

**MEMORANDUM**

**TO:** HONORABLE MAYOR & CITY COUNCIL MEMBERS  
**FROM:** JOEL ROJAS, AICP, COMMUNITY DEVELOPMENT DIRECTOR   
**DATE:** APRIL 1, 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 Mhramian, 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 thereby taking the following actions:

- 1) Requiring the installation of a 6-foot tall vinyl fence along the eastern and northern perimeter of the East Parking Lot and a 5-foot tall vinyl fence along the campus garden that parallels the City-owned San Ramon Reserve (Marymount partially agrees to this condition),
- 2) Requiring a noise study be conducted after installation of the new vinyl fence and when classes are in session during the fall 2014 term (Marymount agrees to this condition);
- 3) Reducing the permitted hours the parking lot can be used and the types of vehicles that can park in the parking lot (Marymount partially agrees to this condition);
- 4) Requiring shields be placed on the six light fixtures attached to the three eastern most 10-foot tall parking lot light standards, limiting the parking lot light bulbs to 1700 lumens per bulb (current lumens), and requiring the light standards to be turned off at 9:00 pm (Marymount agrees to this condition);

- 5) Requiring additional trash receptacles with lids and “no smoking” and “no littering” signs be installed in the East Parking Lot (Marymount agrees to this condition);
- 6) Prohibiting outdoor programs and gatherings within the 80-foot parking lot buffer zone and limiting the location of the outdoor garden to the footprint of the original parking lot approved by the City Council in 2010 (Marymount agrees to this condition);
- 7) Clarifying the wording for the Building Geologic Setback condition (Marymount agrees to this condition);
- 8) Allowing graduation ceremonies with amplified sound to occur in the East Parking Lot until an athletic field is constructed on site (Marymount agrees to this condition); and,
- 9) Conducting an additional review six months from April 1, 2014 to review the effectiveness of the added conditions of approval (Marymount agrees to this condition).

## **BACKGROUND**

Pursuant to Condition No. 18 of the Facilities Expansion Project CUP, the City Council is to conduct a 6-month review of the applicant’s compliance with and adequacy of the conditions of approval with regard to the East Parking Lot. The purpose of the 6-month review is to provide the City Council, Staff, Marymount, and the public an opportunity to review the “real-life” operation of the project and to make any necessary adjustments to the conditions of approval to address impacts that were not anticipated during the entitlement process.

On February 18, 2014, the City Council opened the public hearing on the 6-month review of the East Parking Lot operation and received testimony from 8 members of the public including representatives from Marymount California University (see attached minutes). At that meeting, Marymount requested a continuance of the public hearing to allow additional time to address Staff’s recommendations. In response, the Council continued the public hearing to tonight’s meeting.

Shortly after the February 18<sup>th</sup> City Council meeting, Staff resumed working with Marymount to address the recommendations that Staff put forward regarding the neighbors’ concerns with the operation of the East Parking Lot. Based on input from Marymount, some of the neighbors, and additional site visits, Staff has modified some of its original recommendations as discussed later in this Staff Report.

As a reference for the Council’s use, attached is the complete February 18<sup>th</sup> City Council Staff Report with attachments that discusses in detail the concerns raised by the public and the rationale behind Staff’s original recommendations (see attachment). Additionally, attached to the February 18<sup>th</sup> Staff Report is the public correspondence the City received between August 2013 and February 18, 2014. Public correspondence received since the February 18<sup>th</sup> meeting is attached to this Staff Report under a separate heading.

## DISCUSSION

Pursuant to Condition No. 18 of Marymount's CUP, the City Council has the ability to add, delete or modify any Conditions of Approval demonstrated by the information presented herein and at the public hearing to address any impacts resulting from the operation of the parking lot. Staff's recommended amendments to the Conditions of Approval to address unforeseen impacts from the parking lot have been updated since the February 18<sup>th</sup> City Council meeting to reflect subsequent discussions with Marymount and some of the adjacent neighbors. The proposed condition amendments are described below.

### 1. Visual and Privacy Impacts

As previously reported, the residents downslope from Marymount are able to see the parking lot from their properties, particularly their back yards, and the activities associated with its operation, such as vehicle movements, headlights, and students congregating to name a few. As described in the attached February 18<sup>th</sup> Staff Report, Staff was recommending installation of 6-foot high vinyl fence along with an 8-foot high hedge to mitigate these impacts. Based on discussions with Marymount, some of the neighbors, and additional site visits, Staff is now recommending that a new 6-foot fence, without a hedge, be installed along the perimeter of the East Parking Lot, as well as a 5-foot high vinyl fence along the proposed campus garden that parallels the City-owned San Ramon Reserve property line as shown in the attached exhibit (see attachment) as described below:

#### FENCES, WALLS, AND HEDGES CONDITION NO. 173

By May 1, 2014, the applicant shall construct install a 6-foot tall vinyl screening wall fence finished in an earth tone color along the College's eastern property line 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, as depicted on the approved site plan, beginning at the southwest corner property line for Lot 26 (2742 San Ramon Drive / Tooley property). 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.

This proposed change is accepted by Marymount and the adjacent property owner (Marc Harris and Erin Hughes) at 2750 San Ramon Drive (Staff was unable to successfully contact Mr. Tooley at 2742 San Ramon Drive despite emails to him with updates on this fencing matter). However, Staff and Marymount were unable to come to an agreement on the height of the vinyl fence along the parking lot. Marymount is proposing that the fence height be at 5 feet, while Staff is recommending that the fence height be at 6 feet. In order

to determine what the appropriate height of the fence should be, Staff, with the assistance of Marymount, used story poles to depict the height of the fence at both 5-feet and 6-feet (see attached photo exhibits). The story poles were erected at various locations along the perimeter of the East Parking Lot and Staff assessed the degree of screening from two properties on San Ramon Drive. Staff also assessed the screening from the parking lot. Based on this exercise, it is Staff's opinion that the fence at 6-feet in height will better screen views of vehicles parked on the lower terrace, as well as the upper terrace of the parking lot. Additionally, a 6-foot fence would screen more of the parking lot lighting from the downslope properties than a 5-foot screen.

As for the 8-foot hedge recommended in the February 18<sup>th</sup> Staff Report, Staff would like to first assess the screening achieved with the 6-foot vinyl fence, and if additional screening is needed, Staff will ask the Council to reconsider the addition of an 8-foot hedge at the subsequent review three months from tonight's meeting.

## 2. Noise Impacts

As discussed in the attached February 18<sup>th</sup> Staff Report, in order to aid in attenuating noise impacts, Staff recommends, and Marymount accepts, that Condition No. 150 be amended to require that Marymount conduct a noise study after the new vinyl fencing identified in modified Condition No. 173 discussed above is installed when classes are in session during the fall 2014 term (but before the follow-up 6-month review discussed later in this report) as described below:

### A) NOISE/MECHANICAL EQUIPMENT CONDITION NO. 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, the College Marymount shall provide the City with sound test reports prepared by a certified noise consultant that is 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. The College 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.

In order to minimize noise and disturbances to adjoining neighbors, Staff recommends that Condition No. 160 be modified to place additional restrictions on the hours the parking lot can be used, as well as restrictions on the type of vehicles that can be parked there, as described below:

B) PARKING CONDITION NO. 160

Parking in at the lower terrace of the Eastern Parking Lot as shown in the plan in the area marked on the site plan reviewed and approved by the City Council at its March 31, 2010 April 17, 2012 meeting shall be prohibited between 7:00 p.m. and 7:00 a.m. During this period, this portion of the parking lot must shall be closed off with the use of an automated arm a chain or other similar devise to prevent cars vehicles from parking or accessing this area 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, 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. No parking of any vehicles shall be permitted in the parking lot on weekends and federally observed holidays.

Marymount does not agree with this condition as they would prefer to be allowed to voluntarily prohibit said vehicles from parking in the lot as they do not want to lose all ability to park vehicles in this lot should circumstances beyond their control warrant it.

3. Lighting Impacts

As discussed in the attached February 18<sup>th</sup> Staff Report, in addition to the vinyl screening fence along the eastern and northern perimeter of the parking lot as discussed earlier that will further minimize the impacts of the parking lot lights, Staff recommends, and Marymount accepts, that Condition No. 152 be amended so that the total current amount of visible light emitted by each parking lot light bulb (1700 lumens) is not increased in the future, shields be installed around the six fixtures on the three-eastern 10-foot tall light standards, and the parking lot lights be turned off at 9:00 pm (with the exception of the pedestrian and perimeter bollard lights for security and safety purposes). These proposed recommendations are shown as amendments to Condition Nos. 152 and 156 as described below:

LIGHTING CONDITION NO. 152

Parking and Security lighting shall be kept to minimum safety standards and shall conform to City requirements. Fixtures shall be shielded, By May 1, 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; and light bulbs shall not emit more than 1700 lumens. A trial period of thirty (30) days from the installation of all the project exterior lighting, including building and parking lot 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.

#### LIGHTING CONDITION NO. 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.

#### 4. Smoking and Littering

As discussed in the February 18<sup>th</sup> City Council Staff Report, Staff recommends, and Marymount accepts, amending Condition Nos. 128 and 180 requiring that Marymount install a minimum of five trash receptacles with lids and “No Smoking” and “No Littering” signs in the parking lot in order to minimize student related smoking and littering at the parking lot as described below:

#### SOURCE REDUCTION AND RECYCLING CONDITION NO. 128

The project site design shall incorporate areas for collection of solid waste with adequate space for separate collection of recyclables.

By May 1, 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.

#### SIGNS CONDITION NO. 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 College 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 May 1, 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.

5. Outdoor Programs and Group Gatherings

Soon after the expanded parking lot was completed, Marymount developed a campus garden program (referred to as the GROW project) in the unimproved area between the parking lot and the property line adjacent to 2750 San Ramon Drive. According to Marymount, the campus garden provides an opportunity to use plants to screen the parking lot from the properties at 2742 and 2750 San Ramon Drive while providing an educational opportunity to Marymount's students and the community on sustainable and low water gardens that benefit local charities. Staff recognizes the benefits that such a program may have on the students and local charities, and although the 2010 Conditions of Approval do not explicitly prohibit a campus garden in its current location, the campus garden is partially located within an area that was intended by the City Council in 2010 to be a buffer zone to minimize impacts to the adjoining properties, as stated in Landscape Condition No. 171, as well as partially located within an unbuilt parking area approved by the City Council in 2010.

In light of neighbors' letters expressing the concern that the campus garden is too close to their properties (particularly 2742 and 2750 San Ramon Drive) and will adversely impact their properties in terms of noise, privacy, and litter, Staff believes the campus garden, as well as other campus related activities and gatherings, should not be located within the original 80-foot parking lot buffer zone established by the City Council on March 31, 2010. However, Staff can support the campus garden in the location of the unconstructed parking lot footprint approved by the City Council in June 2010. It should be noted that this recommendation differs from the February 18<sup>th</sup> recommendation that prohibited the campus garden entirely in this area. This change in the recommendation primarily comes after discussions with the neighbor (2750 San Ramon Drive) adjacent to and most directly impacted by the campus garden who supports Staff's current recommendation provided that the vinyl screening fence, recommended earlier and memorialized in Condition No. 173, is installed and that the 80-foot buffer zone is established with landscaping. Staff also recommends that the use of the campus garden be prohibited between sunset and sunrise, similar to other campus-wide locations

Based on the above, Staff recommends, and Marymount accepts, amending Condition No. 131 establishing the 80-foot buffer zone with landscaping and limiting the campus garden to the unconstructed parking lot footprint approved by the City Council in 2010 as described below:

OPERATIONAL CONDITION NO. 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 May 1, 2014, the 80-foot setback area as measured from the property line with 2742 and 2750 San Ramon Drive extending towards the northern edge of the East Parking Lot, as depicted on the landscape plans approved by the City Council on April 1, 2014, shall be landscaped, as deemed acceptable by the Community Development Director, and established as a buffer zone. Said landscaped buffer zone shall not be used for any formal or informal school or other group activities, group congregation or a viewing area by either 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 screening fence parallel to the rear property line of 2750 San Ramon Drive and a 5-foot high vinyl screening fence parallel to the City-owned San Ramon Reserve property line as required by Condition No. 173.

#### Other Condition Issues to Address

In addition to the above, Staff recommends amending Condition No. 79 to further clarify the improvements permitted within the Building Geologic Setback Area and Condition No. 136 to allow graduation ceremonies to occur at the East Parking Lot as described below.

#### 1. Building Geologic Setback Area Wording

As discussed in the February 18<sup>th</sup> City Council Staff Report, Condition No. 79 required the applicant, prior to the issuance of a grading permit for the parking lot, to record a restricted use covenant that prohibits development within the designated Building Geologic Setback Area as depicted in the applicant's geotechnical reports. The covenant was recorded in November 2012. It has come to Staff's attention that the language of Condition No. 79 is somewhat inconsistent with the City Council's 2010 approval that allowed a parking lot and site improvements (including the existing sports courts) within the designated Building Geologic Setback Area but not "primary occupancy buildings". As such, the City Attorney recommends, and Marymount accepts, amending this condition as follows to more accurately reflect the 2010 Council-approved Project Plan and the 2012 City Council approved parking lot.

#### GRADING CONDITION NO. 79

Prior to the issuance of any grading permit, the applicant shall record 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 to the satisfaction of the City Attorney and the City Geologist,

~~that prohibits the development of buildings or other structures and improvements for primary occupancy is prohibited~~ within the designated Building Geologic Setback Area ~~as described in the applicant's geotechnical reports and as depicted on the site and grading plans.~~ 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 irrigation 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.

## 2. Graduation Ceremonies

As discussed in the February 18<sup>th</sup> City Council Staff Report, Marymount requests that that East Parking Lot be used for Graduation ceremonies since the new athletic field has not been constructed which was the site where Marymount originally envisioned graduation ceremonies would occur. As such, Staff recommends, and Marymount accepts, amending Condition No. 136 allowing the East Parking Lot to be used only for graduation ceremonies with amplified sound and only until the construction of an athletic field has been completed as described in the amended condition below.

### OPERATIONAL CONDITION NO. 136

The use of outdoor amplification equipment for outdoor events shall be prohibited unless a Special Use Permit is obtained. Prior to September 1<sup>st</sup> 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 31<sup>st</sup>) 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 may only be used with amplified sound; for graduation ceremonies provided, however, graduation ceremonies 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.

### Follow-up Review of Amended Conditions of Approval

Pursuant to Condition No. 18, the City Council may require subsequent reviews as deemed appropriate. Given the proposed amendments to the Conditions of Approval discussed herein, Staff recommends that the City Council require that an additional review be conducted within six months of April 1, 2014 in order to review the effectiveness of the amended conditions and revise them as necessary. This recommendation slightly differs from the February 18<sup>th</sup> Staff Report that recommended a three month review because

three months from April 1<sup>st</sup> will be during the summer when the University is not operating at full capacity.

### **ADDITIONAL INFORMATION**

#### **Public Notification of Tonight's Meeting**

On January 30, 2014, the original February 18<sup>th</sup> City Council public hearing on the Council's 6-month review of the Parking Lot Expansion project was publicly noticed to property owners within a 500-foot radius, all interested parties, and published in the *Peninsula News*. Furthermore, the City's website, under the Marymount homepage, was updated to include information regarding tonight's meeting and a list-serve message was sent to Marymount subscribers.

Although the public hearing was opened on February 18<sup>th</sup> and formally continued to tonight's meeting, on March 17, 2014, City Staff issued a courtesy reminder to list-serve subscribers announcing tonight's meeting and the Council's continued discussion on the 6-month review of the Parking Lot Expansion Project.

#### **Public Comments**

Public comments letters received by the City since the February 18, 2014 meeting is attached. As previously reported, attached to the February 18<sup>th</sup> Staff Report are the public comment letters the City began receiving on the operation of the expanded parking lot as early as August 2013. The discussion section of this report and the February 18<sup>th</sup> Staff Report address the concerns expressed in these comment letters.

### **CONCLUSION**

Based on the foregoing discussion, Staff recommends that the City Council amend the Conditions of Approval adopted by the City Council on June 1, 2010 under Resolution No. 2010-42 to address concerns relating to the operation of the expanded parking lot project and conduct an additional review six months from April 1, 2014 to review the effectiveness of the added conditions of approval.

### **ALTERNATIVES**

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

1. Identify additional concerns with the operation of the parking and direct Staff to gather more information and continue to the public hearing to a date certain;
2. Modify Staff's recommended amendments to the Conditions of Approval; and,
3. Reject Staff's recommended amendments to the Conditions of Approval.

## **ATTACHMENTS**

- A. Draft Resolution No. 2014-XX
  - Exhibit “A” – Addendum No. 1
  - Exhibit “B” – Conditions of Approval
- B. Marymount’s Parking Lot Fence and Landscape Plan (March 25, 2014)
- C. Photo Exhibits
- D. February 18, 2014 City Council Meeting Minutes (Excerpt)
- E. Public Comments Letters (post February 18<sup>th</sup>)
- F. February 18, 2014 City Council Staff Report with the following attachments
  - Draft Resolution No. 2014-XX
    - Exhibit “A” – Addendum No. 1
    - Exhibit “B” – Conditions of Approval
  - Parking Lot Expansion Project Plans
  - Public Comment Letters

## **Attachment A**

**Draft Resolution No. 2014-XX  
Exhibit “A” – Addendum No. 1  
Exhibit “B” – Conditions of Approval**

**Marymount California University  
6-Month Review of the  
Expanded Parking Lot Project**

**April 1, 2014  
City Council Meeting**

## 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 MARYMOUNT 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 1, 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 alter or diminish the spirit and intent of the original project approved by the City Council in 2010 because the project design and amenities, including the degree programs, will not be changed. Furthermore, the proposed amendments 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") attached herein 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 continued its consideration of 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 the 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 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.

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 Addendums, 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 in that the proposed amendments do not involve adjustments to the approved grading quantities.

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 Addendums, 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 Addendums, 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 Addendums, 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 1<sup>st</sup> 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 1, 2014.

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2014-XX  
EXHIBIT "A"  
ADDENDUM NO. 1  
FINAL ENVIRONMENT IMPACT REPORT  
APRIL 1, 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 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 and limiting the operational hours of the parking lot to further mitigate impacts on adjacent properties. Having reviewed the amendments, the City Council is of the opinion that the revisions to the respective conditions will not alter nor diminish the spirit and intent of the original project approved by the City Council in 2010 nor the reconfiguration of the Expanded Parking Lot, as a Minor Modification, approved by the City Council on April 17, 2012. The proposed revisions will not result in any significant change 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. 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 1, 2014)**  
ZON2003-00317 (Conditional Use Permit No. 9 Revision 'E',  
Grading Permit, Variance, and Minor Exception Permit)

---

**GENERAL CONDITIONS**

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

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

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

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

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

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

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

## GENERAL CONSTRUCTION CONDITIONS

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

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

- 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:

| <b>Building</b>  | <b>Total Existing Building (SF)</b> | <b>Proposed Building Demolition (SF)</b> | <b>Proposed Building Addition (SF)</b> | <b>Total Building (SF)</b> |
|--|-------------------------------------|--|--|----------------------------|
| <b>Existing Buildings</b>  |                                     |  |  |                            |
| 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                      |
| <b>Buildings to be Removed</b>                                   |                                     |  |  |                            |
| 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                          |
| <b>Subtotal Existing Buildings</b>                               | <b>92,268</b>                       | <b>(18,022)</b>                          | <b>14,916</b>                          | <b>89,162</b>              |
| Library  |                                     |  | 26,710                                 | 26,710                     |
| Maintenance  |                                     |  | 1,975                                  | 1,975                      |
| Athletic Building  |                                     |  | 33,243                                 | 33,243                     |
| <b>Subtotal New Buildings</b>                                    |                                     |  | <b>61,928</b>                          | <b>61,928</b>              |
| <b>Total Square Footage</b>                                      |                                     |  | <b>76,844</b>                          | <b>151,090</b>             |
| 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 ridge line (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 30<sup>th</sup> 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.

