

MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS
FROM: JOEL ROJAS, AICP,  COMMUNITY DEVELOPMENT DIRECTOR
DATE: APRIL 15, 2014
SUBJECT: MARYMOUNT CALIFORNIA UNIVERSITY – 6-MONTH REVIEW OF THE EXPANDED 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

Adopt Resolution No. 2014-XX amending the Conditions of Approval adopted by the City Council on June 1, 2010 under Resolution No. 2010-42 to address the operational impacts related to the East Parking Lot as directed by the City Council at its April 1, 2014 meeting.

DISCUSSION

At its April 1, 2014 meeting, the City Council closed the public hearing, which was continued from the February 18, 2014 meeting, on the six month review of the East Parking Lot and began its deliberations. After considering public testimony, including requested amendments from Marymount's representatives, the Council agreed on the following modifications to Marymount's existing Conditions of Approval (in numerical order):

- Condition No. 79 – 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.
- Condition No. 128 – Requiring the installation of trash receptacles with lids in the

parking lot by June 15, 2014.

- Condition 131 – Allowing the campus garden to occur 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 at the April 1st meeting by June 15, 2014.
- 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.
- Condition No. 150 – Requiring a noise study be conducted after installation of the new vinyl fence and when classes are in session during the fall 2014 term.
- Condition No. 152 – Requiring, by June 15, 2014, 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.
- Condition No. 156 – Requiring the 10-foot tall light standards within the East Parking Lot to be turned off nightly at 9:00 p.m.
- Condition No. 160 – Reducing the permitted hours the parking lot can be used and the types of vehicles that can park in the parking lot by adding the word “commercial” in front of trucks and striking out language prohibiting the parking of any vehicles in the East Parking Lot on weekends and federally observed holidays.
- Condition No. 173 – Requiring, by June 15, 2014, 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.
- Condition 180 – Requiring the installation of “No Smoking” and “No Littering” signs within the parking lot by June 15, 2014.

The above Council approved amendments have been incorporated into the attached Conditions of Approval and approved by the City Attorney. As such, Staff recommends that the Council adopt the attached Resolution amending the Conditions of Approval as approved by the Council at its April 1st meeting to address the operational impacts associated with the East Parking Lot. As previously reported, a subsequent 6 month review from April 15, 2014 will be conducted by the City Council at a duly noticed public hearing to assess the effectiveness of the amended conditions of approval.

ATTACHMENTS

Draft Resolution No. 2014-XX

- Exhibit "A" – Addendum No. 1
- Exhibit "B" – Conditions of Approval

RESOLUTION NO. 2014-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES APPROVING AN ADDENDUM TO THE FINAL EIR FOR THE MARYMOUNT FACILITIES EXPANSION PROJECT AND AMENDING THE CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL ON JUNE 1, 2010 UNDER RESOLUTION NO. 2010-42 FOR PLANNING CASE NO. ZON2003-000317 FOR MARYMOUNT CALIFORNIA UNIVERSITY TO ADDRESS CONCERNS RELATING TO THE OPERATION OF THE EXPANDED PARKING LOT (ALSO KNOWN AS THE EAST PARKING LOT) PROJECT AND TO CONDUCT AN ADDITIONAL REVIEW SIX MONTHS FROM THE APRIL 15, 2014 CITY COUNCIL MEETING TO REVIEW THE EFFECTIVENESS AND INTENT OF THE ADDED CONDITIONS OF APPROVAL.

WHEREAS, on June 1, 2010, the City Council adopted Resolution No. 2010-41 certifying the Final Environmental Impact Report for the Marymount Facilities Expansion Project, making environmental findings pursuant to the California Environmental Quality Act (CEQA), adopting a Statement of Overriding Considerations; and adopting a Mitigation Monitoring and Reporting Program; and,

WHEREAS, on June 1, 2010, the City Council adopted Resolution No. 2010-42 approving with Conditions of Approval, the Marymount Facilities Expansion Project, which among other improvements, included the construction of an Expanded Parking Lot (also known as the East Parking Lot) to accommodate 463 parking spaces; and,

