listed below in green.

Ara

Ara Michael Mihranian
Deputy Director of Community Development


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From: Diane Smith [<mailto:radlsmith@cox.net>]
Sent: Monday, June 16, 2014 9:50 AM
To: Ara Mihranian
Subject: FW: RPV City Council Draft Minutes of April 1, 2014 meeting

Dear Ara,

There were a couple of points made in my email to you (forwarded here) that I did not get clarified. First, that the vinyl fence is to be attached to the Vista del Mar block wall and that the vehicle headlights not penetrate the vinyl fence. Yes, the fence will extend to the vista del mar wall and shown in the plan staff presented to the City Council at the April 1st meeting. The fence is to be a solid barrier intended to prevent headlights, among other things, from penetrating the fence.

I remember that the vehicles had to be pointed to our backyards in order to accommodate enough student/faculty cars and could not be reconfigured.

I realize there is another review in 6 months from when Marymount puts the fence in – which I understand will be extended another month since the fence is not erected yet? Staff intends to take the second 6-month review to the City Council in October

Thanks Ara,
Diane

From: Diane Smith [<mailto:radlsmith@cox.net>]
Sent: Friday, April 25, 2014 8:44 AM
To: 'Ara Mihranian'
Cc: 'Karpov'; 'James'; 'Gregory Lash'; 'Linda Gordon'
Subject: RPV City Council Draft Minutes of April 1, 2014 meeting

Dear Ara,

I have read the draft minutes of the April 1, 2014 City Council Meeting and thank you for inserting the Marymount enrollment issue.

If I recall, there was no date given for Marymount to correct the breach of its CUP on enrollment.

I believe that the longer the City allows Marymount to twist it's enrollment limitation into a greater number of student attendees at the RPV campus, the less likely it will be for the City to enforce the original enrollment cap. The problem with allowing Marymount to get-away with these munchy words, is similar to what I anticipate with the "Grow Garden." Once the City allows Marymount to invite the public, on a daily basis, to park in the east parking lot, that was originally designated for student overflow, then Marymount will have created a public easement. Where they will go with this is not known. These concerns could be clarified by the City Attorney.

Marymount is accustomed to getting-away with its obligations - - for instance, it took months and months for me/the City to get them to repair leaking pipes at the top of the South Shores landslide. Although they did attend to the nasty graffiti issue right away.

Which brings me to the 6' vinyl fence. The minutes do not clarify where the fence attaches. When I visited you at the City Offices you marked my copy of the map in ink and said you must include that it attaches to the Vista del Mar block wall. I hope you will clarify this "link" so that the nasty general public with access to the Grow Garden is not tempted to hop over or run around to spray graffiti on the vinyl fence.

Also, I asked for a block wall, same as Vista del Mar, but accept the fact that the City Geologist states that the ground is too sensitive for block wall footings. (Another reason why I still do not understand why the city did not hover over Marymount to fix its broke water pipes.) I am concerned that the bright lights of the vehicle headlights and bollard lights may shine into the vinyl and somehow shine through the vinyl as a long band of light. I hope I am wrong about that.
Thank you Ara,
Diane Smith

Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Wednesday, June 25, 2014 7:17 PM
To: 'Marc Harris'
Cc: Ara Mihranian
Subject: Marymount East Parking Lot - SKATEBOARDING

I kept hearing a door slamming while I was enjoying my backyard. When I looked over to Marymount's parking lot I saw an air born person on a skateboard! I dashed inside and got my camera and zoomed in but did not get a very good picture. I called Marymount security (310/303-7300) and spoke to the security guard on duty named, "Kevin" and he told me he would get right on it. Just wondered if you heard the "slamming" and if so, if you got a picture.

Have a nice evening Marc.