Resolution No. 2014-XX  
Exhibit B  
Page 14 of 41

- 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

Resolution No. 2014-XX  
Exhibit B  
Page 16 of 41

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 1, 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 Recorders 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 May 1, 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.

**(AMENDED PER RESOLUTION NO. 2014-XX ON APRIL 1, 2014)**

## **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 May 1, 2014, the 80-foot setback area as measured from the property line with 2742 and 2750 San Ramon Drive extending towards the northern edge of the East Parking Lot, as depicted on the landscape plans approved by the City Council on April 1, 2014, shall be landscaped, as deemed acceptable by the Community Development Director, and established as a buffer zone. Said landscaped buffer zone shall not be used for any formal or informal school or other group activities, group congregation or a viewing area by either 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 screening fence parallel to the rear property line of 2750 San Ramon Drive and a 5-foot high vinyl screening fence parallel to the City-owned San Ramon Reserve property line as required by Condition No. 173.

**(AMENDED PER RESOLUTION NO. 2014-XX ON APRIL 1, 2014)**

- 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 1<sup>st</sup> 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 31<sup>st</sup>) 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 with amplified sound may be held on the East Parking Lot and existing tennis courts until the construction of an athletic field on this site has been completed.

**(AMENDED PER RESOLUTION NO. 2014-XX ON APRIL 1, 2014)**

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

**PROGRAMS / STUDENT ENROLLMENT**

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

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

**(AMENDED PER RESOLUTION NO. 2014-XX ON APRIL 1, 2014)**

## **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).

Resolution No. 2014-XX  
Exhibit B  
Page 32 of 41

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 May 1, 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; and light bulbs shall not emit more than 1700 lumens. A trial period of thirty (30) days from the installation of all the project exterior lighting, including building and parking lot 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.

**(AMENDED PER RESOLUTION NO. 2014-XX ON APRIL 1, 2014)**

- 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.

**(AMENDED PER RESOLUTION NO. 2014-XX ON APRIL 1, 2014)**

**PARKING**

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

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

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

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

- Provision of "carpool only" parking spaces
- 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

Resolution No. 2014-XX  
Exhibit B  
Page 34 of 41

- 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 1<sup>st</sup> of every year. Said Program shall:

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

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

**(AMENDED PER RESOLUTION NO. 2014-XX ON APRIL 1, 2014)**

- 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

Resolution No. 2014-XX

Exhibit B

Page 36 of 41

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

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

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

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

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

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

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

171) The area between the eastern parking lot and the property line (adjacent to the City-owned San Ramon Reserve) depicted on the approved site plan shall be landscaped with native plants that require little to no irrigation, as deemed acceptable by the City Geologist. Such landscaping shall be reviewed and approved by the Fire Department prior to planting for fuel modification compliance. Such plants shall not exceed a height of 42-inches, unless the

Resolution No. 2014-XX

Exhibit B

Page 38 of 41

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 May 1, 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 1, 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

Resolution No. 2014-XX

Exhibit B

Page 39 of 41

(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 May 1, 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.

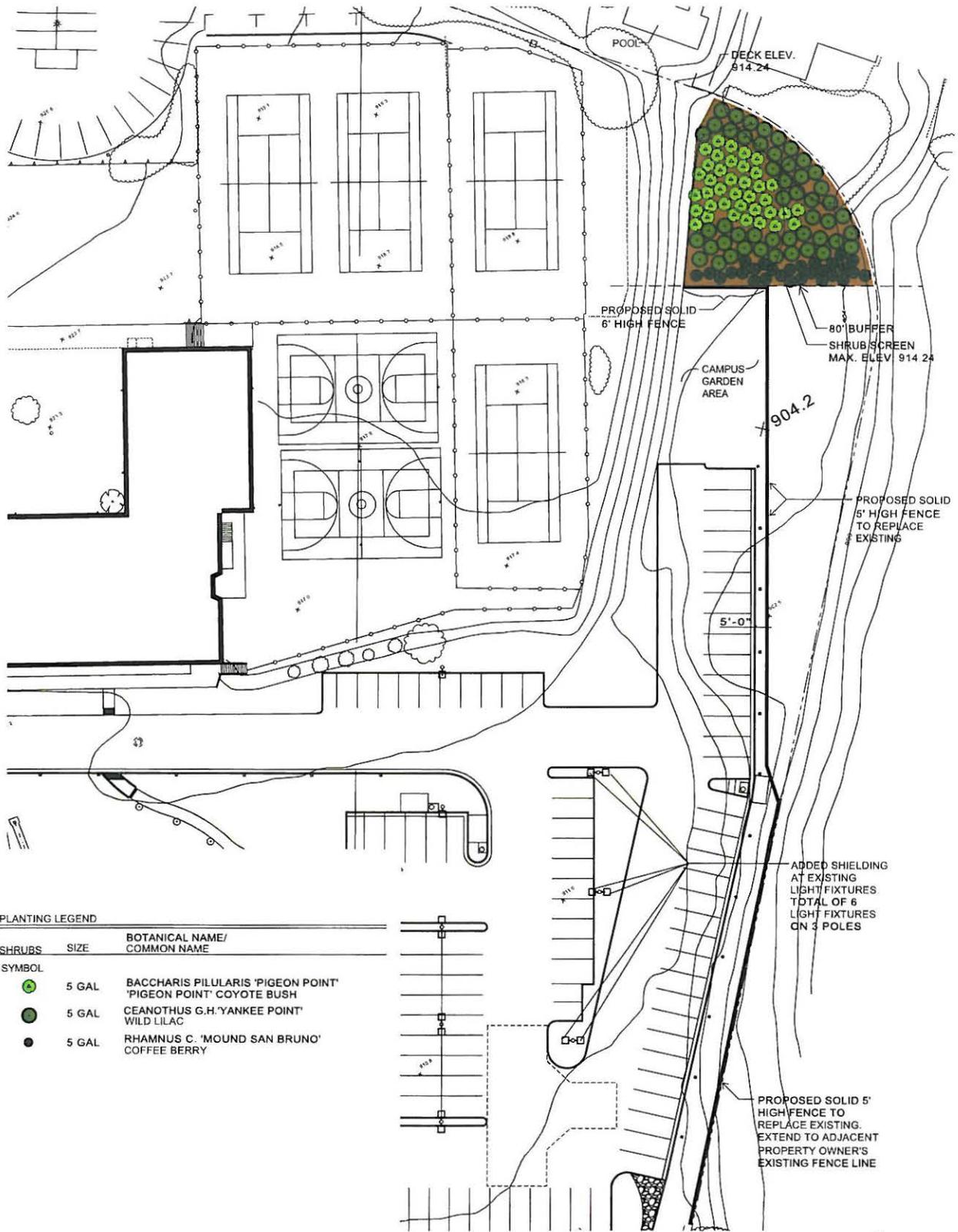
**(AMENDED PER RESOLUTION NO. 2014-XX ON APRIL 1, 2014)**

**Attachment B**

**Marymount's  
Parking Lot and Landscape Plan  
March 25,2014**

**Marymount California University  
6-Month Review of the  
Expanded Parking Lot Project**

**April 1, 2014  
City Council Meeting**

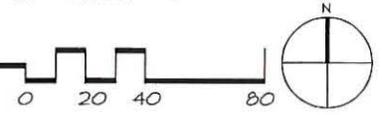


PLANTING LEGEND

| SHRUBS | SIZE  | BOTANICAL NAME/<br>COMMON NAME                                   |
|--------|-------|--|
| ●      | 5 GAL | BACCHARIS PILULARIS 'PIGEON POINT'<br>'PIGEON POINT' COYOTE BUSH |
| ●      | 5 GAL | CEANOTHUS G.H. 'YANKEE POINT'<br>WILD LILAC                      |
| ●      | 5 GAL | RHAMNUS C. 'MOUND SAN BRUNO'<br>COFFEE BERRY                     |

EXHIBIT I - SCREEN PLANTING

SCALE 1" : 40'-0"



JORDAN, GILBERT & BAIN  
LANDSCAPE ARCHITECTS, INC.

3350 LOMA VISTA ROAD, VENTURA CA 93003  
(805) 642-3641 FAX (805) 642-9614

MARYMOUNT COLLEGE  
30800 PALOS VERDES DRIVE EAST  
RANCHO PALOS VERDES, CALIFORNIA

DATE: MARCH 25, 2014

SHEET 1 OF 1

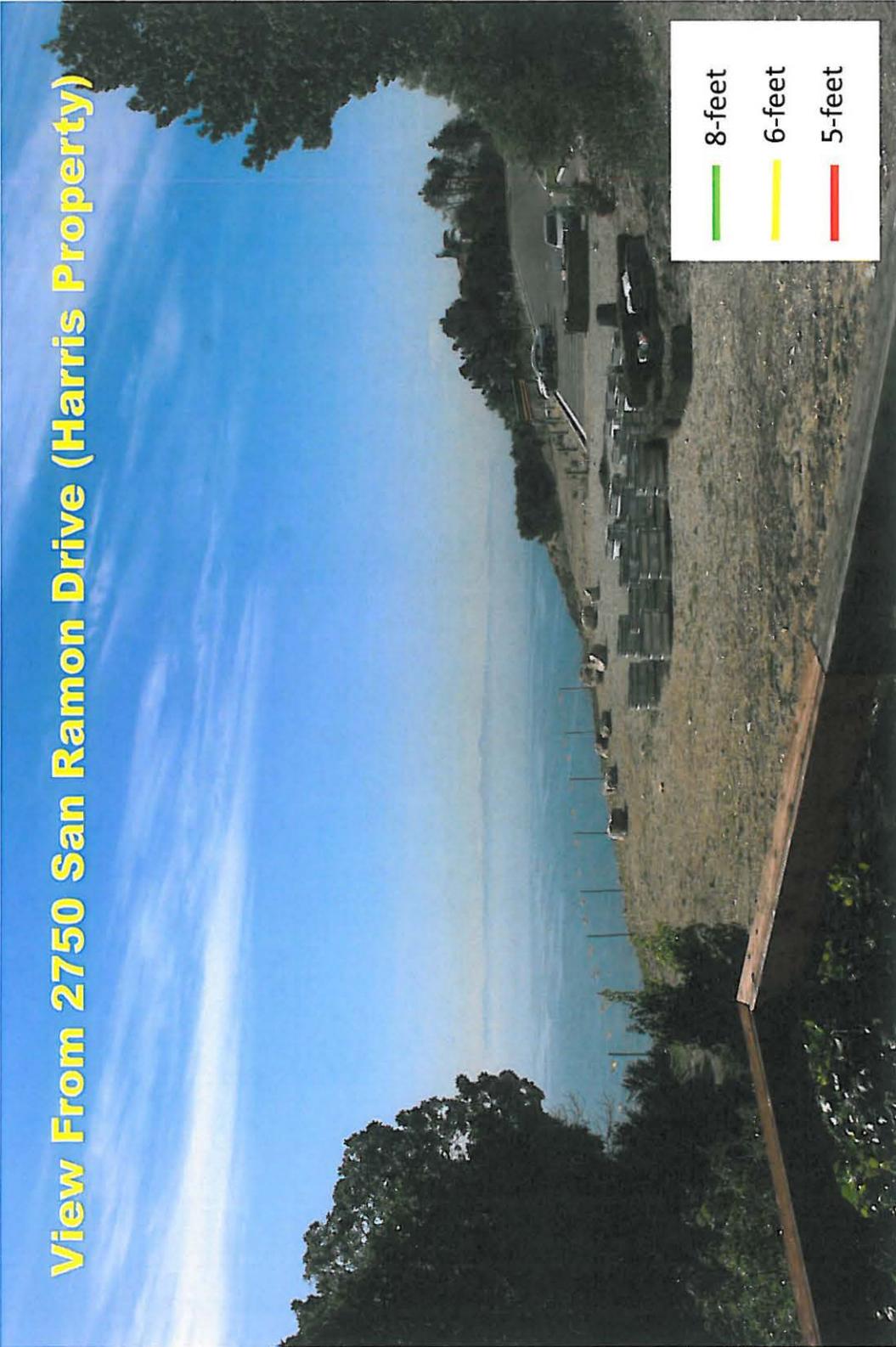
# **Attachment C**

## **Photo Exhibits**

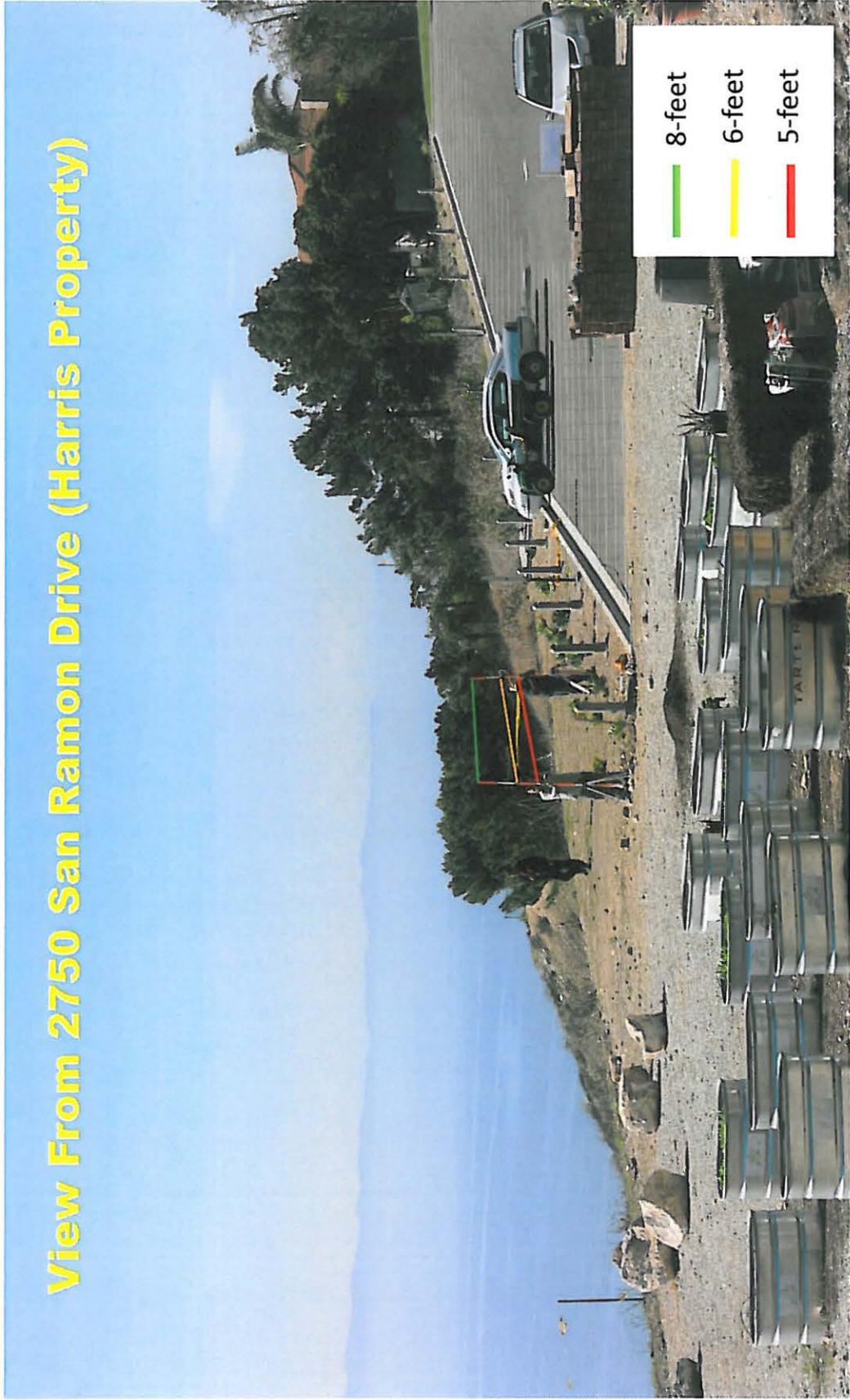
### **Marymount California University 6-Month Review of the Expanded Parking Lot Project**

**April 1, 2014  
City Council Meeting**

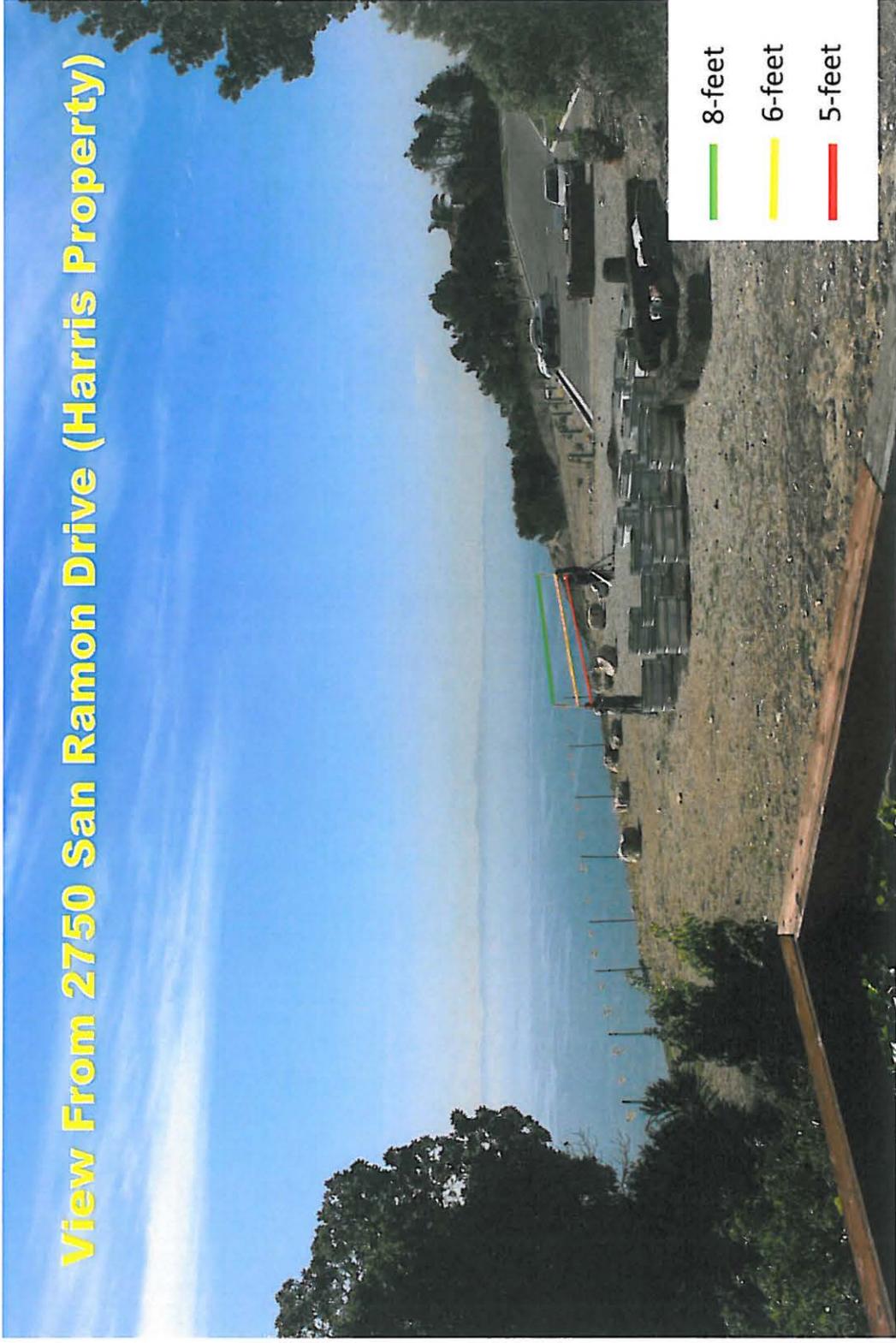
**View From 2750 San Ramon Drive (Harris Property)**