WHEREAS, on April 17, 2012, pursuant to Condition No. 8, the City Council approved, as a Minor Modification to the Facilities Expansion Project, a minor reconfiguration to the 2010 Council approved parking layout lot. The City Council approved a reconfigured parking lot that resulted in the construction of 109 parking spaces at the former location of the athletic field (Castle Field), 13 additional spaces at the existing parking lot adjacent to the former Preschool building and 10 additional parking spaces adjacent to the Administration Building; and,

WHEREAS, in January 2013, construction on the Expanded Parking Lot commenced including the related drainage improvements; and,

WHEREAS, on August 6, 2013, construction on the Expanded Parking Lot was completed, condition compliance was achieved by Marymount, and the City issued the Final Certificate of Occupancy, which triggered the beginning of the 6-month review clock; and,

WHEREAS, shortly after the Expanded Parking Lot became operational, the City began receiving letters from neighboring property owners on San Ramon Drive and Tarapaca Drive expressing concerns pertaining to visual, privacy, noise, and lighting impacts associated with the operation of the parking lot; and,

WHEREAS, the City Council reviewed and analyzed the recommended amendments to the 2010 Council adopted Conditions of Approval in accordance with the California Environmental Quality Act ("CEQA") and determined that the proposed revisions to the project Conditions of Approval will require an Addendum to the Final Environmental Impact Report ("FEIR"), which was certified by the City Council on June 1, 2010 under Resolution No. 2010-41, which determined that the project's impacts, with the exception of the impacts related to noise (short term - construction) and traffic (cumulative at Palos Verdes Drive East and Palos Verdes Drive South), for which a statement of overriding considerations was adopted, are not significant or that the potential impacts could be mitigated to a less than significant impact. The City Council finds that the proposed amendments to the conditions of approval, as shown in the attached Exhibit "B," will not result in a deviation to the findings made by the Council when the project was approved, and does not modify the scope of the project nor the related uses and amenities, but rather strengthens the intent of the conditions adopted by the City Council to minimize project related impacts to neighboring properties through the use of a privacy screening fence, landscaping, and operational restrictions. As such, the City Council finds that the amendments to the conditions of approval will not introduce new significant environmental effects or substantially increase the severity of the environmental impacts that previously were identified and analyzed in the FEIR (including potential view impairment from neighboring properties); Furthermore, the City Council also finds that there are no changed circumstances or new information, which was not known at the time the FEIR was certified, that would require the preparation of a subsequent EIR or major revisions to the FEIR pursuant to CEQA Guidelines Section 15162, and, in accordance with Section 15164 of the State CEQA Guidelines, the City has prepared Addendum No. 1 to the FEIR (the "Addendum"), which is attached hereto as Exhibit "A;" and,

WHEREAS, on January 30, 2014, pursuant to Condition No. 18, a public notice was published in the *Peninsula News* and mailed to property owners within a 500-foot radius of the project site and to interested parties including list-serve subscribers, inviting public comments on the Council's 6-month review of the applicant's compliance with and adequacy of the Conditions of Approval, including amending, deleting or adding new conditions as deemed necessary by the City Council; and,

WHEREAS, on February 18, 2014, the City Council held a duly noticed public hearing to consider amendments to the Conditions of Approval and after receiving public testimony, at the request of Marymount, continued the public hearing to April 1, 2014; and,

WHEREAS, on April 1, 2014, the City Council re-opened the public hearing and considered proposed amendments to the Conditions of Approval.

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

Section 1. Based on the foregoing findings the City Council hereby approves Addendum No. 1 to the Final EIR which is attached hereto as Exhibit A and incorporated herein by reference.

Section 2. The proposed amendments to the conditions of approval, as shown in Exhibit “B,” will not amend the Council-approved Facilities Expansion Project that allows the modernization of the campus facilities including the demolition and construction of new buildings, such as the gymnasium and library buildings; site improvements including an expanded parking lot to accommodate 463 parking spaces.

Section 3. Pursuant to Section 17.60.050 of the Rancho Palos Verdes Municipal Code (the “Municipal Code”), and based upon the evidence presented in the record, including staff reports, oral and written testimony, the FEIR and the Addendum, the City Council hereby finds that the proposed amendments to the conditions of approval will not change the findings made for the approved project, adopted under Resolution No. 2010-42, with respect to CUP No. 9 Revision “E.”