Diane

Ara Mihranian

From: Jim Reeves <JReeves@marymountcalifornia.edu>
Sent: Thursday, November 06, 2014 5:59 PM
To: Ara Mihranian
Subject: Re: Marymount student parking on San Ramon Drive

Ara,
San Ramon is parking by permit only 9:00 am to 5:00 pm.
Jim

Sent from my iPhone

On Nov 6, 2014, at 5:30 PM, "Ara Mihranian" <AraM@rpv.com<mailto:AraM@rpv.com>> wrote:

FYI....

Ara Michael Mihranian
Deputy Director of Community Development _____

<image001.png>
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310-544-5293 (fax)
aram@rpv.com<mailto:aram@rpv.com>
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From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Thursday, November 06, 2014 5:02 PM
To: Ara Mihranian
Subject: Marymount student parking on San Ramon Drive

Hi Ara,

I just got home now and passed by a young man with a backpack walking up our street. I turned around and followed him to make sure he was going to Marymount and he indeed was. Two vehicles are right now parked on the street near the top outside of 2824 San Ramon. One is a taupe color Honda Civic License Plate 7FQD828 and the other is a Black GMC Envoy SUV 5CW543. Please advise Marymount. Thank you.

Diane

This email has been scanned by Marymount California University email security service

This email has been scanned by Marymount California University email security service

Ara Mihranian

From: jlkarp <jlkarp@cox.net>
Sent: Monday, September 15, 2014 3:53 PM
To: Ara Mihranian
Subject: Cars pparking on the street at Marymount

Ara

What's going on at Marymount? I went out about 2:15 and there were 19 cars on the street just came back and there are 22 cars on the street.

Lois

Ara Mihranian

From: Jim Reeves <JReeves@marymountcalifornia.edu>
Sent: Sunday, August 10, 2014 6:31 PM
To: Ara Mihranian
Cc: Donald M. Davis; Joel Rojas; Richard Schult
Subject: RE: Marymount - 80 foot buffer
Attachments: 20140809_133559_resized.jpg; 20140809_134018_resized.jpg

Hello Ara,
Attached please find the pictures of the completed 80 ft. buffer area. Please advise Richard and myself of your ETA tomorrow (Monday) to review the work.
Jim

From: Ara Mihranian [AraM@rpv.com]
Sent: Friday, August 08, 2014 6:53 PM
To: Jim Reeves
Cc: Donald M. Davis; Joel Rojas
Subject: Re: Marymount - 80 foot buffer

Thanks Jim and will do regarding Monday.

Sent from my iPhone

On Aug 8, 2014, at 6:50 PM, "Jim Reeves" <JReeves@marymountcalifornia.edu> wrote:

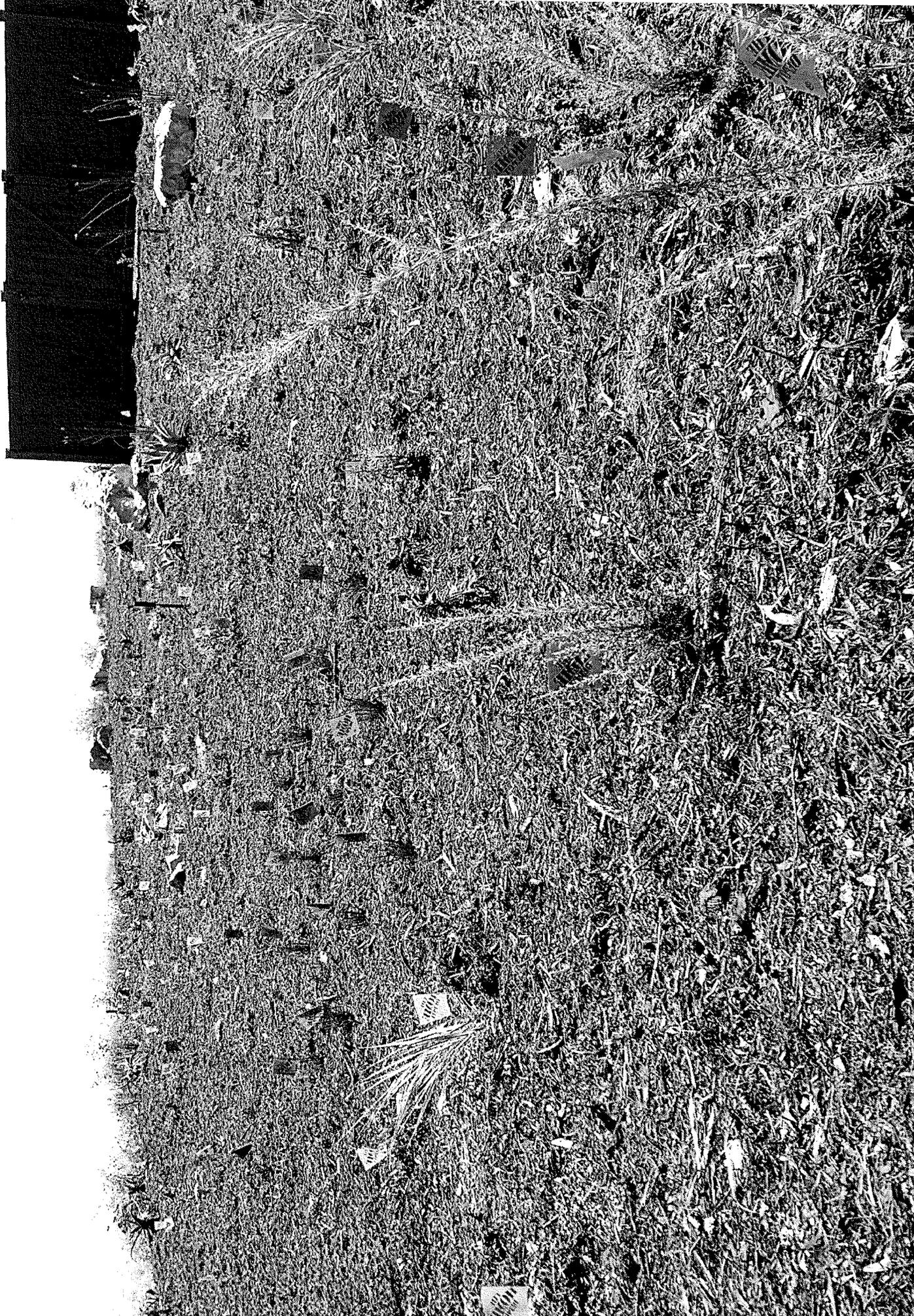
> Hello Ara,
> The planting is nearly completed with mulch being completed tomorrow. I've asked that photos be sent tomorrow when finished . I'll forward when I get them. Please advise on your ETA on Monday so that I can advise Richard.
> Jim
>
> Sent from my iPhone
>
> On Aug 8, 2014, at 6:20 PM, "Ara Mihranian" <AraM@rpv.com> wrote:
>
>> Hi Jim,
>>
>> Following up on our call yesterday, I didn't receive any photos today of the landscape buffer. I hope the additional planting and mulch occurred today or will occur over the weekend, as Joel and I plan to visit the site on Monday. I will let you know on monday whether we will be coming by in the morning or early afternoon.
>>
>> Have a good weekend,
>> Ara
>>
>> Sent from my iPhone
>>
>> _____
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Ara Mihranian

From: Richard Schult <RSchult@marymountcalifornia.edu>
Sent: Monday, June 09, 2014 1:38 PM
To: Ara Mihranian
Cc: Jim Reeves
Subject: RE: Marymount - Parking Lot Improvements

Hello Ara,

We have had three fence contractors fall out of the bidding but we are actively working with others to get this work done as quickly as we can. Temporary light shields will be installed before the end of this week while the sheet metal is being formed for the long term fix.