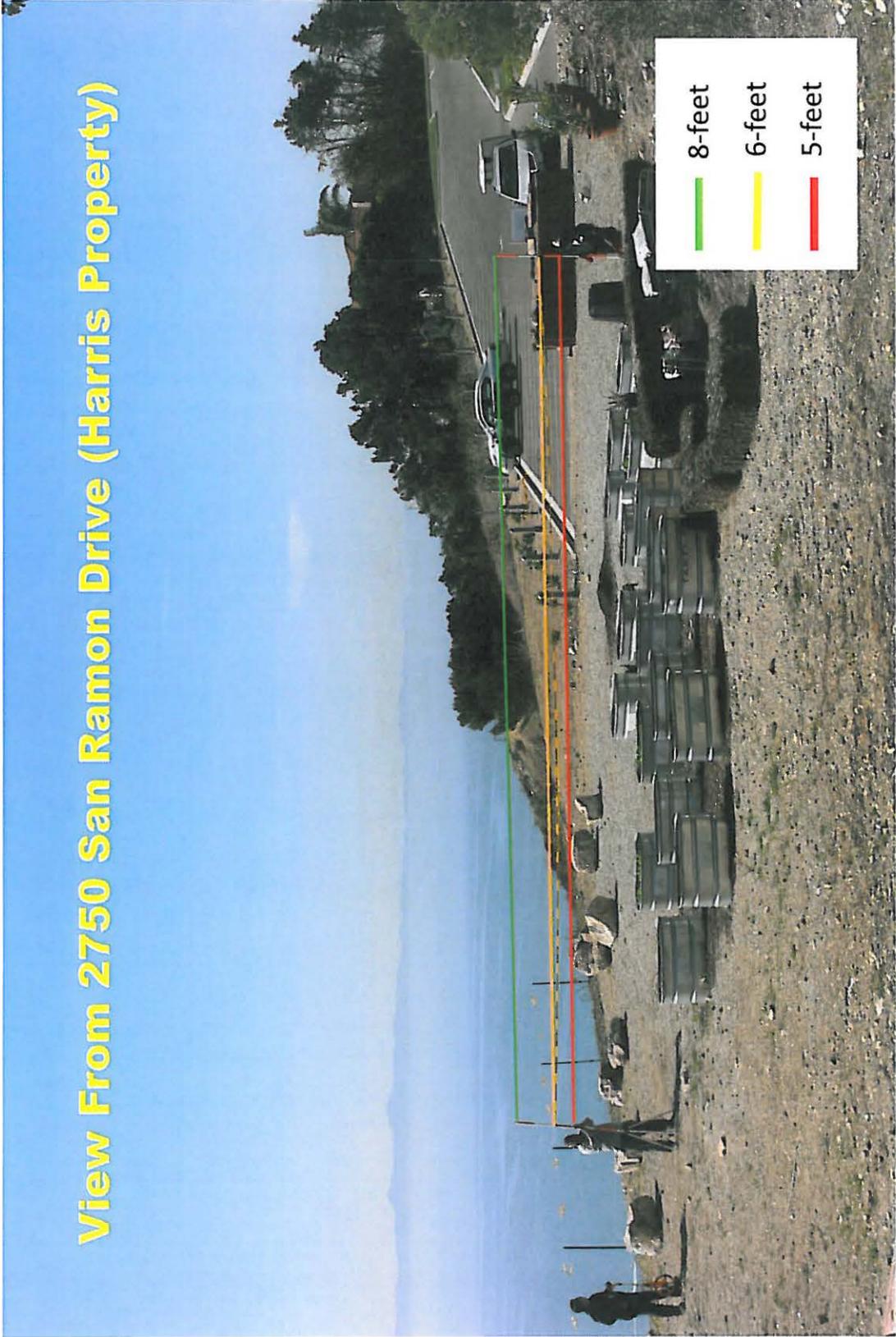
# View From 2750 San Ramon Drive (Harris Property)

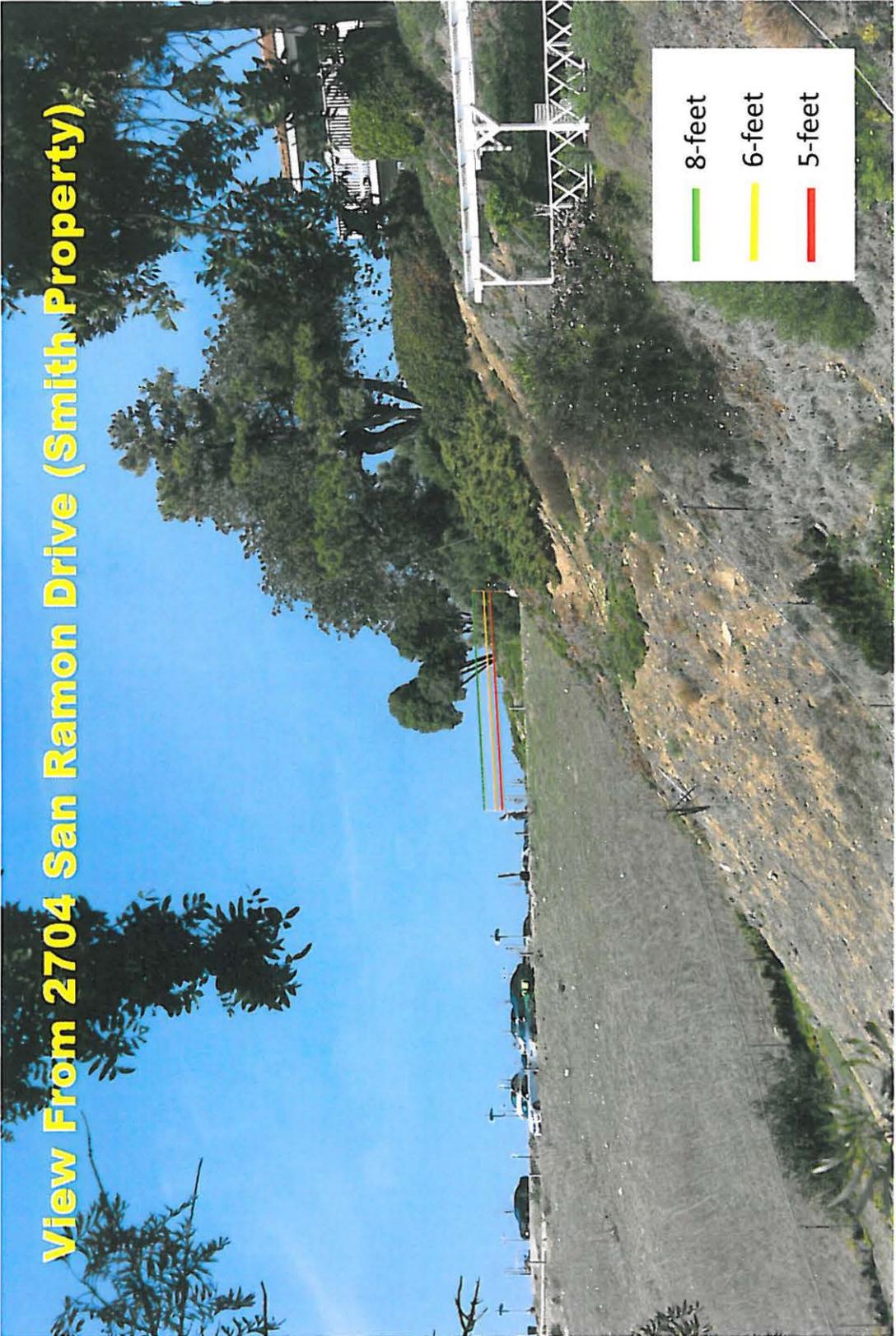


# View From 2750 San Ramon Drive (Harris Property)



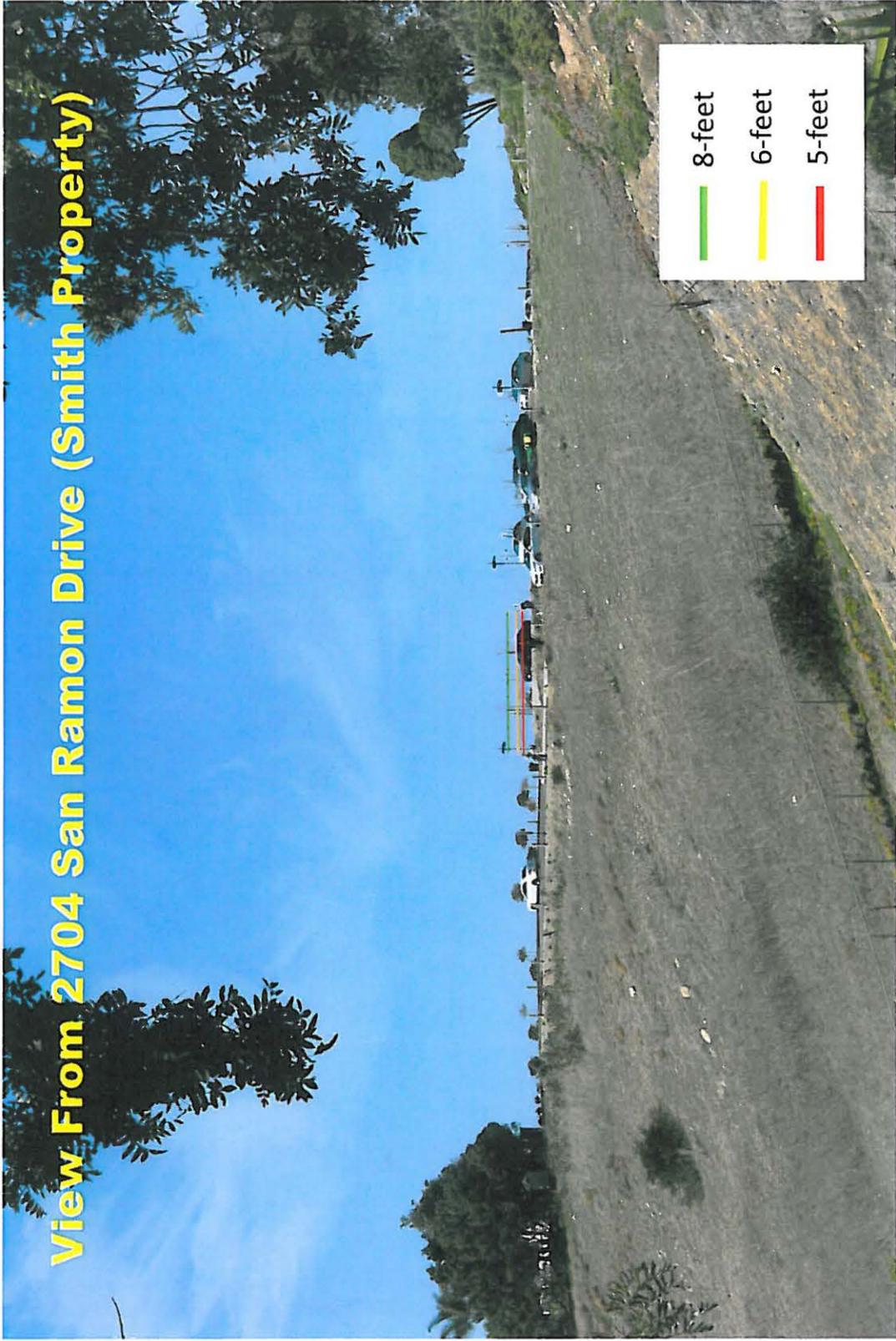
# View From 2750 San Ramon Drive (Harris Property)



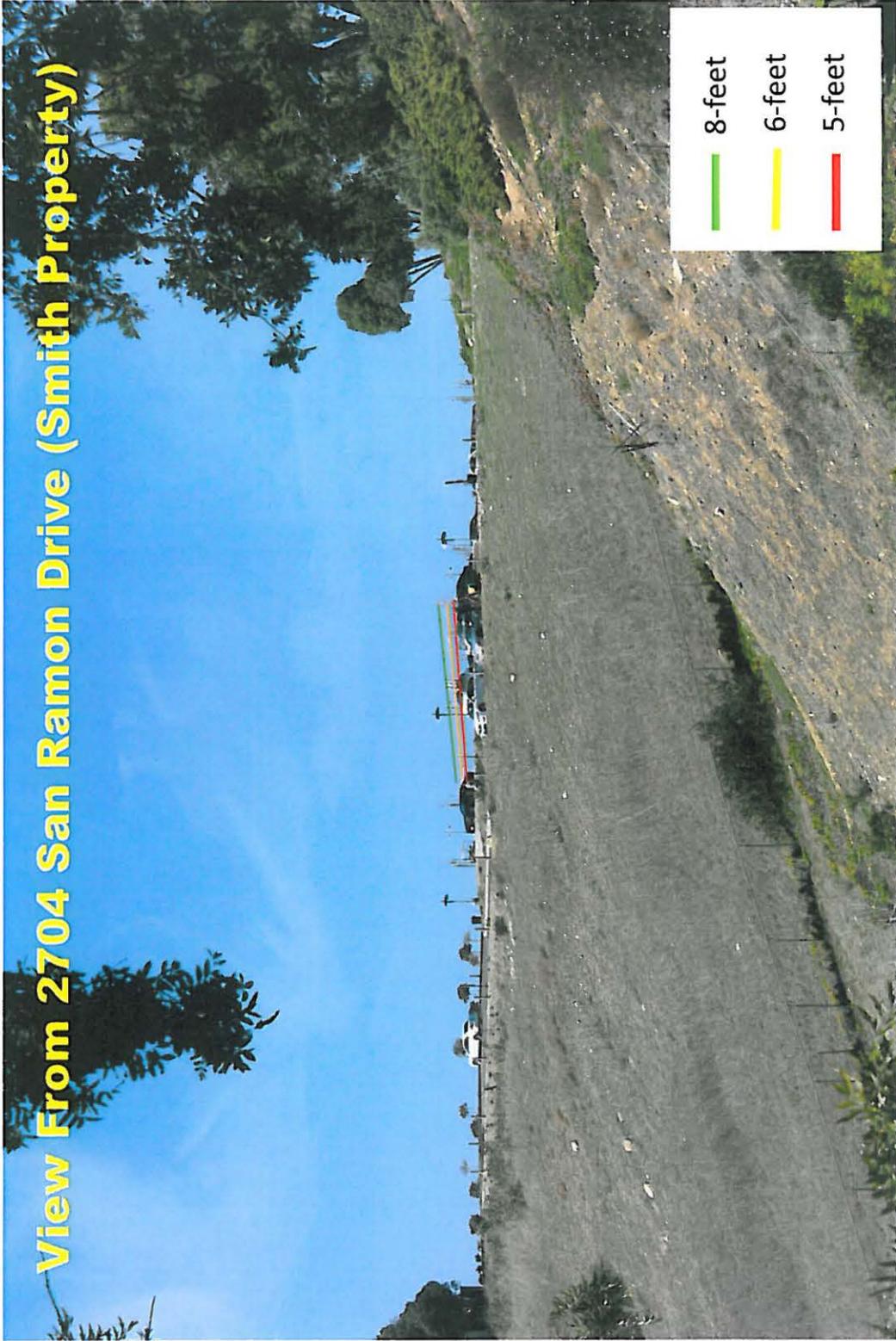


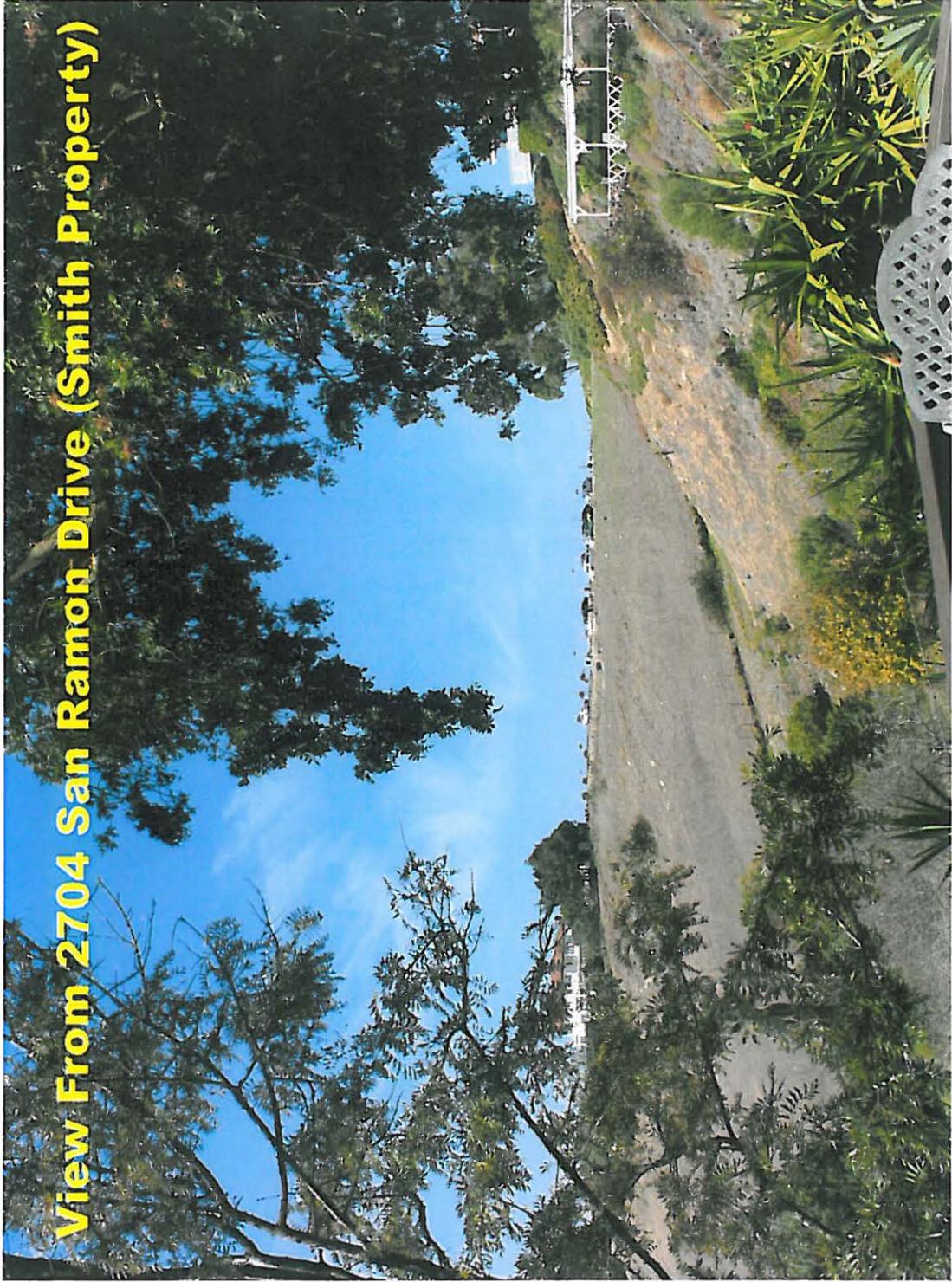
**View From 2704 San Ramon Drive (Smith Property)**