Section 4. Pursuant to Section 17.76.040, and based upon the evidence presented in the record, including staff reports, oral and written testimony, and the FEIR, the City Council hereby finds that the proposed amendments to the conditions of approval will not change or alter the findings made for the approved project, adopted under Resolution No. 2010-42, with respect to the Grading Permit.

Section 5. Pursuant to Section 17.64.050, and based upon the evidence presented in the record, including staff reports, oral and written testimony, the FEIR and the Addendum, the City Council hereby finds that the proposed amendments to the conditions of approval will not change or alter the findings made for the approved project, adopted under Resolution No. 2010-42, with respect to the Variance Permit in that the proposed amendments do not adjust the parking lot setbacks from Palos Verdes Drive East or the height of the athletic field netting and tennis court fencing.

Section 6. Pursuant to Section 17.66, and based upon the evidence presented in the record, including staff reports, oral and written testimony, the FEIR and the Addendum, the City Council hereby finds that the proposed amendments to the conditions of approval will not change or alter the findings made for the approved project, adopted under Resolution No. 2010-42, with respect to the Minor Exception Permit in that the proposed amendments do not adjust the height limits for the fencing along Palos Verdes Drive East and the tennis court fencing.

Section 7. Pursuant to Section 17.76.050, and based upon the evidence presented in the record, including staff reports, oral and written testimony, the FEIR and the Addendum, the City Council hereby finds that the proposed amendments to the conditions of approval will not change or alter the findings made for the approved project, adopted under Resolution No. 2010-42, with respect to the Master Sign Permit in that the proposed amendments do not adjust the quantity and size of permitted signs, including the approved entry sign.

Section 8. Based upon the evidence presented in the record, the findings adopted under Resolution No. 2010-42, which are incorporated herein by reference, the FEIR and the Addendum, the City Council hereby approves amendments to the Conditions of Approval to mitigate impacts on adjacent properties associated with the operation of the Expanded Parking Lot for Planning Case No. ZON2003-000317, Conditional Use Permit

No. 9 Revision "E", Grading Permit, Variance, and Minor Exception Permit subject to the conditions set forth in Exhibit "B," attached hereto and incorporated herein by this reference.

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

PASSED, APPROVED, AND ADOPTED this 15th day of April 2014.

Mayor

Attest:

City Clerk

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

I, Carla Morreale, the City Clerk of the City of Rancho Palos Verdes, do hereby certify that the above Resolution No. 2014-XX was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on April 15, 2014.

City Clerk

**RESOLUTION NO. 2014-XX
EXHIBIT "A"
ADDENDUM NO. 1 TO
FINAL ENVIRONMENT IMPACT REPORT
APRIL 15, 2014**

On June 1, 2010, the City Council adopted Resolution No. 2010-41, thereby certifying the Final Environment Impact Report to allow the Marymount Facilities Expansion Project that allows the modernization of the campus facilities including the demolition and construction of new buildings, such as the gymnasium and library buildings; site improvements consisting of an expanded parking lot to accommodate 463 parking spaces, a relocated athletic field and tennis courts, and new pedestrian pathways and plazas; and the operation of a four year degree program. In adopting the Final Environmental Impact Report and Statement of Overriding Considerations, the City Council found that the project's impacts, with the exception of the impacts related to noise (short term - construction) and traffic (cumulative at Palos Verdes Drive East and Palos Verdes Drive South) for which a statement of overriding considerations was adopted, are not significant or that the potential impacts could be mitigated to a less than significant impact

The City Council has independently reviewed and analyzed the proposed amendments to the conditions of approval to install a screening fence along the eastern and north edge of the Expanded Parking Lot (also known as the East Parking Lot), as well as increasing the vegetation in the adjacent buffer area and limiting the operational hours of the parking lot to further mitigate impacts on adjacent properties. Having reviewed the amendments, the City Council finds that the proposed revisions will not result in any significant change to the environment that would affect the findings made by the Council when the project was approved, and does not modify the scope of the project nor the related uses and amenities. The proposed revisions will not introduce new significant environmental effects or substantially increase the severity of the environmental impacts that previously were identified and analyzed in the FEIR because the revisions to the project are designed to reduce the impact of the activities at Marymount upon neighboring properties by further screening certain lights that are mounted on standards in the east parking lot, installing fencing to screen activities that occur in the parking lot from the view of surrounding properties and to establish a buffer zone with increased landscaping where no activities can occur. Furthermore, the amended conditions of approval require the Council review in approximately three months to assess the effectiveness of mitigating the impacts associated with the operation of the Expanded Parking Lot on neighboring properties and to ensure the intent of the revised conditions are being met.

