



MEMORANDUM

TO: KEN RUKAVINA, PE, DIRECTOR OF COMMUNITY DEVELOPMENT

FROM: AMY SEERATY, SENIOR PLANNER

DATE: AUGUST 12, 2022

SUBJECT: SPECIAL USE PERMIT (CASE NO. PLSU2022-0003)
LAND OWNER: MARYMOUNT CALIFORNIA UNIVERSITY;
ADDRESS: 30800 PALOS VERDES DRIVE EAST

RECOMMENDATION

Approve a Special Use Permit application to allow one outdoor event in Cecilia Quad with amplified sound on Saturday August 20, 2022, from 3:30 pm to 8:00pm, subject to the Conditions of Approval contained in the attached Exhibit "A".

BACKGROUND

On June 1, 2010, Marymount California University (Marymount) received City Council approval for Conditional Use Permit (CUP) No. 9 – Revision "E" to permit certain physical and operational improvements to the campus. As a condition of CUP No. 9 – Revision "E", Marymount has submitted a Special Use Permit (SUP) prior to September 1 of each academic year to conduct up to 24 outdoor events with amplified sound throughout the University's academic year. The CUP limited such outdoor events to occur at Chapel Circle, the plazas adjacent to the library and the auditorium (Cecilia Quad), and the outdoor pool area (See Attachment B for map). The athletic field and tennis courts were only permitted to be used with amplified sound for graduation ceremonies and their bi-annual gala.

On April 15, 2014, the City Council adopted Resolution No. 2014-25, amending the CUP Conditions of Approval to address concerns relating to the operation of the expanded parking lot (also known as the East Parking Lot) as part of the six-month review. At that time, since the athletic field project was still being considered, the City Council amended Condition No. 136, which allows Marymount to conduct outdoor events with amplified sound through the approval of a SUP, to allow the University to use the East Parking Lot (also known as the West Cecilia Parking lot) for graduation ceremonies and gala until the athletic field is constructed. Being that the athletic field project was withdrawn on September 8, 2015, Condition No. 136 still allowed the East Parking Lot to be used for graduation ceremonies and the annual gala.

Since the 2010 CUP revisions, a SUP has been processed annually by Planning Staff for up to 24 outdoor events with amplified sound, subject to conditions of approval, with the most recent SUP being approved on August 13, 2021.

Additionally, from February 2021 to April 2022, Marymount had been pursuing an acquisition by Saint Leo University, a Catholic university based in Florida. However, on April 22, 2022, Marymount announced publicly that the merger had fallen through, and that the Marymount Board of Trustees had voted to close the university. The property is currently for sale.

On July 20, 2022, a SUP (Case No. PLSU2022-0003) application was submitted to the Community Development Department requesting approval to hold an outdoor farewell event on August 20, 2022. Staff deemed the application complete for processing on July 25, 2022.

On July 25, 2022, a public notice was mailed to all property owners within a 500-foot radius of the subject site, adjacent Homeowner's Associations, and to listserv subscribers. Staff received no public comments in response to the public notice.

SITE DESCRIPTION

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

PROJECT DESCRIPTION

Marymount proposes to hold an outdoor farewell event for alumni and staff in Cecilia Quad, with amplified sound, on August 20, 2022, from 3:30 p.m. to 8:00 p.m., to allow for sunset viewing. As stated above, Cecilia Quad is the plaza area adjacent to the library and the auditorium. The location is shown on the map of the campus (Exhibit B) and in the excerpt of the map below, labeled as Figure 1 below. This will be the last public event hosted by the University.

Figure 1



CODE CONSIDERATIONS AND ANALYSIS

Pursuant to Rancho Palos Verdes Municipal Code (RPVMC) §17.62.020(A), temporary use of land involving the erection of temporary structures such as fences, booths and tents, or other outdoor activities, require the review and approval of a Special Use Permit application subject to the following criteria:

1. That the site is adequate in size and shape to accommodate the proposed special use.

The subject property is approximately 26 acres in size and contains a variety of approved locations where the proposed outdoor events with amplified sound may be held. The proposed farewell event is proposed to take place in the Cecilia Quad, which is one of the approved locations per the CUP. Marymount expects approximately 200 attendees at any one time, but it is an open house, so attendees may come and go.

The parking area north of the Cecilia Quad and the tennis courts will serve as a buffer between the location of the event and the neighboring properties to the north and east along San Ramon Drive. In addition, the distance between the neighboring properties and the proposed event will be approximately 100 feet which will help buffer and mitigate adverse impacts to these properties. In terms of parking, adequate on-site parking is available, as there are 457

parking spaces onsite. Staff feels that with appropriate conditions of approval, the overall campus site is of adequate size and shape to accommodate the special event.

Additionally, because of the COVID-19 pandemic, staff has proposed an additional condition that will require any of the proposed events to comply with the most current Los Angeles County Department of Public Health (LACDPH) guidelines as well as any California Department of Public Health (CDPH) restrictions.

Given the above discussion, this criterion can be met.

2. That the proposed special use would not adversely interfere with existing uses on the subject property; and would not impede or adversely impact pedestrian access ways and/or vehicular circulation patterns.

The proposed events will not adversely interfere with the existing uses of the subject property as the subject property is no longer conducting educational instruction and associated uses. Additionally, this is Marymount's final event, before the university is formally closed and the property is sold. The proposed event is during a Saturday afternoon and evening, and so will not impact weekday commuting traffic. Additionally, the event is an open house, so all attendees will not be arriving at the same time which would have the potential to create traffic, but rather will likely arrive sporadically over the 4.5 hours of the event.