**View From 2704 San Ramon Drive (Smith Property)**



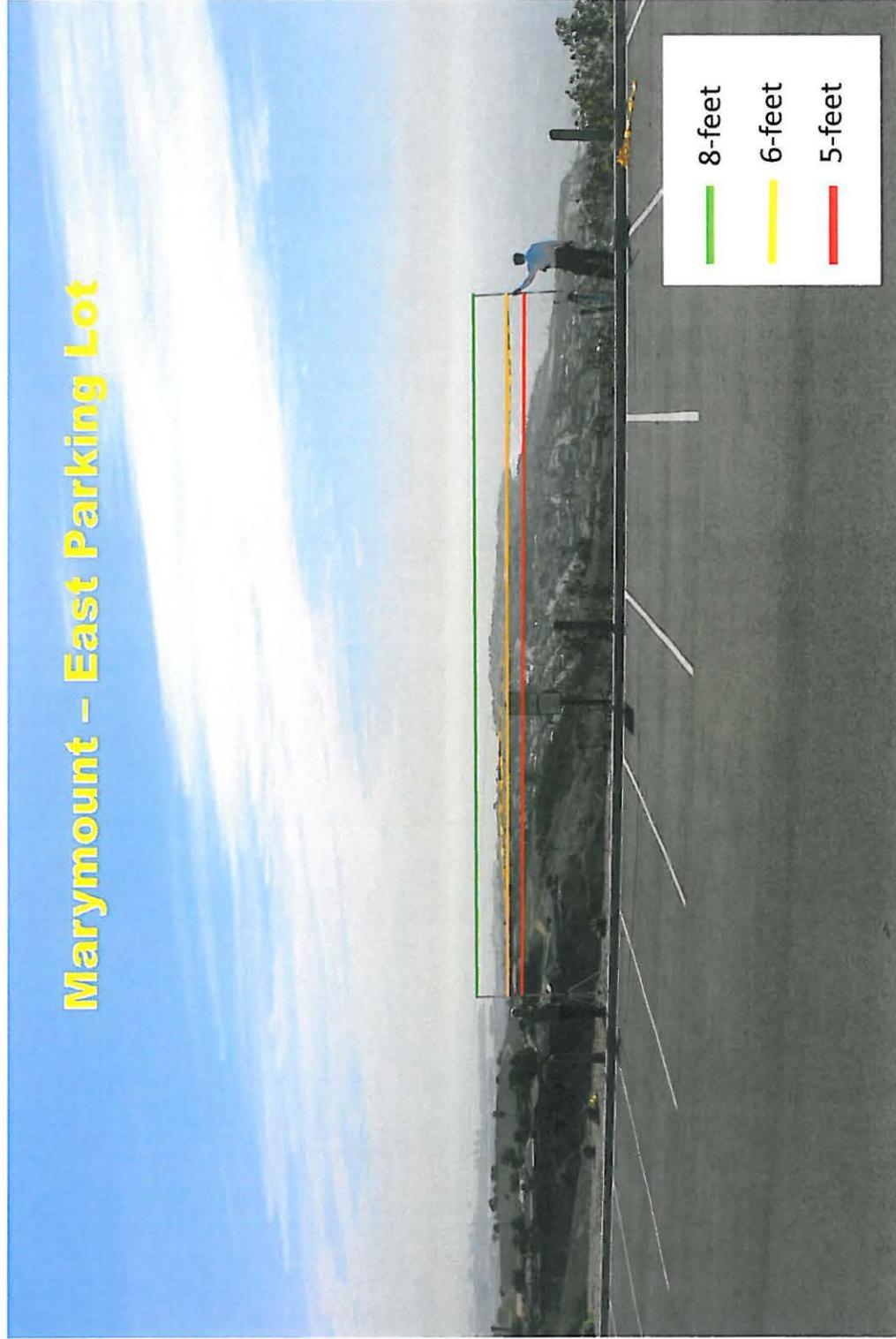
**View From 2704 San Ramon Drive (Smith Property)**



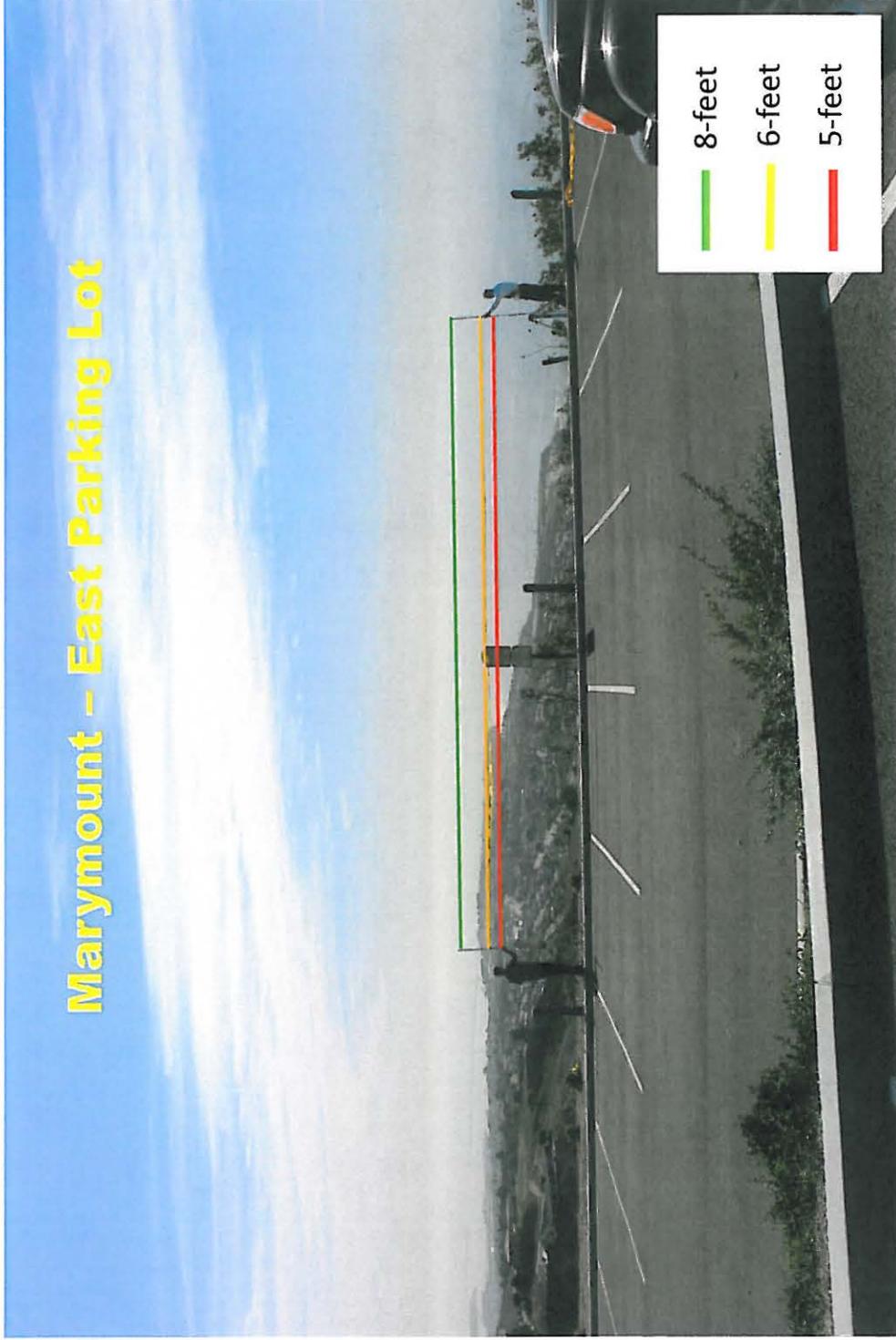


**View From 2704 San Ramon Drive (Smith Property)**

# Marymount – East Parking Lot



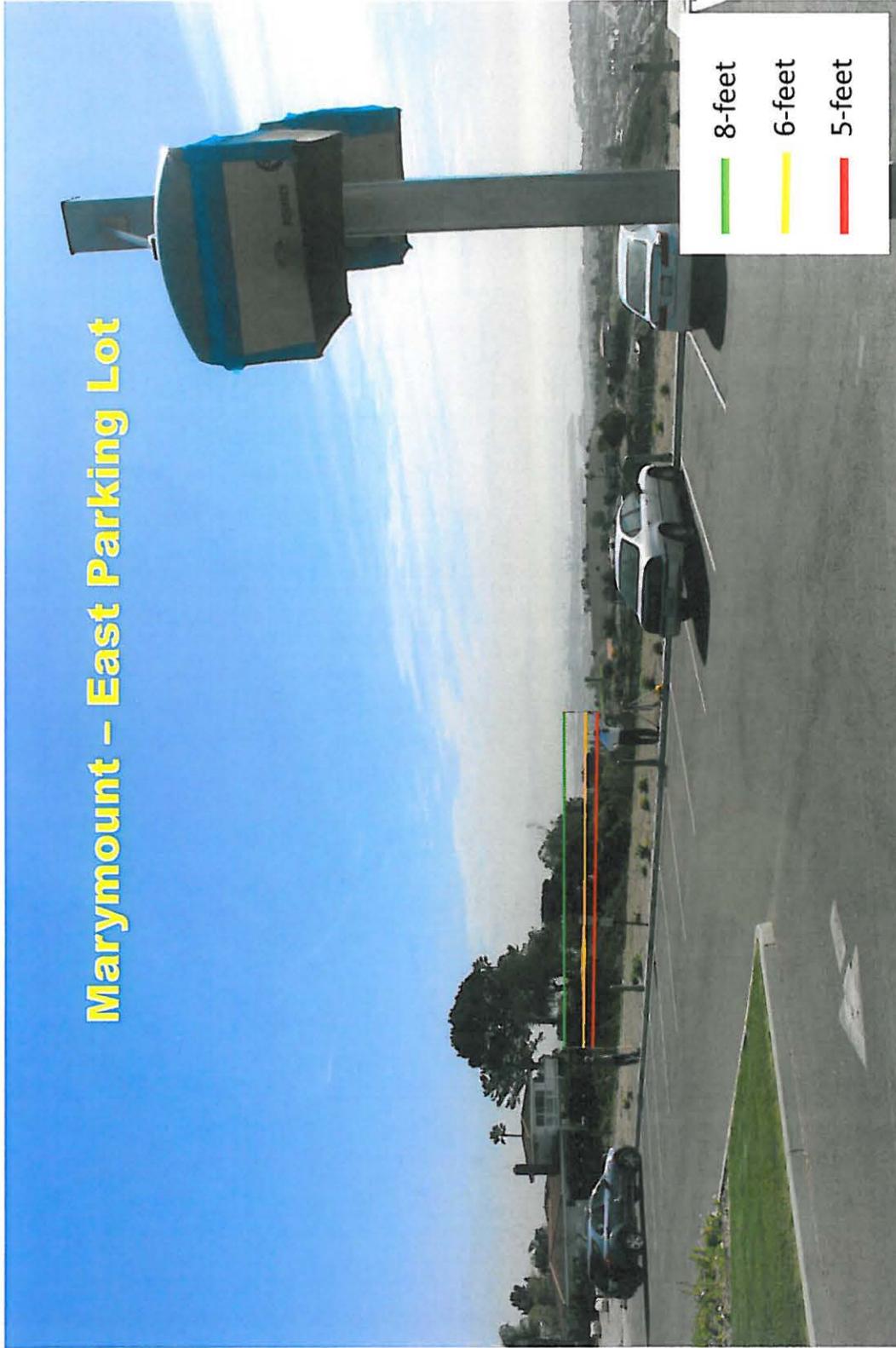
# Marymount – East Parking Lot



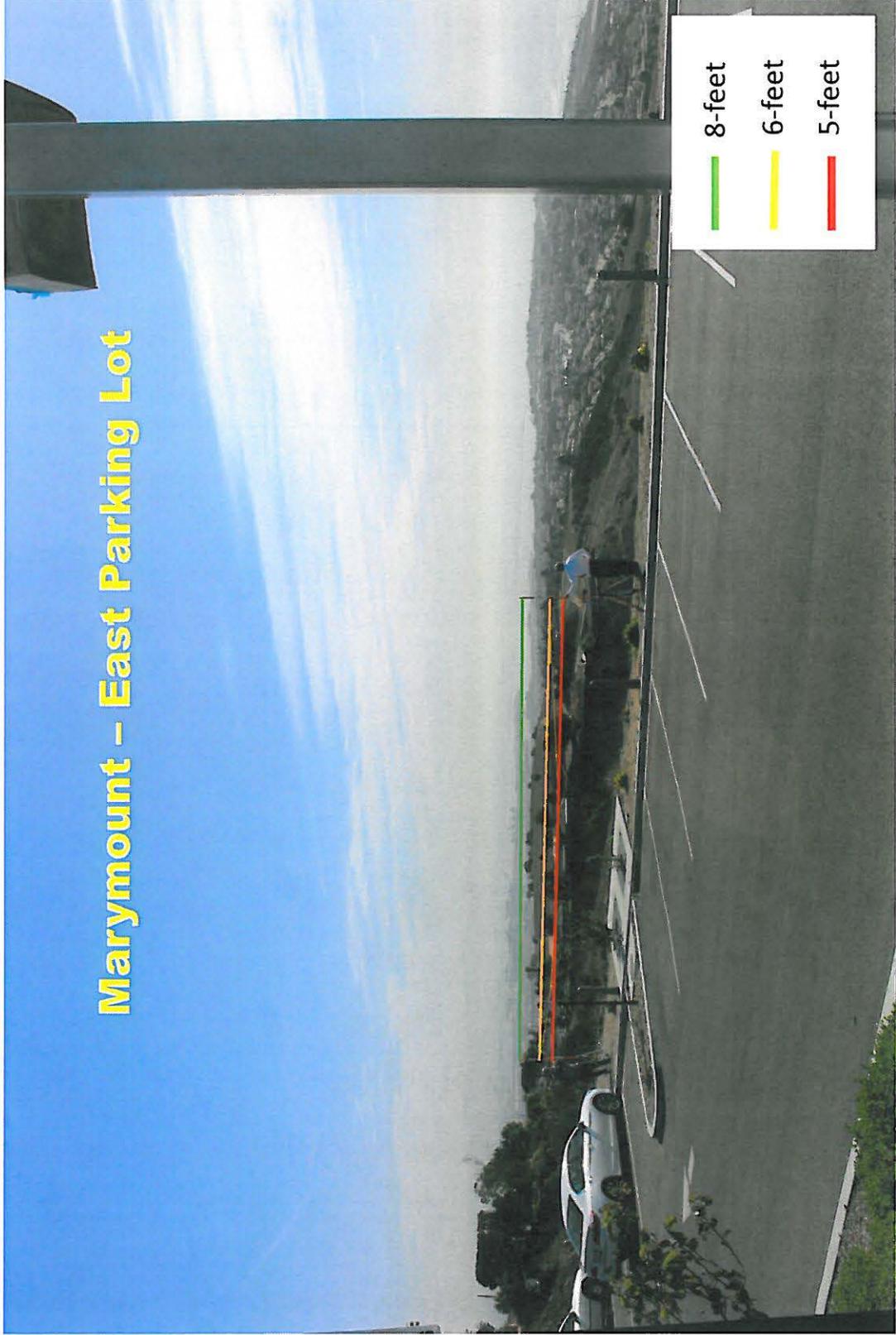
# Marymount – East Parking Lot



# Marymount – East Parking Lot



# Marymount – East Parking Lot



## **Attachment D**

### **February 18, 2014 City Council Meeting Minutes Excerpt**

### **Marymount California University 6-Month Review of the Expanded Parking Lot Project**

**April 1, 2014  
City Council Meeting**

Associate Planner Kim provided a brief staff report regarding this item.

City Clerk Morreale reported that there were two requests to speak on this item.

Goitom Tekletsion, AGA Design Group, representing property owner Jia H. Zhang, stated that this project was approved with the previous owner, and the new owner had requested an increase in square footage which impacted the grading, lot coverage and the square footage. He requested the opportunity to return to the Planning Commission with a revised plan for consideration.

Eric Lin, owner's representative, stated that the owner understands that the community is very unique, the location is sensitive, and noted the owner is willing to work with the City and Planning Commission to minimize the impact on the environment and make sure the plan is compatible with the community.

Discussion ensued among Council Members and staff.

Mayor Duhovic declared the public hearing closed.

Councilwoman Brooks moved, seconded by Councilman Knight, to approve the request by the appellant, to remand the revised project back to the Planning Commission for review and consideration, with no refund of the appeal fee.

The motion passed on the following roll call vote:

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

**RECESS AND RECONVENE:**

Mayor Duhovic called a brief recess from 8:18 P.M. to 8:28 P.M.

**Marymount California University – 6-Month Review of the Expanded Parking Lot Project (Planning Case No. ZON2003-00317) / 30800 Palos Verdes Drive East**

City Clerk Morreale reported that notice of the public hearing was duly published, written protests included with the staff report and late correspondence, and there were six requests to speak regarding this item.

Mayor Duhovic declared the public hearing open.

City Attorney Lynch reported that Marymount California University has requested a continuance of the public hearing to the April 1, 2014 City Council meeting. She recommended that the Council grant the continuance as requested.

Councilwoman Brooks moved, seconded by Mayor Pro Tem Knight, to continue the public hearing to the April 1, 2014 City Council meeting, with public comments to be heard this evening from those who were present to speak.

Don Davis, attorney for Marymount California University, stated that he received late notice of the lengthy staff report and was referred to the City's website, as noted in the letter he submitted in late correspondence. He stated that he requested the continuance to the April 1, 2014 meeting due to the concerns regarding staff's recommendation to modify the conditions and reduce existing entitlements such as the use of the parking lot which was recently completed.

Jim Reeves, Senior Vice President of Finance and Administration, Marymount California University, stated he was aware of the neighbors' concerns regarding the new parking lot, operational issues including the timing of the gate and students smoking in the area. He noted that the University voluntarily closes the parking lots on weekends and extended holidays, turns lights off when the lot is not needed, and prohibits access to the timed gates. He expressed the desire to continue to collaborate to reach solutions to benefit everyone.

Erin Harris, Rancho Palos Verdes, stated that she and her husband have concerns with the following issues: the proximity (40 feet instead of 80 feet) of the Outdoor Classroom "Project Grow" from her backyard deck; view obstruction of 50% of their ocean view if the fence is placed on the ridgeline; and problems with students smoking outdoors near their residence.

Gregory Lash, Rancho Palos Verdes, stated that he was in support of the staff recommendation.

Laura McSherry, Rancho Palos Verdes, stated that she spoke at the Planning Commission meeting in 2002 regarding the Marymount project noting that she had concerns regarding the geology, San Ramon Canyon, and the parking lot. She noted that the concerns she raised then have become reality, including the following: noise, car alarms, a sound tunnel effect that carries students' voices to her residence, and lighting issues. She expressed concern that the neighbors adjacent to the University cannot enjoy their backyards.

Diane Smith, Rancho Palos Verdes, stated that she has been a neighbor of Marymount for 35 years and raised concerns regarding the following issues which have affected her backyard ambience and view: brightness of the parking lot lights, noise, trash, cigarettes and smoking, Project Grow (a public garden) near the residences adjacent to Marymount California University, and leaking pipes saturating an area in the parking lot.

Kathleen Higashi, Rancho Palos Verdes, stated she had concerns regarding the bright lights, noise and trash at the new parking lot at Marymount California University. She stated she was surprised at the brightest of the lights on the parking lot, the lighting from

car headlights, and noise from student voices, music, and car alarms. She noted that she was in support of a fence and hedge to alleviate the problems at the site.

Michael Brophy, President, Marymount California University, stated that he welcomed the comments received from the neighbors regarding this matter. He added that the University would be discussing the issues with staff in preparation of the April 1, 2014 Council meeting.

Discussion ensued among Council Members.

Councilwoman Brooks moved, seconded by Mayor Pro Tem Knight, to continue this public hearing to the April 1, 2014 City Council meeting.

Without objection, Mayor Duhovic so ordered.

#### **REGULAR BUSINESS:**

##### **City Council Goal-Setting Exercise**

Dr. Colman, The Closers Group, LLC, reported that the Council has done a fair amount of work over three meetings as they considered and created the Mission Statement, Vision Statement, Core Values Statement and 2014 City Council Goals and Priorities. He added that staff has provided a copy of the Council's Priorities as previously discussed and indicated next to each priority the department to which the item is assigned and suggested due dates for a response to Council. He inquired of the Council if there were any other issues to discuss.

Discussion ensued among Council Members and staff.

Councilwoman Brooks moved, seconded by Mayor Duhovic, to approve the Mission Statement, Vision Statement, Core Values Statement and 2014 City Council Goals and Priorities, as amended.