Therefore, the City Council finds that there are no changed circumstances or new information, which were not known at the time the FEIR was certified, that would require the preparation of a subsequent EIR or major revisions to the FEIR pursuant to CEQA Guidelines Section 15162. In accordance with Section 15164 of

the State CEQA Guidelines, the City Council has independently reviewed and considered and hereby adopts this Addendum No. 1 to the FEIR.

RESOLUTION NO. 2014-XX
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

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posted from the right-of-way (PVDE) at the entrance to the campus. The size, exact location, and content of such notice shall be reviewed and approved by the Director at least 30-days prior to installation.

- 26) Prior to issuance of the Final Certificate of Occupancy for Phase Three, the applicant shall provide a detailed as-built Classroom Student Seat Plan. Such Plan shall substantially comply with the student seats depicted in Exhibit 4 of Appendix A of the Final EIR and shall not exceed a maximum of 655 student seats. An increase to the maximum number of student seats permitted herein shall be subject to review and approval by the City Council, at a duly noticed public hearing, and shall not result in new impacts or the intensification of impacts identified in the Final EIR, including but not limited to traffic, parking and noise.
- 27) Construction and grading activities within the public right-of-way shall be limited to the days and hours approved by the Director of Public Works at the time of permit issuance.
- 28) No on-site repair, maintenance, delivery of equipment and materials or vehicle idling shall occur before 7:00 a.m. or after 7:00 p.m. Monday through Saturday, nor on any Sunday or Federal holiday, unless otherwise specified in these Conditions of Approval or a Special Construction Permit is obtained from the City. Emergency repairs are exempt from this condition.
- 29) All construction activity shall not extend beyond the phasing plan identified in the Certified Environmental Impact Report described in Resolution No. 2010-41 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.

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Furthermore, the applicant shall prepare and submit a Haul Plan to the Public Works Department for review and approval prior to issuance of grading permits.

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

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

INDEMNIFICATION/INSURANCE

- 43) The owner of the property upon which the project is located shall hold harmless and indemnify 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 attorney fees or monetary judgments that the City becomes obligated to pay as a result of any claim, action or proceeding within the scope of this condition.

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

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

- (c) The limits of applicant's insurance shall apply separately to the project site.
- (d) Each insurance policy required by this condition shall be endorsed to state that coverage shall not be canceled except after 30-days prior written notice by first class mail has been given to City.
- (e) Each insurance policy required by this condition shall be endorsed to state that coverage shall not be materially modified except after 5-business days prior written notice by first class mail has been given to City.
- (f) Each insurance policy required by this condition shall expressly waive the insurer's right of subrogation against City and members of its City Council, boards and commissions, officers, employees, servants, attorneys, volunteers, and agents serving as independent contractors in the role of city or agency officials.
- (g) Copies of the endorsements and certificates required by this condition shall be provided to the City when the insurance is first obtained and with each renewal of the policy.
- (h) No activities involving field balls at the athletic field shall be permitted unless such general liability insurance policy is in effect and on file with the City.

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

PROJECT DESCRIPTION

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

total of 151,090 square feet of campus floor area, as outlined in the table shown below:

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

- 47) A Square Footage Certification prepared by a registered surveyor or engineer shall be submitted to the Community Development Director, prior to a framing inspection, indicating that the buildings, as identified in the condition herein, do not exceed the maximum permitted gross square footages (as measured from exterior walls).
- 48) A security/information booth shall be allowed to be constructed at the entry driveway, as depicted on the site plan approved by the City Council. This

structure shall not exceed 54 square feet and a maximum height of 10-feet, as measured from the lowest adjacent finished grade (935.50') to the highest roof ridgeline (945.50'). Architectural details, as shown on the project plans reviewed and approved by the City Council at its March 31, 2010 meeting (plans dated May 9, 2009), shall be allowed to exceed the maximum 10-foot height limit.