Unfortunately some of the fence contractors have been slow to respond to our RFPs so we have expanded our contact list to get more responsive movement for this project. I am sorry this has taken as long as it has but we are evaluating bids now with the hope to receive one or two more so that we can begin construction as soon as their schedule permits. I will keep you apprised of the progress of the work as updates become available. We really do want to get this done as soon as we can.

Richard Schult, CPMM
30800 Palos Verdes Dr East
Rancho Palos Verdes, CA 90275

From: Ara Mihranian [AraM@rpv.com]
Sent: Monday, June 09, 2014 1:18 PM
To: Richard Schult
Cc: Jim Reeves
Subject: RE: Marymount - Parking Lot Improvements

Hi Richard,
How are things coming along with the fence, landscaping, light shields, etc.?
Ara

Ara Michael Mihranian
Deputy Director of Community Development _____

30940 Hawthorne Blvd.
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310-544-5293 (fax)
aram@rpv.com
www.palosverdes.com/rpv

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

From: Richard Schult [mailto:RSchult@marymountcalifornia.edu]
Sent: Thursday, May 22, 2014 2:45 PM
To: Ara Mihranian
Cc: Jim Reeves
Subject: RE: Marymount - Parking Lot Improvements

Ara,

The fence rails will be at ground level and the fence uses solid panels with no gaps. This particular fence is of high quality and is designed to withstand high winds as well.

Richard Schult, CPMM
30800 Palos Verdes Dr East
Rancho Palos Verdes, CA 90275

From: Ara Mihranian [AraM@rpv.com]
Sent: Thursday, May 22, 2014 2:02 PM
To: Jim Reeves
Cc: Richard Schult; Joel Rojas
Subject: RE: Marymount - Parking Lot Improvements

Jim,

Thanks for the report.

I think the trex panel fence is acceptable provided it meets the height requirement and that there is no opening between the ground and the bottom of the fence, nor the fence panels.

I will be out of the office through June 2nd. As long as the posts are located per the plan reviewed and approved by the City Council I don't think I need to come out to inspect the location. I will be checking email, so if anything comes up let me know (and attach a photo if that helps).

I look forward to reviewing the plant palette.

Ara

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Deputy Director of Community Development

[cid:image001.png@01CF75C6.16E0CF40]
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From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]
Sent: Thursday, May 22, 2014 1:36 PM
To: Ara Mihranian
Cc: Richard Schult
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Hello Ara,

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- While a planting palate has been discussed for the buffer area, we will want some additional feedback before we purchase plantings. Richard Schult on our staff will provide a suggested palate soon.

Please let me know what additional questions/ concerns you might have.

Jim
Jim Reeves
Sr. Vice President
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(310) 303-7330
JReeves@MarymountCalifornia.edu<mailto:JReeves@MarymountCalifornia.edu>
[cid:image002.jpg@01CF75C6.16E0CF40]
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From: Ara Mihranian [mailto:AraM@rpv.com]
Sent: Thursday, May 22, 2014 11:38 AM
To: Jim Reeves
Cc: Joel Rojas
Subject: Marymount - Parking Lot Improvements

Hi Jim,

Just checking in to see how things are progressing with the parking lot improvements that the City Council recently approved to be completed by June 15th.

Let me know if there is anything I can assist with.

Ara

Ara Michael Mihranian
Deputy Director of Community Development _____

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Ara Mihranian

From: Jim Reeves <JReeves@marymountcalifornia.edu>
Sent: Monday, June 09, 2014 5:32 PM
To: Ara Mihranian; Richard Schult
Cc: Joel Rojas; Carol Lynch <clynch@rwglaw.com>; Michael Brophy
Subject: RE: Marymount - Parking Lot Improvements

Hello Ara,

The delays are the result of contractors, for a variety of reasons, who were unable to perform. I spoke with Richard about this last Friday and advised him that I would be contacting you to provide an update. My advisory to you was going out today. We intend to honor our agreement and get this accomplished ASAP. I will advise you of our updated schedule this week.