The motion passed on the following roll call vote:

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

##### **Banking Services – Bank of the West (Supports 2013 City Council Goal #5 – Government Efficiency, Fiscal Control & Transparency)**

City Clerk Morreale reported that late correspondence was distributed prior to the meeting regarding this item.

# **Attachment E**

## **Public Comments (Post February 18<sup>th</sup>)**

### **Marymount California University 6-Month Review of the Expanded Parking Lot Project**

**April 1, 2014  
City Council Meeting**

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, March 26, 2014 12:08 PM  
**To:** Ara Mihranian  
**Subject:** Marymount East Parking Lot  
**Attachments:** Marymount - Diane comments to Marymount attorney letter on PROJECT GROW.docx

Dear Ara,

Attached are my comments regarding the new East Parking Lot in addition to my comments previously submitted.

I respectfully request that Marymount's overhead lights be shielded to a level not to exceed the lights of our own City council meeting place parking lot here at Hesse Park which lights emit 1,580 lumens.

I respectfully request that a wall be erected from the Vista del Mar home to San Ramon homes, high enough to discourage students from shooting home-made paper airplanes and other items into the adjoining field and to discourage those students who have been known to flick live cigarette butts into the field and that the wall be solid enough to capture the overspill of headlights from cars pointed at we downslope residents.

I request that Marymount limit vehicles in the parking lot to student/faculty cars as originally intended and discussed and that no buses, coaches, trucks, recreational vehicles, or other noisy vehicles ever be permitted in the parking lot other than vehicles necessary for the maintenance of fencing, pipes, signage, trash, etc.

Thank you.

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

Diane L. Smith  
2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275

March 26, 2014

Mr. Ara Mihranian  
City of Rancho Palos Verdes  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, CA 90275

Subject: Marymount University – 6-Month Review of Expanded Parking Lot Project  
and new PROJECT GROW GARDEN KICK-OFF February 6, 2014

Dear Ara,

I have read Burke, Williams & Sorensen, LLP's February 18, 2014 letter to the RPV City Council and would like you to consider my comments to this letter for the new April 1, 2014 public hearing. The letter first brings me to question why the City accepted Burke, Williams & Sorensen, LLP's request for continuance of the February 18 City Council hearing but did not accept my request for a continuance of the hearing? Once I heard from the ladies operating Marymount's Project Grow Garden Kickoff on February 6, 2014 that this project was a PUBLIC GARDEN, I recognized right away that the City would have to re-open the EIR process to consider this new use within the parking lot and buffer zone. This new use, would add more traffic, more and different noise (screaming children running around), new odors and all sorts of issues involved with the new use of inviting the general public, including mothers and children, and handicapped people, 7 days a week, to the Marymount campus to maintain a public garden to feed the poor in San Pedro. This noble garden project could become enormous and it was readily apparent to me, as well as Marymount's attorneys, that further considerations and studies would be necessary. In my email to the city on Friday, February 7, 2014 I stated:

"I believe our time frame to submit comments to the East Parking Lot should be suspended until we can nail down the true and honest future purpose of this GROW PROJECT Marymount kicked off yesterday at 12:30 pm. We need time to consider the number of vehicles and people that would be added to the campus and the parking lot during the week and weekends, vehicles from Harbor Interfaith clients and their children, handicapped vehicles and so on.

I therefore request an extension of time to submit public comment to a time you feel is appropriate."

My request for an extension of time was justified, yet the city denied my request and accepted the last-minute request of Burke, Williams & Sorensen, LLP. At the January 21, 2014 city council meeting, the president of Marymount spoke of residents' use of the campus for informal

and formal reasons. The city invited comments from the public before February 10 regarding Marymount's new parking lot. I visited the parking lot and took photographs of areas of concern to back up my comments. Every comment I had with the parking lot had been well documented and discussed long before the February 10 deadline – except Marymount's Grow Project, the scope of which Marymount concealed from residents and the City. Because I proved that Marymount was negligent in its failure to repair broken water pipes, failure to control trash and potential fire hazards and failure to disclose unauthorized use of property in and beyond the buffer zone with regard to the new parking lot, I was banned from stepping foot onto the campus ever again without first obtaining permission from the present of Marymount.

The only reason I can see that the City granted Marymount the extension of time and not my request is because Marymount set their attorneys on the City with threats of litigation – citing case after case and twisting the facts to make it look like Marymount was the victim when, in fact, Marymount created the situation!

I do not know if the applicants referred to in the case law, cited by Burke, Williams & Sorensen, LLP check to see if Malibu Mountains Recreation, Inc. v. County of Los Angeles (1998) 67 Cal.App.4<sup>th</sup> 359, 367 and Bauer had agreed to their city's 6-month review period? Burke, Williams & Sorensen, LLP's client Marymount, agreed to the terms of the six month compliance time period within which time we are addressing non-compliance and new issues. The City's 6-month review period states:

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.

Marymount knew full well that the City of Rancho Palos Verdes requires a 6-month period of time to review the conditions of approval. I believe the city was wrong to issue a certificate of occupancy in view of my complaints which complaints were never addressed. (See Exhibit A.) There are many things that both sides may "assume" that need to be addressed as well. The City did not specifically mandate that Marymount provide trash containers, and containers with lids to prevent wildlife partaking in discarded food, and that Marymount regularly remove the trash. No, the City assumed, that a normal, responsible business would provide appropriate trash containers – especially when the business is well-aware of the local wildlife (see President of Marymount speech January 21, 2014, Exhibit D, and) being a University that teaches conservation and sustainability! The City also did not specifically mandate that Marymount repair its broken, leaking pipes at the top of the South Shores landslide. The City clearly refers to the sensitivity and proximity of the parking lot to the South Shores landslide and therefore assumed that Marymount, being a responsible business and a teacher of sustainability and conservation would repair the leaking pipes immediately upon notice. To the contrary, residents noticed the leaking pipes, took pictures and notified the City. The City notified Marymount but Marymount did nothing about it. Many months went by when residents noticed the pipes were still leaking and the saturation area had over doubled. Residents notified the City again and again the City notified Marymount to fix it. It wasn't until a resident (me) went out to check to see if there was any evidence that Marymount fixed the pipe that Marymount security detained me and demanded that I leave the premises. After months of prodding, Marymount finally fixed the broken pipes. I do not believe the water lines at the front of the campus work but at least the water is no longer leeching into the South Shores Landslide at the back. These incidents of neglect indicate a state of mind of irresponsible, unexpected and unreliable behavior by Marymount. Marymount cannot be trusted to maintain its broken pipes so why would they be trusted to operate a public garden in that same sensitive area?

Marymount's parking lot is designed in two levels, with parking spaces set up to direct headlights directly into downslope neighbors. At least two headlights on each vehicle – some trucks having four large headlights – causing direct light to shine from each headlight at 180 degree angle in the neighboring resident properties. The City did not consider the effect of two levels of vehicle headlights descending out into neighboring resident properties. This direct light

shining onto neighboring properties is outside of our City's Development Code. The City required a set number of parking spaces to relieve student cars on the street and this new Grow Project invites the general public to participate. Where will they park? This is a new use not previously considered by the City.

The impact of this irresponsible, unexpected and unreliable behavior by Marymount have caused residents to mistrust Marymount.

With regard to:

“ ... 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.” ... “ effectiveness of the parking conditions, on-site circulation patterns, lighting, landscaping, noise, hours of operation,”

So far Marymount has a poor track record with compliance with its conditions.

The City Council required vegetation at Marymount's parking lot. The puny slow growing agave vegetation are few and far between – the vegetation barely tall enough to cast a shadow not to mention diffusing headlights!

The City Council required Marymount's parking lot lights to be turned off at 10 PM, however, on at least one occasion the parking lot was open, without restricted access and with over 6 vehicles parked in the lot, with parking lot lights on all night. With regard to the lights being on all night, Marymount security did not know who had access to the east parking lot controls and referred resident to Marymount maintenance. The resident, me, went to maintenance demanding the lights be turned off according to the City mandate and maintenance referred the resident to security. After a full circle of frustration the resident complained to the city. (See Exhibit I)

With regard to Burke, Williams & Sorensen, LLP's February 18, 2014 letter, I wish to make comments regarding their vague statements. In particular, at Page 1, paragraph 1, I would like to know specifically what 'proposed modifications to Marymount's Conditional Use Permit (CUP) . . . were not previously presented to Marymount . . .' and specifically what 'proposed modifications to Marymount's . . . (CUP) . . . were not . . . made available to Marymount' until the 300-page staff report and agenda package was posted on the City's website . . . “.

With regard to Burke, Williams & Sorensen, LLP's February 18, 2014 letter, I would like to know what Marymount understood what was meant by the City's 6-month period of time to make adjustments to the Certificate of Occupancy. The Certificate of Occupancy should not have been issued since Marymount and the city were given notice by downslope affected residents, well prior to August 6, 2013, that the parking lot was not satisfactory with regard to the abusive lights. (See Exhibit A)

With regard to the second to last paragraph on Page 2, which I will repeat for convenience:

“In addition to the lack of adequate notice or opportunity to prepare for the hearing on what was publicly noticed as a ‘review of the operation of the recently constructed expanded parking lot project,’ the proposed agenda item includes a recommendation to create a new ‘prohibition on outdoor programs and gatherings’ on the Marymount campus, which would result in the forced removal of a campus food garden.”

I say HOGWASH! The City never agreed to “outdoor programs and gatherings” in between the parking lot and the buffer zone. It is Marymount that caused this delay by their omissions and misrepresentations to their neighbors and to this city.

Marymount representatives told me that the harvest of food from the garden is to be donated to Harbor Interfaith and NOT for campus food. Burke, Williams & Sorensen, LLP is a huge law firm that specializes in these matters and they know that this huge new use would require a whole new set of considerations. Furthermore, it was Marymount’s lack of notice to residents and the City during the 6-month review process regarding their true intentions for their PROJECT GROW Community Garden that led to MY request for a continuance. I too immediately recognized that the City would have to study additional traffic, toilet facilities, additional noise, effects of Marymount’s open and continuous violation of City Codes as they apply to leaking water pipes at the parking lot, trash and fire concerns, invasion of privacy, trespass, amongst other offenses and nuisances.

Marymount University launched its kick-off PROJECT GROW Community Garden on February 6, 2014 and I was there and I took notes. Attached is my memo describing my shocking experience. (Exhibit B) I should not have been bullied and intimidated by Marymount as I was an invited guest according to Marymount’s brochure (Exhibit C) and Dr. Brophy reconfirmed to the public on public television that residents are welcome. (See attached transcription of Dr. Brophy’s public address on January 21, 2014 (See attached Exhibit D). Dr. Brophy failed to notify residents that they are not permitted to take photographs of anything “negative” about Marymount, including Marymount’s trash, broken pipes, graffiti, cigarettes being flicked into dry field, and other disgusting problems while visiting the campus.

By inviting the public at large to participate in a public garden project, with funding from a grant, intending to feed the poor of San Pedro, a whole new use of the property is created and therefore requires evaluation of traffic, noise, plumbing for toilet facilities, etc. and possibly evaluation of the grant itself to see what other hoops and hurdles Marymount agreed to in order get the money from the grant.

It was Marymount that carefully concealed this garden project from its neighbors and residents and the City. The neighbor/residents were not advised of this expanded project, and in fact were led to believe something totally different than what Marymount created. Residents object to the location of this public garden in their back yards. The University chose a location for the garden way in the back of its campus out of sight of the students and public it purports to attract and influence. It is almost like Marymount was embarrassed of its garden. Instead of putting the garden in front of the campus where students and the general public can truly appreciate the garden and watch it grow, Marymount chose to hide the garden far away next to

resident homes – in an area where residents were already complaining about noise, trash and the smell of smoke and exhaust fumes from the new parking lot. This area is also located at the top of the South Shores Landslide – an area with poor soil and extremely sensitive to water leakage, land movement and fire. The University repeatedly failed to fix leaking pipes in this highly sensitive area – the area is just not well suited for proper care so the location is, at the very least, curious. Having such a poor track record of repairs alone the City should not allow Marymount to conduct a public garden in the new parking lot area.

Marymount previously told resident, Dr. Tooley, that Marymount was using the area to propagate native California vegetation. (Exhibit E). Over five months went by and without saying anything further to the residents Marymount kicked off its Community Garden project under the colorful brochure entitled “Cultural Arts” (Exhibit C) which at a glance didn’t seem to apply to a garden. There are fanciful dancers, a microphone, a saxophone player, an artist’s palate – but no indication of garden projects. Again, the community garden aspect it not in “full view” making residents suspicious that Marymount intended to hide its true intentions from the City and residents until obtaining final approval. Marymount invited the public at-large to help plant seasonal vegetables in 17 galvanized above-ground containers and care for 8 dwarf fruit trees. The public was informed that the harvest would be given to the poor of San Pedro. It sounds so noble, so honorable and so generous. Marymount had received a grant two weeks earlier for proposing this garden but kept it a secret from residents and the City. Marymount’s scheduled garden kick-off on Feb. 6, just before the end of public comment Feb. 10 is suspicious. Did Marymount hope to hide this project under the radar, kick out senior citizen residents taking notes and pictures of it and then get the parking lot’s final approval a week later?

On October 7, 2013 I notified Marymount of their disgusting trash described in my email below (photos not included here) while, I now find out, at the same time Marymount was boasting its “green campus.” No wonder they were so mad at me for taking photos at their PROJECT GROW! They did not want to be exposed for being hypocrites.

**From:** Diane Smith [mailto:radsmith@cox.net]  
**Sent:** Monday, October 07, 2013 5:28 PM  
**To:** 'aram@rpv.com'  
**Cc:** 'MBrophy@marymountpv.edu'  
**Subject:** Marymount College new east parking lot - trash photos

Here are the photos showing the bags of trash I picked up on Sunday, October 6, 2013 from Marymount College’s new East Parking Lot:

- 1) Marymount Parking lot bags of trash - two photos, one showing a blue Ikea bag filled with beer and alcohol bottles and cans as well as one plastic soda bottle filled with cigarette butts from on section of the parking lot that abuts the brush; the other showing three bags of trash in the field after first collection trip;
- 2) Marymount Parking lot hillside trash - three photos showing hillside trash, yoghurt container and plastic water bottle in field;
- 3) Marymount Parking lot paper airplane trash - three photos showing paper “airplane” trash – papers, including a Marymount brochure folded into the shape of a glider;

- 4) Marymount Parking lot hillside Trojan trash - three photos showing package of Trojan product, a Marymount paper "Determining ... Acceleration of Gravity and other Marymount documents in the field;
- 5) Marymount Parking lot beer bottle trash – three photos showing bags containing beer bottles, beverage cans and other trash on hillside.

Sincerely,  
Diane Smith

The following October 22, 2013 internet publication was brought to my attention only recently by a Palos Verdes resident:

## MARYMOUNT CALIFORNIA UNIVERSITY IS GOING GREEN AT HIGH SPEED

• by Claire Cummings

• October 22, 2013



The new student garden on campus, called the Marymount California University Grow Project, has quite a view

Watch out California, there's a new "green" college in town — one you might not have encountered! At Marymount California University in Los Angeles (formerly known as Marymount College), Bon Appétit General Manager Donna Novotney and Executive Chef Luis Jimenez have worked closely with the college's sustainability officer, Kathleen Talbot, to tackle waste in the dining hall head on. In one semester they've gone trayless, phased out Styrofoam to-go containers, successfully implemented a reusable to-go container program, started a student garden, and launched a living herb wall!



The Bon Appétit team at Marymount California University proudly hold up the first box of food they are donating to hungry people in need within their community.

Each of these initiatives plays an important role in addressing waste in the café from all angles. For example, going trayless has been proven to reduce consumer food waste in a dining hall by at least 30% on average, as people's eyes always seem to be bigger than their stomachs. Not to mention over 50 people have signed up for the MCU reusable to-go container program since August, which means at least 500 to-go boxes are not going to the landfill each week. That number will only grow as more people join the program. Donna and Luis have also worked with their team to start a food recovery program this semester. They're taking the leftover food from the dining hall that would otherwise go to waste, and donating it to the Midnight Mission in LA through the Chefs to End Hunger program.

It can take years before colleges adopt even one of these programs, and the staff at Marymount California University have launched them all over the course of a few months. Even for Bon Appétit Management Company, that's been an ambitious to-do list. As Bon Appétit's new waste sustainability specialist (formerly the BAMCO Foundation's West Coast Fellow), I hereby dub Donna, Luis, and the MCU team our So-Cal Sustainability Champions!

For Burke, Williams & Sorensen LLP to claim in Paragraph 1 of their February 18, 2014 letter that THEY need a continuance “so that Marymount has an adequate opportunity ... to meaningfully respond to the proposed modifications . . . which were not previously presented to Marymount . . . “ is pure nonsense. If anyone should have received the extension of time it was the residents – and City for discovering Marymount’s unapproved public garden!

Marymount concealed its public garden from the residents because Marymount knew the residents would add their complaint the new noises and the new smells to their long list of existing exhaust smell complaints, cigarette smell complaints and noise complaints. The prevailing winds hit neighbor homes from across the new Marymount parking lot and residents were already noticing the smell of cigarette smoke in their kitchens and dining rooms – cigarette smoke coming from naughty students milling around in the parking lot near resident homes. Garden trucks would add diesel truck exhaust in their kitchens and dining rooms as well. The prevailing winds also bring trash and exhaust fumes from the parking lot vehicles into neighboring homes. Neighbors are now concerned that Marymount will have to supply toilets for the public, which, if placed in view of neighbor homes, will not only be unsightly to look at from their dining and living rooms but also will invade their homes with more odors – these new odors would come from the portable toilets. Not only would residents have to deal with the noise of the parking lot but would also have to deal with noises from slamming porta potty doors. Marymount would, of course, be required to provide toilets for the public and students to use while they were working in the garden. Residents voiced their concerns about this project as early as November 20, 2013 when they believed Marymount was adding a class. (See Exhibit F).

Furthermore, Marymount had the audacity on February 10, 2014 to state, “With respect to the garden area, we are working with the neighbors immediately adjacent to the garden in an effort to address any concerns they might have. We are certainly respectful of their desire to maintain the peaceful and private use of their property. . .” when in fact Marymount never reached out to the immediately adjacent Cornelius home as emphasized in the following correspondence:

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

From: Roni Tomlin [<mailto:ramos09@verizon.net>]

Sent: Saturday, February 15, 2014 9:47 AM

To: [JReeves@MarymountCalifornia.edu](mailto:JReeves@MarymountCalifornia.edu)

Cc: [dtooley1@cox.net](mailto:dtooley1@cox.net); Marc Harris; [philip.matuzic@gmail.com](mailto:philip.matuzic@gmail.com); [gtavetian@cox.net](mailto:gtavetian@cox.net); [utopia4u@cox.net](mailto:utopia4u@cox.net); Diane Smith

Subject: Re: Follow-up on Thursday's Visit

Mr. Reeves,

I received a copy of the letter you sent to Diane Smith, and in it you state that you are working with homeowners adjacent to the garden project, I have never been contacted about this from you, and I have signed the recent petition with concerns about the area. If you are indeed " working with the neighbors immediately adjacent to the garden in an effort to address any concerns they might have" ... I would certainly think we would have been contacted by you.

My home is 2736 San Ramon, RIGHT NEXT to the area also!

I do have very real and specific concerns, yes the lighting is one, but the continued smoking next to the field, with such a high fire danger is utmost on my list. The trash of course is terrible, and Yes, there are major concerns about the public encouraged to come to an area, RIGHT up next to our properties, you can literally see in my kitchen window from the "garden".

Please let me know how you are "working" with "me" to address these concerns, as I have never heard from you.

I would appreciate a follow up on this.

Sincerely,  
Roni Tomlin  
Ranee Hinchliffe  
2736 San Ramon Dr.