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

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

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

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

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

BUILDING DESIGN STANDARDS

- 53) Prior to the submittal of the Athletic Building plans into Plan Check, plans shall be submitted to the Director of Community Development to demonstrate that the portion of the Athletic Building that was allowed by the Planning Commission at 41-feet in height (elevation 938.75') has been reduced in height by a total of 10-feet from the height of the original Athletic Building so that the maximum roof ridgeline does not exceed an elevation of 930'. The Community Development Director shall determine that the revised Athletic Building is designed in compliance with the City Council's decision at its March 31, 2010 meeting.
- 54) The applicant shall submit an Architectural Materials Board for review and approval by the Community Development Director prior to issuance of building permits. The Materials Board shall identify, at a minimum, a sample of the proposed exterior building materials, roof tile materials, and paint colors for all new, expanded and modified structures. Such materials shall substantially comply with the materials called out on the project plans approved by the City Council on March 31, 2010 including, but not limited to, the use of stone veneer facades, stained wood trellises, cast-stone caps, stone veneer columns, and baked enamel aluminum windows with tinted glazing to name a few.
- 55) All new, expanded or modified buildings, including but not limited to the Athletic Building, the Library, the Student Union, and the Classroom buildings shall be finished in a muted earth-tone color, as deemed acceptable by the Community Development Director based on the review of the Materials Board.
- 56) The roof materials for all new, expanded or modified buildings with pitched roofs, including but not limited to the Library, Student Union, Athletic Building as revised per Condition No. 53, and Classrooms, shall be tile, consisting of a muted color, as deemed acceptable by the Community Development Director based on the review of the Materials Board. To the extent permitted by the City's Building Code, the material for all flat roofs shall be a color that is compatible with the color of the tiles used on the pitched roofs throughout the project, as deemed acceptable by the Community Development Director.
- 57) All trash enclosure areas shall be designed with walls six (6) feet in height with the capability of accommodating recycling bins. The enclosures shall be consistent with the overall building design theme in color and material, and shall include self-closing / self-latching gates. The enclosures shall integrate a solid roof cover to screen the bins from view from all public rights-of-way and surrounding properties. Trash enclosures shall be prohibited in all setback areas.

- 58) Mechanical equipment, vents or ducts shall not be placed on roofs unless approvals are obtained pursuant to Section 17.48.050 of the RPVMC regarding building heights and screening from view of all public rights-of-way and surrounding properties. This condition shall apply to all new and expanded project buildings, including but not limited to the Athletic Building, Student Union, and Library Building.
- 59) The storage of all goods, wares, merchandise, produce, janitorial supplies and other commodities shall be permanently housed in entirely enclosed structures, except when in transport.

CONSTRUCTION PHASING

- 60) This Facilities Expansion Plan approval shall remain valid as set forth below, and shall be constructed in no more than 3 phases totaling 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.
- d. All project buildings and improvements stated in these Conditions of Approval shall be completed in a total of three (3) years of construction activity and Certificates of Occupancy shall be issued within eight (8) years of the final decision of the project. All elements of the approved Facilities Plan that are not completed within the time period stated in this Condition shall require additional review and approval through an additional revision to Conditional Use Permit No. 9 and additional CEQA review if required.

TEMPORARY MODULAR BUILDINGS

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

- 65) The areas adjacent to the temporary modular buildings shall be landscaped to reasonably screen the buildings from Palos Verdes Drive East and properties to the south as deemed acceptable by the Community Development Director.
- 66) A building permit shall be obtained for applicable modular exterior improvements (e.g., decks, stairs, facade details, etc.) from the Department of Building and Safety.