Furthermore, past graduation events have involved over 2,000 attendees onsite, so the proposed approximately 200 maximum attendees will not adversely impact pedestrian access ways and/or vehicular circulation patterns. Staff believes that with adequate conditions, the proposed outdoor events with amplified sound will not adversely impact pedestrian and vehicular patterns, and thus this criterion can be met.

3. That the proposed special use would not result in a significant adverse effect on adjacent property.

The proposed special events will have minimal impacts on adjacent properties with the implementation of appropriate conditions, as discussed below.

Noise

Although the proposed event is scheduled for a Saturday evening, which was typically considered to be the more sensitive times of the week, because the surrounding residents are more likely to be at home, this proposed small event will only have approximately 200 attendees onsite at any one time, thereby minimizing impacts. Additionally, as conditioned, the speakers for the amplified sound are not permitted to be directed toward the residences to mitigate potential noise impacts. Furthermore, the Cecilia Quad areas are largely sheltered with buildings that assist in minimizing the noise to these properties. Therefore, staff has determined that this event will not result in significant adverse impacts to the neighboring properties that are directly adjacent to the campus.

Staff believes that due to the physical layout, the location of the proposed event in relation to the surrounding properties; and the results from a noise monitoring study conducted in 2002, which resulted in a positive feedback report from the noise consultant indicating that the maximum decibels emitted from the special event at any given time was 54 decibels; the proposed event, as conditioned, will not result in significant adverse impacts to neighboring properties. Therefore, this criterion can be met.

4. That by requiring certain safeguards as conditions of approval, the proposed special use would not be detrimental to the public health, safety and welfare.

The proposed event is temporary in nature. Conditions of approval have been added to ensure that no significant impacts occur to adjacent properties, and to ensure that if the events proceed, they comply with LACDPH and CDPH COVID-19 restrictions. The conditions include orientation of speakers to minimize noise impacts, location of the event. The conditions of approval are intended to minimize impacts to neighboring properties and to ensure that residents are not continuously adversely impacted over the span of several years. Based on the proposed conditions and the temporary nature of the proposed event, staff believes that the events will not be detrimental to the public health, safety, and welfare, and as conditioned, this criterion can be met.

ADDITIONAL INFORMATION

Public Comments

Staff received no correspondence as result of the public notice.

CEQA Compliance

Staff has determined that the proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), under Article 19, Section 15304(e) of the California *Guidelines for Implementation of the CEQA*. This project has been determined not to have a significant impact on the environment because it consists of a temporary use of the land including amplified sound.

RPVMC §17.62.060 requires that the Director make a decision regarding a Special Use Permit application no later than 30 days after the application for the Special Use Permit is deemed complete. As the application was deemed complete on July 25, 2022, the decision deadline is August 24, 2022.

CONCLUSION

Based upon the discussion above, staff recommends that the Director of Community Development approve a Special Use Permit application to allow one outdoor event in Cecilia Quad with amplified sound on Saturday August 20, 2022, from 3:30 pm to 8:00pm, subject to the Conditions of Approval contained in the attached Exhibit "A".

Approved pursuant to staff's recommendation:



Date: 08/12/2022

Ken Rukavina, PE
Director of Community Development

ATTACHMENTS

- Exhibit A – Conditions of Approval
- Exhibit B – Site Map

Exhibit A
Conditions of Approval
Case No. PLSU2022-0003
(Special Use Permit)
Marymount California University

General

1. The Applicant/property owner shall submit to the City a statement in writing that they have read, understand and agree to all conditions of approval listed below. Failure to provide said written statement within ten (10) days of the effective date of approval or prior to conducting the first event, whichever occurs first, shall render this approval null and void.
2. The Applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures) (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project.
3. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the RPVMC shall apply.
4. Pursuant to RPVMC §17.78.040, the Director of Community Development is authorized to make minor modifications to this approval and any of the conditions of approval if such modifications will achieve substantially the same results as would strict compliance with this approval and conditions. Substantial changes to this approval shall be considered a revision and require further approval by the final body that approved the original application, which may require new and separate environmental review and public notification.
5. Failure to comply with and adhere to all of these conditions of approval may be cause to revoke the approval of the project pursuant to the revocation procedures contained in RPVMC § 17.86.060 or administrative citations as described in RPVMC § 1.16. The Community Development Department Staff will be allowed to visit the site, before, on, and after the date of the event to verify compliance with these conditions.
6. The location, date, and time for the single approved special event is Cecilia Quad, on Saturday August 20, 2022, from 3:30 p.m. to 8:00 p.m.

Marymount California University Special Use Permit

August 12, 2022

Page 8 of 8

7. Any change to the proposed date and time of the special event shall be subject to the review and approval by the Director of Community Development.
8. All sound amplification equipment (e.g., speakers) used at any event shall be oriented away from adjacent residential areas.
9. Any structures erected for the proposed event shall be removed within 48 hours of the conclusion of the City-approved event. All grounds shall be kept clear of trash and debris, and adequate trash receptacles shall be put in place to ensure that that trash and debris generated from the proposed event does not end up on neighboring properties.
10. The City may revoke, without incurring any liability to the permittee whatsoever, this Special Use Permit at any time, if the City Manager or the Director of Community Development determine the event is adversely affecting the public health, safety, and welfare, or is being conducted contrary to the permit conditions of approval. The City will generally provide notification of a violation with direction to the Applicant to correct the violation. However, the City shall not be obligated to provide such notification, particularly when imminent health and safety issues involved.
11. The proposed event shall comply with the most current Los Angeles County Department of Public Health (LACDPH) and the California Department of Public Health (CDPH) restrictions regarding COVID-19.

MARYMOUNT CALIFORNIA UNIVERSITY