On Feb 11, 2014, at 11:56 AM, Diane Smith wrote:

fyi

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

From: Jim Reeves [mailto:[JReeves@marymountcalifornia.edu](mailto:JReeves@marymountcalifornia.edu)]

Sent: Monday, February 10, 2014 6:15 PM

To: Diane Smith

Cc: 'Ara Mihranian'; [eduardos@rpv.com](mailto:eduardos@rpv.com); 'Joel Rojas'

Subject: Follow-up on Thursday's Visit

Hello Diane,

Thank you for your efforts to identify matters in need of attention at the University's new parking area. We have looked at the irrigation leak on the east side of the lot and are making arrangements to effect a repair. With respect to other issues you have identified, I think you would agree that we've made progress with student smoking on the east side of the parking lot as well as the litter. We will continue to carefully monitor these areas to ensure that they remain clean, safe and do not unreasonably impact our neighbors. As noted in previous emails, the University is closing this parking Area over weekends and during holiday breaks when parking is not needed in this lot. Also, we continue to consider strategies to mitigate the concerns raised by the pole lights in the parking lot and anticipate providing City staff with recommendations for addressing this matter soon. With respect the garden area, we are working with the neighbors immediately adjacent to the garden in an effort to address any concerns they might have. We are certainly respectful of their desire to maintain the peaceful and private use of their property. While the University and I have appreciated your feedback about the concerns raised by you and our neighbors about campus operations, I must insist that you contact me directly with any future request to visit the campus. Upon request, I will advise you of an appropriate time when your visit can be accommodated. I appreciate your observance of our request in this matter and would encourage you to communicate with me by email with concerns as they arise.

Sincerely, Jim Reeves

Sr. Vice President, Finance & Administration, Marymount California University (310) 303-7330

[JReeves@MarymountCalifornia.edu](mailto:JReeves@MarymountCalifornia.edu)

If Marymount were really, truly proud of their PROJECT GROW Community Garden they would locate the garden in the middle of their campus for everyone to enjoy – or even in the very front where existing daisy plants are an eyesore from neglect. (See attached photographs Exhibit G). Of course, it would still be necessary to figure out how many members of the public would be participating in this project – more cars coming and going up and down our little winding roads so a further EIR would still be necessary. And, didn't the city require a specific number of spaces for cars and needed to point the car headlights into downslope neighbors in order to accomplish these number of spaces? If so, where do the public, including women and children and handicapped people park?

Marymount owns acres of rich available land where they could easily grow hundreds of full-size fruit trees and terraced garden plots on their Palos Verdes Drive East land below their new "rose garden" in an apron around to their Maintenance Buildings, where everyone can see it not only from the Rose Garden but also from Palos Verdes Drive East. Easy access to the garden can be obtained from the parking spaces below classrooms to follow the drainage troughs already in existence. The gardens could also be accessed close to the maintenance yard where maintenance workers regularly pass and can attend to broken pipes or other fixtures as they regularly pass by. Marymount could feed a hundred times more hungry people than this little garden out back and maybe qualify for even more grants! But still, an EIR is necessary to consider the effects of all the public coming and going every single day because a garden needs daily care. Residents are already concerned about Marymount's expansion and inviting the public to its precious Rancho Palos Verdes campus because often with the good comes the bad as may be seen by the recent graffiti vandalism of Marymount's sensitive catch basin and neighboring Vista del Mar. (See Exhibit H)

The purpose of the East Parking Lot was to absorb overflow student population and this purpose would easily be accomplished for the young vibrant students while reserving easier parking access closer to buildings and rest rooms for the handicapped, the elderly, and little children of the general public next to the new rose garden area above PV Drive East.

The general public can also use toilet facilities in the student classroom buildings and the environmental/maintenance buildings to avoid the expense, unsightly appearance, noise and smell from porta potties next to neighbors' homes or in front of Marymount's campus.

I'm sure people can submit even more suggestions for a truly more appropriate, prominent placement for Marymount's PROJECT GROW on Marymount's property either in Palos Verdes or in Harbor City (Palos Verdes Drive North) or in San Pedro, closer to the charity it agreed to support.

City of Rancho Palos Verdes Resolution No. 2010-42, described Marymount's multitude of projects, tied together with the hub of the wheel being student dormitories. The dormitories were voted out and the spokes of the wheel mostly splintered but for the east parking lot. Marymount represented its design of the east parking lot would provide a buffer area between San Ramon homes and the parking lot and that its design would prevent headlights from shining into back yard area. However, Marymount blatantly invaded the buffer area with more noise, public

activity and odors with a public garden park and pointed 47 car spaces with headlights shining directly into downslope residents within the 500' mandatory radius and beyond!

In particular, Marymount mailed a notice to Ron and Laura McSherry, residents located within the 500-foot radius of the parking lot but totally ignored their written and oral objections to light and noise which greatly affects them now.

Paragraph 2.3.8 states:

“The proposed Eastern Parking Lot would be located on an area of the property that is in part improved with an athletic field, tennis courts and basketball courts, and is in part unimproved open space. This area is identified as a geologic structure setback zone because of its close proximity to the South Shores Landslide. As originally proposed, the placement of parking in this area would have adversely affected the two properties at 2750 and 2742 San Ramon by introducing: parked cars directly in view from those residences; activities associated with the operation of cars such as car alarms, doors slamming, car radios, and conversations in the parking lot; and privacy impacts. The Planning Commission requested revision to the design and placement of this parking area to increase the distance between the parking area and the adjacent properties and incorporate additional landscaping with native and low water using plant material to minimize impacts and ensure there would not be adverse effects on the adjacent properties. Although taller landscaping or walls might further reduce impacts to the adjacent properties, such improvements would have the potential to cause significant view impairment impacts. The City Council finds that as modified and as conditioned, the Final Project will not have an adverse effect on the adjacent properties.”

How can the huge law firm of Burke, Williams & Sorensen, LLP tell me where in Paragraph 2.3.8 does the Planning Commission and City Council allow outdoor programs and gatherings in between the parking lot and resident properties? This law firm boasts expertise in City language. On the contrary, the Planning Commission and City Council recognized the sensitive geologic setback zone and finds parking in this area would have adverse affects on the residents at 2750 and 2742. Granted, the City and Planning Commission should also have included the Cornelius and Hamilton properties at 2736 and 2732 as well as the sound corridor properties down slope of the parking lot affecting the McSherry's at 2714, Smiths at 2704, Jensens at 2702 and Mrs. Doktor at 2700. The Planning Commission requested revisions to the design and placement of this parking area to increase the distance between the parking area and the adjacent properties and incorporate additional landscaping with native and low water using plant material to minimize impacts and ensure there would not be adverse effects on the adjacent properties. **What does Burke Williams and Sorensen, LLP not understand about that?** The new PROJECT GROW includes way more noise than the slamming of car doors, car alarms, car radios and conversations. The new PROJECT GROW includes the clamoring of shovels, rakes, wheelchair lowering devices as well as the chairs themselves, little children running around screaming, slamming porta pottie doors, the smell of porta potties, the smell of exhaust from

garden vehicles, smells of fertilizers and all sorts of noise and unforeseen nuisances. Burke, Williams and Sorensen, LLP cannot be THAT INSENSITIVE!

With regard to Page 2, paragraph 4 of Burke, Williams & Sorensen, LLP's February 18, 2014 letter tell me where do the Planning Commission and City and Marymount talk of anything else but cars?

With regard Burke, Williams & Sorensen, LLP's February 18, 2014 letter at Page 2, paragraph 4, lines 4-9:

“nor ... the restrictions on the types of vehicles that may enter the most distant of Marymount's parking lots were ever presented in detail or in writing to any Marymount representative until the day the staff report was posted on the City's website.”

I say HOGWASH! I first notified Marymount on November 20, 2013 of the motorcycles, campers, coach and other vehicles:

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, November 20, 2013 2:01 PM  
**To:** 'Ara Mhrianian'; 'eduardos@rpv.com'; 'Joel Rojas'  
**Cc:** 'vickihanger@aol.com'; 'Marc Harris'; 'MBrophy@marymountpv.edu'; 'LOIS Karp'  
**Subject:** Marymount East Parking Lot - Type of Vehicles allowed - NO MOTORCYCLES

Dear Ara, Eduardo and Joel,  
I may not have emphasized how irritating it is to hear the motorcycles revving their engines during the day. Some of the motorcycles are very loud. I have only seen one camper and one "coach" up there but of course I am not looking all the time. We would therefore appreciate it if Marymount would designate an area for "motorcycles only" and designate an area for campers, coaches, buses and recreational vehicles – out of sight and earshot of neighbors.  
Thank you,  
Diane Smith  
2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275  
310/547-3856

I discussed the vehicles in great detail with Mr. Jim Reeves of Marymount when he finally came to visit my property on November 20, 2013, confirmed by the email below:

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, November 20, 2013 3:42 PM  
**To:** 'JReeves@MarymountCalifornia.edu'; 'eduardos@rpv.com'  
**Cc:** 'Ara Mhrianian'; 'vickihanger@aol.com'

**Subject:** Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Mr. Reeves and Eduardo,

It has been over four months since I invited Marymount to come to my home to see the horrible lights that invade our properties from Marymount's new East Parking Lot. Thank you very much for finally coming to our home and to the Cornelius home to see, first hand, Marymount's new East Parking Lot from our perspectives in daytime. Thank you also Mr. Reeves for noting that Wednesdays are not as busy as other days.

Please return to our homes at night so that you can see for yourself what has been imposed on us, every single night until 10:00 p.m., seven days a week, since the bright annoying lights were first turned on – on June 29, 2013. If we are not home you are welcome to go through the east side gates of our home.

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

Cc: Yvonne Hamilton

Mr. Reeves chuckled when I told him how the students put their cars in neutral and step on the gas and what a nuisance it is. I told him of how the noisy motorcycles drive around and around in the parking lot making so much noise. I suggested that Marymount put a special motorcycle parking lot next to the maintenance yard. He agreed that would be a good idea. I joked, "you see, I could have been mean and suggested you put the motorcycle lot next to the chapel or student classrooms." We discussed the campers and boat trailer and buses and what with the gates being open all night and on the weekends with those bright "inviting" shopping mall lights the situation was a recipe for abuse. Mr. Reeves seemed to be very understanding of this growing problem. If he was against this then he should have told me so at that time and not have led me on!

This east parking lot was created to relieve Palos Verdes Drive East, Crest Road and streets in the Mira Catalina tract from the massive over-parking cars by Marymount students. Marymount is the one who is changing the playing field and now looks to re-characterize this parking lot as a drive-in movie theatre with our homes as the screen. All parties have only ever discussed CARS. Marymount should have told the city that they wanted to use the parking lot for Recreational Vehicles, vans, trucks, buses and motorcycles and other noisy vehicles during the EIR process when there was an opportunity for open discussion with all parties. Again, with regard to vehicle language only "cars" were discussed,

“ . . . by introducing: parked **cars** directly in view from those residences; activities associated with the operation of cars such as **car** alarms, doors slamming, **car** radios, and conversations in the parking lot; and privacy impacts. . . . “

City of Rancho Palos Verdes Resolution No. 2010-42, Paragraph 2.3.8 (emphasis added)

All sides continually talked of cars and Marymount knew full well that we did not want anything else in the parking lot next to our homes. In fact, I spoke to Mr. Reeves about Marymount selecting a special area for motorcycles so that Marymount could enjoy the motorcycles closer to their offices or chapel. I spoke to Mr. Reeves about the huge trucks that have four headlights shining into our properties when they come and go at night. Marymount had knowledge of these noisy vehicles and had plenty of time to consider alternate locations for these vehicles – next to their classrooms or meeting halls or maintenance buildings and away from neighbors. The parking lot was intended for overflow STUDENT/FACULTY car parking – not weekend bus partying and public Recreational Vehicle parking and trailers, diesel garden vehicles and so on. Residents complained to Marymount by email as well – See Exhibit I.

Marymount knew that once the parking lot received its permit on August 6, 2013 that the City's 6-month trial period would commence to see what details might have been missed. Details like not conducting sound tests and light tests from the McSherry home which is located within 500-feet from the project – a senior resident that hand-wrote her concerns over light and noise during the EIR process and who physically appeared at the public meeting and voiced the same concerns to the city council at almost midnight and whose concerns were blatantly ignored.

Marymount has a long history of experience of one homeowner's complaint over noise and invasion of privacy at Vista del Mar and Marymount accommodated that homeowner's concerns by installing a block wall and signage. See attached Exhibit J. San Ramon homeowners have every right to expect equal treatment as Vista del Mar homeowners.

Now, in the 6-month review process, the McSherrys still complain of light and noise. Further neighbors make the same complaints and now is the time to mitigate not amplify with a public garden!

I respectfully request that Marymount's overhead lights be shielded to a level not to exceed the lights of our own City council meeting place parking lot here at Hesse Park which lights emit 1,580 lumens. (See correspondence below)

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

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

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Tuesday, February 18, 2014 4:51 PM  
**To:** 'chriso@rpv.com'  
**Cc:** 'Ara Mihranian'  
**Subject:** Hesse Park Community Center Parking Lot lights - light output in lumens

Dear Mr. Ortiz,

I have not heard a response from you to my hand-written request to you at City Hall this morning.

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

“light bulbs shall not emit more than 1700 lumens”

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

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

Thank you.

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

I request that a wall that is high enough to discourage students from shooting home-made paper airplanes and other items into the adjoining field and to discourage those students who flick live cigarette butts into the field and that the wall be solid enough to capture the overspill of headlights from vehicles pointed at we downslope residents.

I request that Marymount limit vehicles in the parking lot to student/faculty cars as originally intended and discussed and that no buses, trucks, recreational vehicles, or other noisy vehicles ever be permitted in the parking lot other than vehicles necessary for the maintenance of fencing, pipes, signage, trash, etc.

#### LIST OF EXHIBITS:

- A) Email objections by Diane and Rick Smith to Marymount lights prior to City's approval August 6, 2013.
- B) Memo dated February 6, 2014 from Diane Smith regarding PROJECT GROW
- C) Marymount colorful brochure front entitled “Cultural Arts” and inside description of GROW PROJECT
- D) Transcription of portion of Dr. Brophy public address at City Council meeting 1/21/2014
- E) Email correspondence from Dr. Tooley complaining of being misled by Marymount.

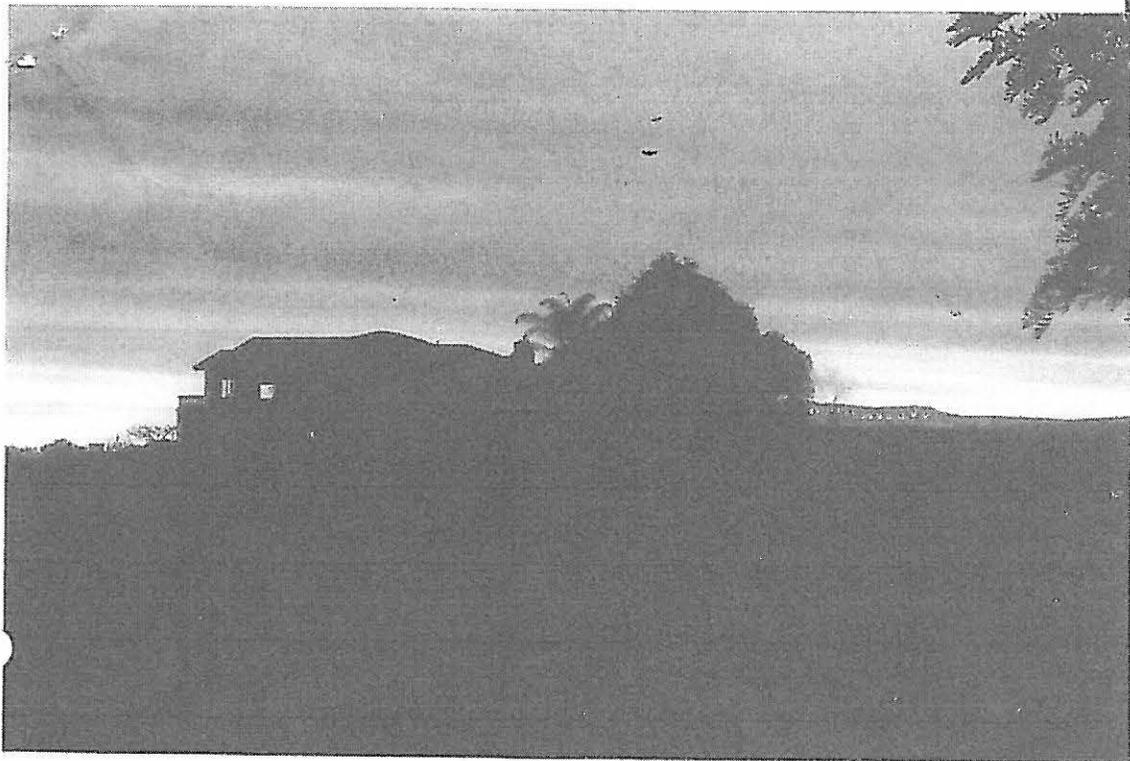
- F) Email correspondence from Diane Smith objecting to added noise from classes conducted in Buffer Zone.
- G) Eyesore of dying plants at the front of Marymount campus.
- H) “Shopping Mall Lights” attract. Should have “parking lot lights” and improve security. Lights on all night where no one knew who had the authority to turn on/off lights; student smoking, drinking, trash; Graffiti in Marymount’s sensitive catch basin after Marymount had already experienced invasion of skateboarders.
- I) Breach of 6-month Conditions – puny vegetation not serving intended purpose; lights on all night; buffer zone, vehicles other than CARS
- J) Letter dated October 31, 1997 from Roslyn J. Stewart of 2903 Vista del Mar regarding student trespassing, invasion of privacy, and request for “NO TRESPASSING” sign on the wall and a “NOT TO DISTURB THE NEIGHBORS” which Marymount accommodated.

EXHIBIT A

**Date:** Saturday, June 29, 2013 12:21 AM  
**From:** radsmith@cox.net  
**To:** mmccormick@marymountpv.edu  
**Subject:** New Parking Lot Lights

M. McCormick  
Please forward this email to Dr. Brophy.  
Thank you.  
Diane Smith

Dear Michael,  
Marymount's new parking lights spoil our peaceful backyard evening view. Almost every night we sit outside to enjoy the evening. We can't imagine how awful it will be once cars start using it - coming and going with bright vehicle lights, night after night. Please tell me Marymount will construct high solid fencing to block such annoying lights.  
In the interest of good neighbors, we invite you and Tara to come over to our house in the evening to see how the lights affect us.  
Sincerely,  
Diane and Rick Smith  
2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275  
(310) 547-3856



**Date:** Monday, July 29, 2013 9:07 PM

**From:** radlsmith@cox.net

**To:** planning@rpv.com

**Subject:** Marymount College - parking lot lights and noise

Dear Mr. Rojas and City Council,

On June 29, 2013 I forwarded an email to Marymount advising we were shocked at Marymount's new parking lights. I have not had a response to date.

For over 30 years my husband and I have, almost every single evening, sat outside to enjoy the view of the ocean lit up by the moon and to enjoy the peaceful atmosphere. We were stunned when we saw the Marymount parking lot bright lights casting light and shadows over the fields. We can't imagine how awful it will be once cars start using this parking lot - coming and going with bright vehicle lights, night after night. And what about the noise of honking cars, people, loud music and security devices going off? The sound travels very clearly in the evenings and sometimes we can hear people talking in normal voices from the cul-de-sac and few homes off of the switchbacks next to that parking area (see attached photos). The lights are bad enough but we are dreading the lights and noise from the cars using that parking lot.

I can't believe the City of Rancho Palos Verdes would even consider allowing such a nuisance to our neighborhood.

Please tell me Marymount will, at the very least, be required to construct a high solid freeway-type wall to block such annoying lights and anticipated noise of people, of honking cars and security devices going off.