GRADING

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

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

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

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

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

- 68) Should the project require removal or delivery of earth, rock or material other than demolition and construction debris and waste from the site or building materials, the applicant shall first obtain City approval in the form of a revised Conditional Use Permit and Grading Permit application. Said review shall evaluate potential impacts to the surrounding environment associated with such export or import. If the revised grading impacts results in impacts greater than those identified in the Certified EIR that cannot be mitigated to an insignificant level, a Supplemental EIR shall be prepared and reviewed by the City, at the expense of the applicant.
- 69) The grading plans shall identify the location of the building geologic setback line. Limited irrigation shall be allowed within the geologic setback area as reviewed and approved by the City geologist pursuant to Condition Nos. 79 and 171. All water runoff in this area shall be collected and diverted to the City approved drainage system for the project.
- 70) Recommendations made by the City Geologist, the City Engineer, and the Building and Safety Division during the ongoing review of the project shall be incorporated into the design and construction of the project.
- 71) Recommendations made by the project applicant's geologist, as modified by comments from the City's Geologist, shall be incorporated into the design and construction of the project.
- 72) Prior to issuance of any grading permit, the City's Geologist and Building Official shall review all applicable structural plans or design information and reports as deemed necessary by the City's Geologist, Building Official, or both, including but not limited to, geotechnical reports during the Plan Check review process to ensure that the proposed project will not threaten public health, safety, and welfare.
- 73) If applicable, as determined by the City Geologist, prior to the issuance of any grading permit, a bond, cash deposit, or combination thereof, shall be posted to cover costs for any geologic hazard abatement in an amount to be determined by the Director of Public Works. Said security shall be released after all grading

related activities are completed and after the approval of the as-built grading plans by the Building Official.

- 74) Prior to issuance of any grading permit or building permit in any phase, the applicant shall submit to the City a Certificate of Insurance demonstrating that the applicant or its applicable contractor has obtained a general liability insurance policy in an amount not less than \$5 million dollars per occurrence and in the aggregate to cover awards for any death, injury, loss or damage, arising out of the grading or construction of this project. Said insurance policy must be issued by an insurer that is authorized to do business in the State of California with a minimum rating of A-VII by Best's Insurance Guide or a rating of at least A by Standard & Poors. Such insurance shall name the City and 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-XX 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 retaining walls exceeding the permitted heights shall require the processing of a revised grading permit for review and approval by the City Council at a duly noticed public hearing as set forth in the provisions of the Municipal Code.

UTILITIES

- 94) Prior to issuance of the final inspection for the project grading, all new utilities exclusively serving the project site shall be placed underground including cable television, telephone, electrical, gas and water. All appropriate permits shall be obtained for any such installation. Cable television, if utilized, shall connect to the nearest trunk line at the applicant's expense.
- 95) No above ground utility structure cabinets, pipes, or valves shall be constructed within the public rights-of-way without prior approval of the Director of Public Works. If permitted, above ground utility structure cabinets, pipes, or valves shall not impede on the pedestrian circulation flow.
- 96) Use of satellite dish antenna(e) or any other antennae shall be controlled by the provisions set forth in the RPVMC. Centralized antennae shall be used rather than individual antennae for each building.
- 97) Prior to issuance of any building or grading permits, the applicant shall prepare sewer plans in accordance with the Countywide Sewer Maintenance District. The applicant shall be responsible for the transfer of sewer facilities to the Countywide Sewer Maintenance District for maintenance.
- 98) A sewer improvement plan shall be prepared as required by the Director of Public Works, Building Official, and the County of Los Angeles.

- 99) Prior to issuance of building or grading permits, the applicant shall submit to the Director of Public Works, a written statement from the County Sanitation District accepting any new facility design and/or any system upgrades with regard to existing trunk line sewers. Said approval shall state all conditions of approval, if any.
- 100) Prior to issuance of any final Certificate of Occupancy, if applicable, the applicant shall dedicate sewer easements to the City, subject to review and approval by the Community Development Director and the Director of Public Works with respect to the final locations and requirements of the sewer improvements.
- 101) Sewer Improvement plans shall be approved by the County of Los Angeles, the County Sanitation Districts, and the Director of Public Works.
- 102) A sewer connection fee shall be paid to the County Sanitation Districts of Los Angeles County prior to the issuance of a permit to connect to the sewer line.
- 103) Prior to the construction of any water facilities, the Director of Public Works shall review and approve the water improvement plan. Any water facilities that cannot be constructed below ground shall be located on the subject property and screened from view from any public rights-of-way, to the satisfaction of the Director of Public Works and the Community Development Director. In addition, an easement to California Water Service shall be dedicated prior to issuance of any grading or building permits.
- 104) The project site shall be served by adequately sized water system facilities that shall include fire hydrants of the size and type and location as determined by the Los Angeles County Fire Department. The water mains shall be of sufficient size to accommodate the total domestic and fire flows required for the development. Domestic flow requirements shall be determined by the City Engineer. Fire flow requirements shall be determined by the Los Angeles County Fire Department and evidence of approval by the Los Angeles County Fire Department is required prior to issuance of building permits.
- 105) Framing of structures shall not begin until after the Los Angeles County Fire Department has determined that there is adequate fire fighting water and access available to such structures.
- 106) The applicant shall file with the Director of Public Works an unqualified "will serve" statement from the purveyor serving the project site indicating that water service can be provided to meet the demands of the proposed development.