Jim

Jim Reeves
Sr. Vice President
Finance & Administration
Marymount California University
(310) 303-7330
JReeves@MarymountCalifornia.edu

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

From: Ara Mihranian [mailto:AraM@rpv.com]
Sent: Monday, June 09, 2014 4:30 PM
To: Richard Schult
Cc: Jim Reeves; Joel Rojas; Carol Lynch <clynch@rwglaw.com>
Subject: RE: Marymount - Parking Lot Improvements

Richard,

To be honest, this is not good news because the conditions require these improvements be installed by June 15th. I wish I had advanced notice of this delay by Marymount rather than learning about the delay as a result of my own inquiry...it would give the City time to address this timing issue. Can you provide me with a status update on the other items, such as landscaping, etc.

I will get back to you (and Marymount) regarding the condition compliance concern.

Ara

Ara Michael Mihranian
Deputy Director of Community Development _____

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Ara Mihranian

From: Jim Reeves <JReeves@marymountcalifornia.edu>
Sent: Wednesday, June 25, 2014 9:33 PM
To: Ara Mihranian
Subject: Re: Marymount East Parking Lot - SKATEBOARDING

Thanks, Ara. It sounds like a local skateboarder. I'll follow-up on Thursday. Jim

Sent from my iPhone

On Jun 25, 2014, at 9:13 PM, "Ara Mihranian" <AraM@rpv.com<mailto:AraM@rpv.com>> wrote:

Hi Jim,
Diane Smith reported the incident below.
Ara

Ara Michael Mihranian
Deputy Director of Community Development _____

<image001.png>
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275
310-544-5228 (telephone)
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From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Wednesday, June 25, 2014 7:17 PM
To: 'Marc Harris'
Cc: Ara Mihranian
Subject: Marymount East Parking Lot - SKATEBOARDING

I kept hearing a door slamming while I was enjoying my backyard. When I looked over to Marymount's parking lot I saw an air born person on a skateboard! I dashed inside and got my camera and zoomed in but did not get a very good picture. I called Marymount security (310/303-7300) and spoke to the security guard on duty named, "Kevin" and he told me he would get right on it. Just wondered if you heard the "slamming" and if so, if you got a picture. Have a nice evening Marc.
Diane

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Ara Mihranian

From: Diane Smith <radlsmith@cox.net>
Sent: Wednesday, August 13, 2014 1:02 PM
To: Ara Mihranian
Cc: utopia4u@cox.net
Subject: FW: Photograph - person sitting field-side of Marymount East Parking Lot fence

I first saw someone at the fence when I was in my back yard with my granddaughter Hayden. My little camera is broken. When I got upstairs I called my next door neighbors and asked them to take a picture and then I sent an email to Yvonne Hamilton. The young person now just left.

So this is the first time I have seen someone on the other (field) side of the new fence.

I did not see any smoking but now we have a "first."

Diane

From: Diane Smith [mailto:radlsmith@cox.net]
Sent: Wednesday, August 13, 2014 12:48 PM
To: 'utopia4u@cox.net'
Subject: Photograph - person sitting field-side of Marymount East Parking Lot fence

Hi Yvonne,

Would you be able to take a photograph of the person sitting in front (middle) of the new fence at Marymount and send it to me?

Diane

Attachment D

Kelvin Scale

**Marymount California University
Follow-Up Review of the
East Parking Lot Project**

**December 2, 2014
City Council Meeting**

Colour Temperature
solar-powered-garden-lights.net

Kelvin Scale °K

Colour temperature is a measure of light energy expressed in degrees Kelvin not heat Fahrenheit or Celsius.

Higher colour temperatures mean that the light source is closer to the blue end (higher energy end) of the spectrum, and lower colour temperatures means the light source is closer to the red end (lower energy end) of the spectrum.