I am so very disappointed in this religious organization for its inconsiderate treatment of its neighbors and I am equally disappointed in the City of Rancho Palos Verdes for its inconsiderate treatment of us.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

## EXHIBIT B

### MEMO

DATE: February 6, 2014

FROM: Diane L. Smith

SUBJECT: Marymount East Parking Lot – Marymount California University Advertising Brochure – SPRING 2014 promotion of Marymount’s Cultural Arts Program’s “GROW PROJECT KICKOFF” located immediately behind San Ramon residents and the new Marymount East Parking Lot

Today I met with Greg Lash at 10:00 a.m. to prepare wording of a petition for our neighbors who oppose to Marymount’s New East Parking Lot to sign. Resident written comments on Marymount’s New East Parking Lot must be turned in to the City before 5:30 p.m. before February 10, 2014.

Afterwards, I walked to Marymount to see what the “GROW PROJECT” located next to Marymount’s New East Parking Lot was all about. Marymount advertises: *Our programs are designed for students who truly want to make a difference. Courses emphasize problem solving, communication strategies and a sense of entrepreneurship. With a focus on the future, Marymount California continues to grow. We’re expanding our campus, our faculty and our programs all to help our students realize their full academic and professional potential. Grow with us. See your future through our eyes. It looks amazing.*

I walked around by the old Preschool (of which I have fond memories), and then around past the open gates to the East Parking Lot. There were many people, students and one adult, working away, setting up two covered stands with written material for students. The first person I met was a very nice young girl by the name of Judith Jacques-Hines. She asked me if I was just visiting and I said no, that I was a neighbor. Judith he was very nice and welcomed me warmly. She invited me to see what they were doing and planning. She explained that the soil was very bad and so they brought in irrigation piping to several galvanized troughs (that were donated) where they would grow seasonal herbs and other seasonal vegetables. Judith also told me that the whole area was planned to be wheelchair friendly as well. Judith took me to the dwarf fruit trees, about nine of them, include dwarf oranges, that they planned to grow. The plan is to donate their crop to Harbor Interfaith women and children in San Pedro. She had spoken to Sharon at Harbor Interfaith and they were very excited about the project. I asked about how many oranges such a little tree could produce and Judith thought they could get about 30. Judith also told me that Harbor Interfaith women and children would be invited to come and visit and help out or just meditate. Judith pointed out the several meditation and seating boulders at the edge of the area next to the field below that is readily available. She also pointed out another area immediately

back of Marc Harris' house and I believe 2758 San Ramon, that would be developed for seating so that people can congregate, have lunch or just rest and enjoy the garden.

It was very windy and trash started flying so I went with Judith to help pick up the trash as it snagged on the chain link fence by San Ramon back yards.

Judith introduced me to Kathleen Talbot, the Sustainability Officer, who was a specialist in Native California plants. Kathleen pointed out the planned Native California garden. Kathleen also pointed out the rocks and said they are there for people to sit and enjoy as a public park.

I was also introduced to Sallie Wu, Director of Peace Center and Interculture. Sallie told me she was Professor, Psychology and has taught at Marymount for 30 years.

Apparently Marymount has been working with the South Coast Chapter of the California Native Plant Society and finally got a grant two weeks ago. It was explained that they plan to have community events here. I picked up some more flying trash and asked them if they had a trash barrel and they did not but then Sallie found a box for me to put it in. I thanked them and went on my way.

I walked straight up towards the Vista del Mar homes and picked up trash, including two cigarette boxes, an empty plastic coffee cup and lid, a potato chip bag and two ketchup packets and I took a picture of more trash in the field. I walked over to the closest trash bin on the upper level of the parking lot and tossed in the trash. I noticed a security guard was driving around the parking lot. I then continued walking over towards the area that was wet and saturated with leaking pipes and the security guard drove up to me and said, "are you a resident?" I said, "yes, I am." He then said, "you are not allowed to take pictures here." I took out my notebook and started writing down what he said and I asked him his name. He would not give me his name and instead got on his phone. I told the security officer I needed to take a picture of the leak because it needed to be fixed and he said he is not part of maintenance. I asked him his name, again but he refused. I asked him why he was refusing to give me his name and he said he was calling his superior. He got off the phone and told me his superior was on his way out to the parking lot. When I said, "are you refusing to give me your name?" then he responded, "Wayne" and I asked if he had a last name and he said, "Young." Finally Wayne Young's superior walked towards me and I asked him his name and he said, "Matt" and gave me his card:



Matt explained to me that this is private property and I was not allowed to take pictures. Matt explained that I needed a guest pass to be on the property and I needed permission to be on the property. I told him I visited the garden project. I asked him if it is Marymount's policy not to allow taking of photographs by anyone on Marymount property unless they have permission. A third security officer (Matt's boss) came walking over to me. I asked the third officer his name and he said "Mike." I asked Mike if Mr. Reeves was on campus and he said he believed Mr. Reeves was there. I then asked him to call Mr. Reeves but he and Matt just stood there. I insisted that he simply call Mr. Reeves and tell him that Diane Smith is here on campus and wants to take pictures. "Just call him to get his permission," I said. They walked away a bit and then came back and said they had spoken to Mr. Reeves but he was in San Pedro and he would be back this afternoon and will contact me when he comes back. I asked Mike if Mr. Reeves gave me permission to take photos and Mike responded that I am not allowed to take pictures on Marymount property without permission from Mr. Reeves and he asked me to leave the premises.

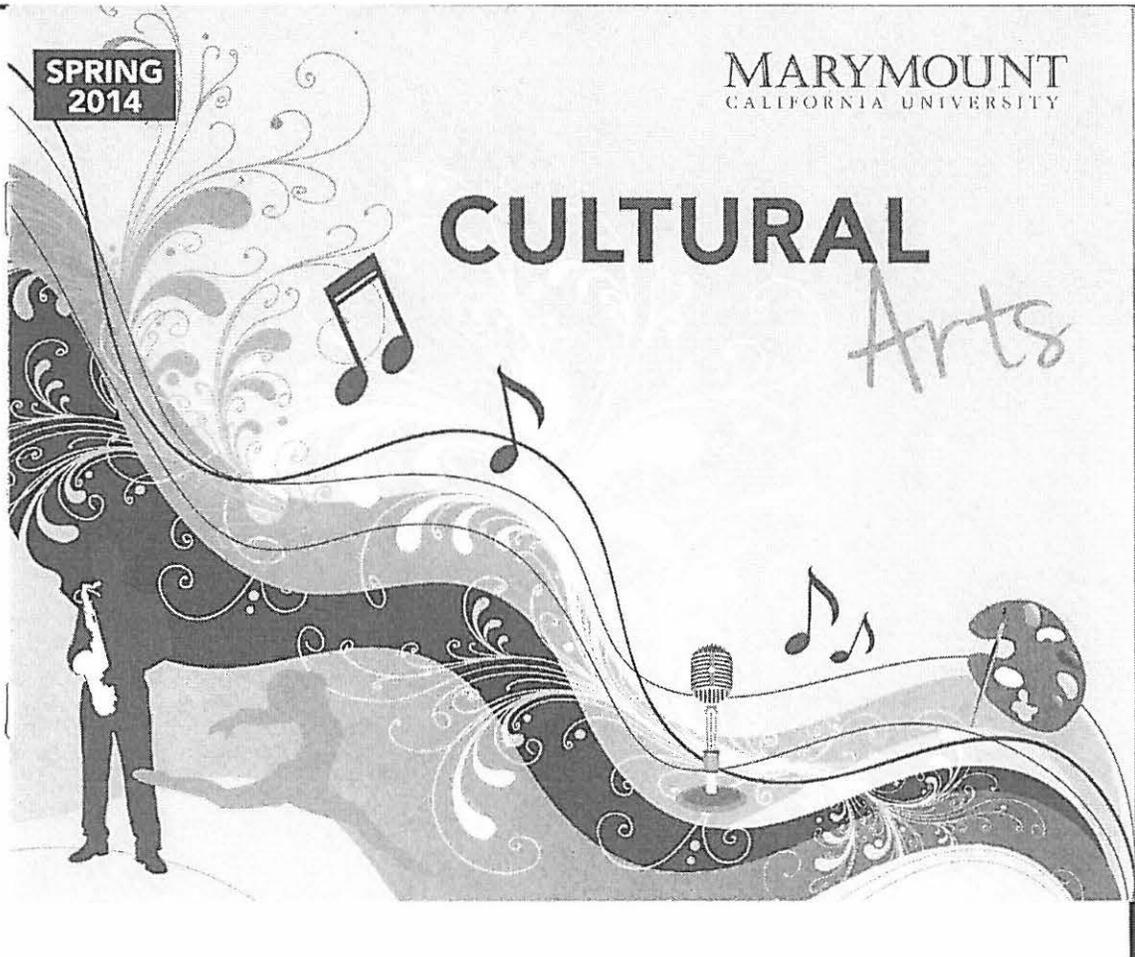
Just then, my neighbor Sara Doktor, drove up!!! I told her that she came in the nick of time because I was going to refuse to leave and let them call the Sheriff's office. I told Sara that the security officers told me I was not allowed to take pictures on Marymount property and that I have to get a permit to be on the property. Sara said, "what?" She told me to get in the car and then Sara asked her own questions, "are you telling me that we cannot take pictures on this property?" Sara said, "We are not allowed to take photos? And the security guard verified, "You need official business to be on our campus." I got in the car and then I asked Sara to stop and take a look at the area with the broken pipe. Sara and I got out of the car and I pointed out the saturated area that still is not fixed. I added, "how can they have a garden project with all sorts of pipes – when they can't fix the pipes they already have?" The security guards were still looking at us so we got in the car.

Sara then drove over to the "GROW PROJECT KICKOFF" area and said she had an appointment but could just swing by. We saw a man standing there using his cell phone. We pulled down the window and asked him if he was Marymount faculty. He said no, that he was just visiting from USC, just a guest. We asked him if he had a permit and he said no. We asked him if he took pictures and he told us not today he didn't because it wasn't very clear out.

I do not know how many people obtained guest passes today – I don't intend to return but I do want to let all residents know welcome we are at Marymount.

EXHIBIT C

Colorful brochure front entitled "Cultural Arts" and inside description of GROW PROJECT



**SUSTAINABILITY**

**GROW PROJECT KICKOFF**

Thursday, February 6, 12:30 p.m. • Free  
Oceanview Campus • GROW Site (NE corner of Campus)  
30800 Palos Verdes Drive E., Rancho Palos Verdes

Come learn about Marymount's new campus garden and help plant the first GROW crop!



**SUSTAINABILITY**

**WATERSHED SCREENING AND PANEL DISCUSSION**

Thursday, March 27, 6-8:30 p.m. • Free  
Cabrillo Marine Aquarium • John M. Olguin Auditorium  
3720 Stephen M. White Dr., San Pedro

Attend a screening of the award-winning film Watershed. Following the film, local water experts from the LA Waterkeeper and OC Coastkeeper organizations will participate in a panel discussion about water reliability and quality.



**SUSTAINABILITY**

**SUSTAINABILITY EXPO**

Tuesday, April 22, Noon-1:30 p.m. • Free  
Oceanview Campus • Chapel Circle  
30800 Palos Verdes Drive E.,  
Rancho Palos Verdes

Celebrate Earth Day by visiting with campus groups, local vendors, nonprofit organizations and utility providers, and find out how you can reduce your footprint, serve your community and live a more sustainable life.

**P.E.A.C.E. CENTER "Promoting Peace, Educational and Cross-Cultural Exploration"**



Tuesday, April 8, 7-9 p.m. • Free  
Oceanview Campus • The Commons and P.E.A.C.E. Center  
30800 Palos Verdes Drive E., Rancho Palos Verdes

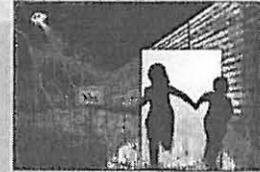
Join Marymount and the local community for interdisciplinary presentations about peace and intercultural understanding. Celebrate the Fifth Anniversary of the founding of the Center by Professor Sally Lee Wu and her Intercultural Psychology class. Presentations are in the Commons followed by a reception in the Center.

**MISSION LECTURE AND RECEPTION**

**"BEAUTY AND JUSTICE: LATINO THEOLOGY EXPRESSED AS LATINO ARTS"**

Thursday, April 3, 4 p.m., Artist's Reception: R.A. Lopez Studio • 372 W. Sixth Street, San Pedro  
Thursday, April 3, 5:30 p.m., Lecture: Grand Annex • 434 W. Sixth Street, San Pedro

Can the human yearnings for justice and beauty be brought together through the arts? Can beauty help us find and then build justice? Speaker Cecilia Gonzalez Anorieu, Ph.D., associate professor of theology at Loyola Marymount University, is a leading scholar in the developing field of theological aesthetics.



## EXHIBIT D

Portion of Dr. Brophy speech at City Council meeting January 21, 2014 transcribed by resident Diane Smith, 2704 San Ramon Drive, Rancho Palos Verdes, CA 90275 310/547-3856:

"... This notice was discussed at length in '09 & '10 and we think the CUP really protects the university and the council in terms of community use of the fields.

But I would like to offer that the community does use the campus quite a bit right now – some in an informal fashion, some in a formal fashion.

Informal fashion can range from folks using our tennis courts, folks using our parking lot – we find this very often in the neighborhood when they have events at their homes and also folks who join the campus in terms of either the pets they bring to the campus for walking or for some of the wild animals that are in the neighborhood.

Of course the chapel is used quite a lot as well so I think we want to balance . . .

EXHIBIT E

**From:** Duncan Tooley [mailto:duncantooley@cox.net]  
**Sent:** Tuesday, February 11, 2014 5:57 PM  
**To:** Ara M  
**Cc:** Diane Smith; 'Marc Harris'; [eduardos@rpv.com](mailto:eduardos@rpv.com); [joelr@rpv.com](mailto:joelr@rpv.com)  
**Subject:** Re: FW: Ms. Diane Smith/Mr. Ara Mihranian – REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Ara,

You met with Mark Harris, myself and the MaryMount Environmental Manager at 2pm on Friday September 6. At that time we were told:

- The area between the parking lot and the chain link fence was to be a buffer used as a nursery for native plants.
- Some fast growing plants were going to be planted along the fence that would totally block the view from my house.
- Marymount would remove the dead trees on my property that are leaning on and over the fence if I marked which limbs to be removed.
- This work would be done in two weeks after the grounds crew was all back from summer vacation.

I marked the limbs the next week. To date none of what was promised has transpired. In fact there is now much different activity going on in this area that was never intended, approved, or open for public comment.

I heartily disapprove of what is transpiring. It seems very contrary to the promises that have been made. There are now bricks stacked in the area. What will these be used for. I hear that there are plans for picnic benches for public access in the corner by my property. This is certainly not acceptable!

Please include these comments in your hearing.

Duncan Tooley,  
2742 San Ramon Drive.

On 2/11/2014 12:03 PM, Diane Smith wrote:

fyi

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

**From:** Diane Smith [mailto:[radlsmith@cox.net](mailto:radlsmith@cox.net)]  
**Sent:** Friday, February 07, 2014 3:34 PM  
**To:** 'Joel Rojas'; 'Ara Mihranian'; '[eduardos@rpv.com](mailto:eduardos@rpv.com)'

Cc: '[jim.knight@rpv.com](mailto:jim.knight@rpv.com)'; '[brian.campbell@rpv.com](mailto:brian.campbell@rpv.com)'; '[anthony.misetich@rpv.com](mailto:anthony.misetich@rpv.com)'; '[susan.brooks@rpv.com](mailto:susan.brooks@rpv.com)'; '[jerry.duhovic@rpv.com](mailto:jerry.duhovic@rpv.com)'; '[glash@cox.net](mailto:glash@cox.net)'; '[anita.reynolds@att.net](mailto:anita.reynolds@att.net)'; 'James'; '[Diggoryl@aol.com](mailto:Diggoryl@aol.com)'; '[kathyvenn@aol.com](mailto:kathyvenn@aol.com)'; '[roni@roniramosphoto.com](mailto:roni@roniramosphoto.com)'; '[vickihanger@aol.com](mailto:vickihanger@aol.com)'; 'Marc Harris'; 'Parvin Jensen'; '[jmaniataki@aol.com](mailto:jmaniataki@aol.com)'; 'James'; 'Karpov'; '[ronmcsberry@hotmail.com](mailto:ronmcsberry@hotmail.com)'; '[ladydmagg@hotmail.com](mailto:ladydmagg@hotmail.com)'; '[utopia4u@cox.net](mailto:utopia4u@cox.net)'  
Subject: RE: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

None of the residents were aware of Marymount's Community Garden Project that is smack dab in the middle between the parking lot and our San Ramon homes. No one was aware of Marymount's intentions and to what extent it would affect us. We were invited by public notice. I photographed the trash and threw it in the trash container and was improperly detained. We residents have already voiced objections to the noise. This new ambitious project by Marymount only compounds the noise and use of the parking lot and our City Council needs to know what is going on here. We residents believed the parking lot would be used for students only - and students with parking passes. Now Marymount put something new in the mix. A new area open to the public right in our San Ramon back yards. It becomes part of public comment Joel. You are an experienced planner. Surely you can appreciate that?  
Attached are copies of the photos I just had developed at CVS and scanned.  
Diane

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

From: Joel Rojas [<mailto:JoelR@rpv.com>]  
Sent: Friday, February 07, 2014 12:51 PM  
To: Diane Smith; Ara Mihranian; Eduardo Schonborn  
Cc: Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; '[jmaniataki@aol.com](mailto:jmaniataki@aol.com)'; 'Gregory Lash'; '[Diggoryl@aol.com](mailto:Diggoryl@aol.com)'; '[kathyvenn@aol.com](mailto:kathyvenn@aol.com)'; '[roni@roniramosphoto.com](mailto:roni@roniramosphoto.com)'; '[vickihanger@aol.com](mailto:vickihanger@aol.com)'; 'Marc Harris'; 'Parvin Jensen'; Carolyn Petru  
Subject: RE: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Diane

Over the last few weeks, you have sent us numerous emails about your concerns about the parking lot. We have repeatedly told you the same thing, which is that all of your concerns will be investigated by staff, brought to Marymount's attention and presented to the city council at the upcoming 6-month review hearing along with staff recommendations on how to address your concerns. We have never instructed you to go onto the Marymount campus to do your own investigation and take your own photos.

Staff is very aware of your concerns with the parking lot lights, along with the trash, loitering, smoking and noise caused by student use of the lot. Ara has been talking to Marymount about these concerns and ways to mitigate them. All of this will be addressed in the forthcoming staff report on the item that will be provided to the city council and the public on the Thursday before the February 18<sup>th</sup> City Council meeting. The February 10<sup>th</sup> deadline is for comments to be addressed in the staff report. Public comments will be accepted all the way up to the February 18<sup>th</sup> meeting including at the meeting itself. I do not see how an extension of time is warranted as you have been aware since December of the forthcoming 6-month review hearing and you have already submitted about 20 items of correspondence about the parking lot which will be included in the staff

report.

Joel

---

From: Diane Smith [radlsmith@cox.net]  
Sent: Friday, February 7, 2014 9:37 AM  
To: Ara Mihranian; Eduardo Schonborn; Joel Rojas  
Cc: Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; 'Gregory Lash'; Diggoryl@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen'  
Subject: FW: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Dear Ara, Eduardo and Joel,

You told me to take pictures as evidence of our objections to Marymount's East Parking Lot as the parking lot is still in its 6-month review period. Our comments are due February 10, 2014.

We neighbors object to the students smoking and flicking their cigarettes into the open fields and we have lots of photographs and evidence of that - that is why we need a solid barrier between the parking lot and the field so we can deter fires. The photographs do not lie.

We object to the students noise at the new East Parking Lot so we try to get pictures/videos of them bouncing their basketballs (Ara was witness to that but my camera was not strong enough to capture it), and flicking their vehicle lights on and off in "fun" and revving their engines, car alarms going off, groups of kids congregating in the corner next to San Ramon homes, smoking stuff, and drinking - - - how else can you believe us if we can't get pictures?