Said statement shall be dated no more than six months prior to the issuance of the building permits for the project. Should the applicant receive a qualified "will serve" statement from the purveyor, the City shall retain the right to require the applicant to use an alternative water source, subject to the review and approval of the City, or the City shall determine that the conditions of the project approval have not been satisfied.

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

HYDROLOGY AND WATER QUALITY

- 108) Prior to issuance of any grading permit, the applicant shall submit an updated Master Drainage Plan for the College campus and any adjacent tributary area, including supporting documents, for review and approval by the Director of Public Works, Building Official, and Geologist. The Plan shall demonstrate adequate storm protection from the design storm, under existing conditions, as well as after the construction of future drainage improvements by the City along Palos Verdes Drive East immediately abutting the project site. The updated Master Drainage Plan shall also include, but not be limited to, the items listed in the adopted Mitigation Monitoring and Reporting Program and the following:

- 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.

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 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.

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

PROGRAMS / STUDENT ENROLLMENT

139) The use of the College campus is permitted for only the following academic and recreational programs and related activities as further described below and defined in Condition 140:

- Traditional Degree Programs
- Non-Traditional Degree Programs
- Continuing Educational Programs, such as but not limited to English as a Second Language (ESL)
- Recreational Activities
- Summer Educational Programs, such as but not limited to:
 - Upward Bound
 - High School Courses
 - International Students Taking ESL courses

The use of the campus by groups or organizations unaffiliated with the College's educational and recreational programs listed above that would have less than 100 participants or visitors present on campus at one time or would occupy less than 20% of the 463 required parking spaces during such use is also allowed. Any and all other uses and activities on the College campus that do not meet this threshold are prohibited unless approved with a revision to this Conditional Use Permit or a Special Use Permit is obtained, whichever is applicable based on the request.

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

140) The College's "Traditional Degree Programs" are the academic programs (Associates and Bachelors degrees) that offer classes primarily during the day on weekdays (Monday to Friday). The College's "Non-Traditional Degree Programs" are the academic programs (Associates, Bachelors, and Masters degrees) that offer classes, including post-secondary academic classes, primarily during weekday evenings and on weekends (Saturday and Sunday), so as to generally avoid overlap with the class schedules of the Traditional Degree Programs. The Traditional and Non-Traditional Degree Programs are referred collectively as the "Degree Programs."

141) The College may also provide lifelong learning programs ("Continuing Education Programs") such as English as a second language (ESL). For the purposes of this Conditional Use Permit, all students in such Continuing Education Programs will be included as part of the total full-time and part-time permitted student

enrollment for both the Traditional and Non-Traditional Degree Programs. The determination as to which enrollment category such students are counted towards will be based on whether the applicable classes are primarily offered during the weekdays (in which case the students would be classified as part of the Traditional Degree Program enrollment) or nights/weekends (in which case they would be classified as part of the Non-Traditional Degree Program enrollment).

- 142) As used in this Conditional Use Permit, a "student" means either a "full-time student," who is a person enrolled in a Bachelor of Arts or Associates of Arts Degree Program or a Continuing Education Program on campus for at least 12 hours of course work during the applicable Term (as defined below), or a "part-time student," who is a person enrolled in a Bachelor of Arts or Associates of Arts Degree Program or Continuing Education Program on campus for at least 3 hours, but up to 11 hours, of course work during the applicable Term.
- 143) The campus facilities may also be used for "Summer Educational Programs." Summer Educational Programs are educational programs for persons generally 14 years or older such as college-credit classes for local high school students, Upward Bound, and international students taking ESL classes along with other educational classes and recreational activities. Persons enrolled in Summer Educational Programs are referred to in this CUP as "participants" for the purpose of establishing enrollment limitations.
- 144) The College may operate throughout the calendar year under the following general "Term" schedule: "Fall Term" (August through December), "Winter Term" (January), "Spring Term" (February to May) and "Summer Term" (June through July/August).

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

- 145) The following enrollment limitations apply:
 - A. The maximum total permitted enrollment in Traditional Degree Programs on campus during the Fall, Winter, and Spring Terms is 793 students (full-time and part-time). Of these 793 students, a maximum of 250 students shall be enrolled in a Bachelor of Arts degree program (BA Program). For the Summer Term, if other educational or recreational programs are concurrently offered during weekdays, the maximum total permitted

enrollment in Traditional Degree Programs must be proportionally reduced so that the combined enrollment in all such programs (e.g., Traditional Degree Programs and Summer Educational Programs) does not exceed a total of 600 students (full-time and part-time) and participants.

- B. The maximum total permitted enrollment in Non-Traditional Degree Programs on campus during any Term is 150 students.
 - C. The maximum total permitted enrollment in any combination of Traditional Degree Programs and Summer Educational Programs offered concurrently during summer weekdays (June to August) is 600 students and participants.
- 146) The College shall submit to the City an enrollment report for each Term within an academic year for all Traditional and Non-Traditional Degree Programs and Summer Educational Programs no later than 30-days after a term has commenced. Failure to submit such a report on a timely basis will constitute a violation punishable by administrative citation per the RPVMC.

NOISE / MECHANICAL EQUIPMENT

- 147) All new mechanical equipment, regardless of its location, shall be housed in enclosures designed to attenuate noise to a level of 65 dBA CNEL at the project site's property lines. Mechanical equipment for food service shall incorporate filtration systems to reduce exhaust odors.
- 148) Mechanical equipment shall be oriented away from any sensitive receptors such as neighboring residences, and where applicable, must be installed with any required acoustical shielding.
- 149) All hardscape surfaces, such as the parking area and walkways, shall be properly maintained and kept clear of trash and debris. The hours of maintenance of the project grounds shall be restricted to Mondays through Fridays from 7:00 a.m. to 5:00 p.m., and on Saturdays from 9:00 a.m. to 4:00 p.m. Said maintenance activities shall be prohibited on Sundays and Federal holidays listed in the RPVMC.
- 150) Noise levels resulting from on-campus activities (parking areas, athletic field, tennis courts, swimming pool, and outdoor gathering areas and plazas), including those allowed through the annual Special Use Permit, except for graduation ceremonies, shall not exceed 65 dba CNEL at all property lines. Within 6 months of completion 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 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

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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,

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and shall include the location of all light standards, planter boxes, directional signs and arrows. No more than 20% of the total parking spaces shall be in the form of compact spaces.

- 158) The applicant shall construct and maintain no fewer than 463 on-site parking spaces consisting of 391 standard parking spaces at a minimum dimension of 9' wide by 20' deep and a maximum 72 compact parking spaces at a minimum dimension of 8' wide by 15' deep. In addition, the applicant shall construct and maintain off-street loading spaces pursuant to the criteria set forth in Section 17.50.050 of the RPVMC.

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

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

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

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

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

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

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- 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 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

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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 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.

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

- 174) The applicant shall install and maintain a wrought iron fence, painted black, along the westerly edge of the property, between the northeast corner of the tennis courts and the detention basin, at a maximum height of 6-feet and 80% open to light and air, as permitted with the City Council's approval of the Minor Exception Permit, as part of planning case number ZON2003-00317. Said wrought iron fence shall be setback a minimum of 3-feet from the property line to allow this area to be landscaped, irrigated and maintained with approved plants, not to exceed 42-inches in height, as identified on the Landscape Plan. The installation of lighting onto said fence is prohibited.
- 175) The applicant shall install and maintain a retractable net at the south, north and west sides of the Athletic Field as depicted in Athletic Field Alternative D-2 and the plans dated December 2008 and January 2009. Said net, when extended, shall not exceed a height of 30-feet, as measured from the lowest adjacent grade (891') on the Athletic Field side. The Athletic Field net shall be extended at all times when the field is used for recreational activities involving balls and shall be lowered at the conclusion of the recreational activity. Recreational activities 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-XX ON APRIL 15, 2014)