We do get pictures from our homes where we see the reflection of plastic trash on the hillside but we have to go on the property to take pictures of the beer cans, beer bottles, condom packages (ugh and other) and especially cigarette butts so you will believe us. If Marymount knew we wanted to take pictures of that then they might not allow us on the property. When I was already there on the property picking up trash in November and saw the leakage at the far end closest to the Vista del Mar property I HAD to photograph it so you would believe me that it is indeed leaking. That was in November 2013 and now it is February 2014 and the area of leakage saturation has doubled and thank goodness my neighbor Sara Dokter was there to witness it with me yesterday.

In hindsight it seemed to me that security was on the look-out for neighbors. I took an initial picture of the "Grow Project Kickoff" as I approached the area and there were students (people) walking towards me but the picture was intended to see the area of the kickoff next to neighbors' homes - I couldn't help the people in the way. I took pictures of the dwarf trees they intend to plant and of the galvanized containers showing watering devices and of the boulder seating area. These pictures were necessary for me to show you that having an abusive bright light, noisy and trashy parking lot was not enough to impose on neighbors but that they now invite the underprivileged from San Pedro to participate in growing and harvesting a community garden in the back yards of San Ramon neighbors.

Marymount's security officer driving up to me after I had deposited all that trash in the trash barrel and saying, "are you a resident?". Please read my memo as I prepared it directly from the notes I took the whole time I was there. I was calm, inquisitive as to their names and requested they call Mr. Reeves and they were very nervous, very hostile and, again, luckily my

neighbor Sara Dokter was there, at least towards the end, to experience this. It was quite amazing.

Dr. Brophy's attempt to characterize me as going around taking pictures of students is ludicrous and just weak. Dr. Brophy and Marymount don't want to be further exposed as hypocrites - having this GROW PROJECT ridiculous community garden to educate and feed the poor - look at my memo - harvest from a few dwarf fruit trees? I am interested in their upcoming WATERSHED SCHEENING AND PANEL DISCUSSION on March 27 - I suppose they will kick me out of that, especially if I have questions on how much time it takes to repair pipes (or whatever is causing saturation) at their parking lot located at the top of the South Shores Landslide. I am interested in also attending the next Marymount SUSTAINABILITY EXPO on April 22 where they celebrate Earth Day telling people how they can reduce their footprint.

Dr. Brophy spoke at the January 21 City Council meeting boasting of their goodness - even saying how neighbors walk their dogs there. What a bunch of junk. Dr. Brophy left out the part that their security officers are great at kicking mature neighbors out for walking our dogs there - even the previous Mayor (much younger than us) was kicked out. Marymount security can't seem to kick out the smoker students, drinker students, noisy students and so on. Heck, Marymount security doesn't even know who has the "power" to turn on and off those annoying parking lot lights - - remember when they left the lights on all night? I went to their security asking who was in charge? They told me - maintenance. I went to maintenance and they told me - security. Do you want me to dig up that whole scenario?

I was stopped by Marymount security who was driving in a little security golf cart vehicle right after I had picked up a lot of trash and deposited it up on the second level into a trash receptacle. I was calm and inquisitive and took notes and names and went home and wrote up a memo. I believe our time frame to submit comments to the East Parking Lot should be suspended until we can nail down the true and honest future purpose of this GROW PROJECT Marymount kicked off yesterday at 12:30 pm. We need time to consider the number of vehicles and people that would be added to the campus and the parking lot during the week and weekends, vehicles from Harbor Interfaith clients and their children, handicapped vehicles and so on.

I therefore request an extension of time to submit public comment to a time you feel is appropriate.

Thank you.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

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

From: Michael Brophy [<mailto:Mbrophy@marymountcalifornia.edu>]

Sent: Friday, February 07, 2014 8:24 AM

To: Diane Smith; 'Ara Mihranian'; [eduardos@rpv.com](mailto:eduardos@rpv.com); 'Joel Rojas'; [cc@rpv.com](mailto:cc@rpv.com)

Subject: Ms. Diane Smith/Mr. Ara Mihranian

Greetings

Yesterday we had some excitement on campus when Ms. Diane Smith came onto

our private property and began taking photographs of our students. I have spent time with our campus safety team and have come to learn that there may be some confusion about whether or not Ms. Smith was invited to do so by city staff member Ara Mhrianian. I understand Mr. Mhrianian was also on campus taking photos.

Let me keep this simple: I will ask Diane Smith or Ara Mhrianian to call me directly at 310-944-2306 if they wish to come onto our campus. This is private property and we have the responsibility to create a safe and peaceful environment for our students and staff. Something happened yesterday that put that in jeopardy, so I only ask that these individuals speak with me directly about any future request to visit campus. Many neighbors use our private campus all the time, but incidents like yesterday are not welcome.

Regards,

Michael

---

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

---



“Stay always in **JOY**, and all things you desire will come to you!” *Law of Attraction*

*Alvin*

*Vooley*

“Mind Runs Body” Sub-Conscious Mind Trainer and Wellness Coach

**310-832-0830** [[CLICK HERE](#) to book an appointment NOW!]

- Learn the all-natural, non-surgical, mind-based **weight loss** system at [ThinkMyselfSLIM.com](http://ThinkMyselfSLIM.com)
- Turn off your **chronic pain** in 60-seconds with the power of your mind at [CancerHypnotist.com/pain](http://CancerHypnotist.com/pain)
- Learn how your thoughts today create **your tomorrow** at [MindMasteryFoundation.org/5-law-of-attraction](http://MindMasteryFoundation.org/5-law-of-attraction)
- Increase your **energy, focus, calm, or joy** at [MindMasteryFoundation.org/1-increase](http://MindMasteryFoundation.org/1-increase)

EXHIBIT F

**From:** Diane Smith [mailto:radsmith@cox.net]  
**Sent:** Wednesday, November 20, 2013 1:22 PM  
**To:** 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'  
**Cc:** 'Mbrophy@marymountpv.edu'; 'Marc Harris'; 'vickihanger@aol.com'; 'LOIS Karp'  
**Subject:** Marymount East Parking Lot – NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Dear Ara, Eduardo and Joel,

I may not have emphasized this earlier but we do not want Marymount conducting classes behind San Ramon homes. I am not speaking for Marc Harris and Mr. & Mrs. Tooley, but I am speaking for myself and others immediately affected. Attached are photographs of several students digging, talking, making clatter and although the words sound very sweet – that they are planting California vegetation and fruit trees – the true nature of the students came out when one of them shouted to the teacher to tell them we'll give them some fruit. The teacher did not reprimand the student or at least tell them to be more respectful – he just told me to contact the city, which I did. I have not had a response from the City nor Marymount regarding my request that there be no classes conducted next to resident homes – both on San Ramon and on Vista Del Mar. Because of the noise corridors we level and downslope residents can often hear every word that is said from the hilltop.

Although Laura McSherry wrote and spoke about her concerns over light and noise, no one came to her home to conduct light simulations or noise simulations. The McSherry home is within the 500 foot region and her written and oral concerns were simply ignored and left out of the EIR process. I do not know where sound and light simulations were conducted from Vista Del Mar.

Marc Harris may not feel the way we do because he works – but most of us are retired and home all day and have to listen to the noise day in and day out. Please do not allow classes to be conducted next to San Ramon nor Vista Del Mar homes.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856





Coming Soon

MCU   
grow  
PROJECT

a GARDEN for Restoration, Outreach  
and Wellness

Please contact KATHLEEN TALBOT in the Office of  
Sustainability if you have questions.

EXHIBIT G

Eyesore of dying plants at the front of Marymount campus.

**From:** Diane Smith [mailto:radsmith@cox.net]  
**Sent:** Monday, November 04, 2013 4:33 PM  
**To:** 'Ara Mihranian'  
**Subject:** Marymount East Parking Lot - Mitigation - Hedge

Dear Ara,

When you came to my house, you spoke to me about working with you on this matter. You spoke about possibly having Marymount put in a high hedge to block out the light that we see.

It is obvious that a hedge will not work.

Today I took several pictures of the "hedge" existing in front of Marymount's FRONT parking lot on P.V.Drive East.

The hedge is mostly dead from lack of care.

The parking lot is set up so the cars park towards the street and therefore towards neighbors across the street – on Crest Road and in the Mira Catalina tract. I'm sure many of these cars leave at night and therefore their headlights would shine directly into the back yards of at least two homes. I have attached a picture taken from the southwest end of the front parking lot looking at the back yard entertainment areas of two homes in the Mira Catalina tract.

The second picture shows that Marymount has never taken care of those hedges – they are barely alive.

If that is how Marymount takes care of its FRONT yard then what makes you think they would keep up vegetation in the new back parking lot?

Sincerely,  
Diane Smith



EXHIBIT H

LIGHTS ON ALL NIGHT:

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Saturday, November 09, 2013 4:01 PM  
**To:** 'Ara Mihranian'  
**Subject:** RE: Marymount East Parking Lot - Lights still on

I went to Marymount just now and spoke to another Security person, a Mr. H. Dzida, and he told me that Security personnel do not handle the parking lot lights – that the maintenance people handle that. This morning it was a maintenance man I spoke to who told me that maintenance did not handle the parking lot lights – that it was Security people.

Diane

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Saturday, November 09, 2013 10:44 AM  
**To:** Diane Smith  
**Subject:** Re: Marymount East Parking Lot - Lights still on

Diane,

I have emailed Marymount representatives. As soon as I receive a response I will email you.  
Ara

Sent from my iPhone

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Saturday, November 09, 2013 8:22 AM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

I went to Marymount at 8:00 a.m. this morning and just got back.

The 10 vehicles are all gone and the gates are still up.

The lights are off.

I found a security guard, Mr. W. Melgar, and asked when he started his shift. Mr. Melgar said he started at 7 am. I asked him if the prior security guard left a log or information on what was going on at Marymount last night and he looked at his computer and said he did not see anything. He said if I wanted to leave my name and contact information with him and a message, that he would give the information to his supervisor, "Michael" (did not know last name). Mr. Melgar told me that he is unaware of Marymount's policies – that he only works on the weekend.

My handwritten message (on a blank envelope that he gave me) asked

- what time the lights were turned off,
- what time the 10 vehicles left,
- what event was going on at Marymount last night/early this morning.

Ara, this needs follow-up by the City. The City allowed Marymount to have the parking lot lights on every single night until 10 pm. This is wrong Ara. This is abusive. Then Marymount, laughs at the City process and keeps its gates up all night, every night, and

leaves its lights on well after the City/Marymount agreed times/ Marymount does not tell its Security Guards what to "look for" and what constitutes breach of their conditions of use; the City has not put in place any recourse to residents as to how to stop the abuses. I can keep going on Ara.

This parking lot is wrong Ara and you know it.

The City council needs to be on top of this.

If this is left unaddressed now, it will grow into a much greater menace to the community.

Diane

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Saturday, November 09, 2013 12:20 AM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

Marymount Security has not turned the lights off – it is now 12:15.

The vehicles remain in the parking lot.

Diane

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Friday, November 08, 2013 11:46 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

I went to Marymount and spoke to the maintenance man about turning the lights off in the east parking lot. He told me that the Security Officer had the keys and that he would find the Security Officer and ask him to turn the lights off. The lights are still on and there are still 10 cars parked in the parking lot. One car has a Texas license plate. I took photographs of all of the cars. I thought there was no overnight parking.

By the way, are they allowed to have camper vehicles in the parking lot?

Diane

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Friday, November 08, 2013 11:21 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

It is now 11:15 pm and the lights are still on in the parking lot and there are still cars in the parking lot. I don't know if I should call the police and tell them to have Marymount turn off the lights or if I should just go to Marymount myself.

Diane

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Friday, November 08, 2013 10:47 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

It is 10:45 PM and there are ten cars still parked in the parking lot and the lights are still on.

Diane

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Friday, November 08, 2013 10:19 PM

**To:** 'Ara Mhramian'

**Subject:** Marymount East Parking Lot - Lights still on

Dear Ara,

It is after 10:15 pm Friday night and I can see six cars still in the parking lot with the parking lot lights still on. What is going on?

Diane

## PAPER AIRPLANE AND CIGARETTE TRASH| PROBLEMS

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

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

Sent: Monday, November 18, 2013 1:41 PM

To: 'Ara Mhramian'; 'MBrophy@marymountpv.edu'; 'eduardos@rpv.com'; 'Joel Rojas'

Cc: 'anthony.misetich@rpv.com'; 'brian.campbell@rpv.com'; 'susan.brooks@rpv.com';

'vickihanger@aol.com'; 'jim.knight@rpv.com'; 'jerry.duhovic@rpv.com'; 'jlkarp@cox.net'; 'LOIS Karp';

'Parvin Jensen'; 'racisz@cox.net'; 'Marc Harris'; 'Gregory Lash'

Subject: FW: Marymount new east parking lot - MORE TRASH - DOUBLE INCREASE IN CIGARETTE BUTTS

This is my SECOND notice to the City and Marymount regarding hillside trash, combustible trash and flicked live cigarette butts (now twice as many as before).

I recently noticed an increase in trash on the hillside below Marymount's East Parking Lot since I last picked it up Sunday, October 6, 2013 and informed Marymount and the City.

It has now been over a month since I picked up three loads of trash from the hillside and carefully documented and kept everything and informed Marymount and City. After noticing the maintenance vehicle several times after my first notice, I assumed Marymount maintenance was picking up the trash. Apparently I was mistaken at least to the hillside trash.

I took a large trash bag to the parking lot and started towards the Vista Del Mar home photographing and picking up trash as I went along. Once I got to Vista Del Mar I noticed the cigarette butts again. I picked up an empty water bottle and started collecting the flicked cigarette butts from the same point (at the Vista Del Mar home) to the half-way point of the lot, as I did on Sunday, October 6, 2013. I collected 232 cigarette butts this time - in the same section as I collected last time. Therefore the increase in cigarettes has more than doubled! (Last period of time from when the students first started parking there until October 6, I picked up 97 cigarette butts.) There were also many cigarettes and other trash piled up in the drain which I photographed.

There were many cigarettes and other trash shoved into the grates over the drain/grate area where two trees are planted (middle of the far-east portion of the parking lot). I am therefore very concerned about water backing up and overflowing into the South Shores Landslide. (I believe residents in the Palos Verdes Shores Mobil Home Park should have been specially noticed of the whole Marymount EIR process since they are directly affected in view of the potential landslide.)

I also observed, and photographed, cigarette butts in the dry field. Since the live flicked cigarette into the brush and combustible trash was a concern of the fire department as well, I prepared and hand-delivered a follow-up letter to the fire department regarding cigarette butts in the field. Two firefighters were at the station when I arrived. I explained that this was my second concern over the fire hazard. I further explained that five of the ten affected families on San Ramon have experienced

the terror of fire in the field a long time ago. In fact, Mrs. Frankie Cornelius took a wonderful picture of the helicopter over the fire in the 1970s. At that time vehicles were able to access into the field from the switchbacks. Auto occupants would park, drink and smoke cigarettes. We residents asked the fire department to install a barrier to keep the vehicles out of the field which they did right away. We have not had a fire in the field since that time. Now we are faced with the same scenario – cars, drinking, cigarettes. I told firefighters I had previously brought this to the attention of Marymount and to the attention of the City. The Battalion Chief took my letter for handling.

After picking up all the trash below the parking lot I noted there was not much unusual from the past trash except for the jaw of what might be a coyote. Two crows were hovering just as I picked up a bag with a sandwich in it. There were beer cans, soda cans, water bottles, candy wrappers, a business card from a San Pedro auto detailing place, Starbucks cups, miscellaneous paper cups, food trays (cardboard, styrafoam and clear plastic), lots of napkins, a pair of socks, parking tickets, school notes and other written matter. A few Mcdonald's bags with food wrappers were in the field. One bag farther out had a rock in it – I assume to give the bag more weight so it could be tossed further down the hillside. There is a clear coyote trail up to the parking lot. Since the construction in the San Ramon Canyon eliminated coyote water sources, I have noticed an increase in coyotes on and near nearby streets including a sighting at 1:30 pm trotting in the middle of Flowerridge and another in the evening on our own San Ramon.

I have observed student groups (more than 2) gathering, sharing cigarettes on the way and moving out of sight towards the San Ramon homes. I do not know how long they stayed there or if they maybe left through the Fire easement but there certainly is a lot of trash in that area. I did not pick that trash up so as of today, Monday, October 18, 2013, the trash on the hillside below the tennis courts is still there.

Although Ara has asked me to carefully document my concerns about Marymount's East Parking Lot this is the last time I will pick up Marymount's trash. I had the photographs developed include some of them with this notice. I plan to take one of our old trash cans to Marymount this evening so the kids can have a place to throw their trash. I have done enough!! I have brought the trash issue and the "shopping mall" parking lights, noise, invasion of privacy issues in the past to Marymount and to the City and no one seems to care.

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

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

From: Ara Mihranian [<mailto:AraM@rpv.com>]  
Sent: Tuesday, October 08, 2013 4:13 PM  
To: Diane Smith  
Subject: RE: Marymount new east parking lot

Hi Diane,

I am available to meet with you anytime tomorrow morning before 11:30.

As for the upcoming meetings, I am not sure what dates have been identified but we can talk about it tomorrow.

Ara

Ara Michael Mihranian

Deputy Director of Community Development \_\_\_\_\_

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)

Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

From: Diane Smith [<mailto:radlsmith@cox.net>]  
Sent: Monday, October 07, 2013 4:30 PM  
To: Ara Mihranian  
Cc: [MBrophy@marymountpv.edu](mailto:MBrophy@marymountpv.edu)  
Subject: RE: Marymount new east parking lot

I have golf tomorrow morning so Wednesday morning will work. What time is best for you. Would you please let me know the date of the City Council's six month review and the date of the upcoming Neighborhood Advisory Committee meeting? I spoke to the homeowner at the end of Tarapaca (sp?) in the El Prado community and he is very upset with the intrusive lights from the Marymount Parking Lot. I have yet to speak to his neighbors - I count 12 homes within sight of the lights. I'll try contacting them tonight.

I visited LA County Fire Captain just before noon today and asked him if we should be worried brush fire considering all the cigarette butts at the new parking lot. Off-hand he said I should not be concerned unless the cigarettes are flicked live into the brush. He told me he would visit the site and get back to me. I have developed the trash photos and will bring them all with me Wednesday morning. I will scan and describe the very surprising ones and email them to you.

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

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

From: Ara Mihranian [<mailto:AraM@rpv.com>]  
Sent: Monday, October 07, 2013 9:27 AM  
To: [radlsmith@cox.net](mailto:radlsmith@cox.net)  
Cc: [MBrophy@marymountpv.edu](mailto:MBrophy@marymountpv.edu); Joel Rojas; Eduardo Schonborn  
Subject: RE: Marymount new east parking lot

Mrs. Smith,

The City is receipt of the emails you submitted over the weekend documenting your concerns with the use and condition of the newly constructed parking lot at Marymount.

The information you are providing will be presented at the upcoming Neighborhood Advisory Committee meeting between Marymount and the neighboring five homeowner's associations. Additionally, according to Condition No. 18, the concerns you are expressing will be addressed at the City Council's six month review of the newly constructed parking lot. In regards to the EIR, I am available to meet with you on Tuesday or Wednesday mornings, let me know what works for you.

Regards,  
Ara

Ara Michael Mihranian  
Deputy Director of Community Development \_\_\_\_\_

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)

Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

From: [radlsmith@cox.net](mailto:radlsmith@cox.net) [mailto:[radlsmith@cox.net](mailto:radlsmith@cox.net)]  
Sent: Monday, October 07, 2013 7:59 AM  
To: Ara Mihranian  
Cc: [MBrophy@marymountpv.edu](mailto:MBrophy@marymountpv.edu)  
Subject: Marymount new east parking lot

At this time yesterday I had already photographed and picked up one large trash bag full of trash from the hillside below Marymount's new east parking lot. I went back for a second and third bag. I filled the second bag with mostly large beer and hard liquor bottles from the south end of the lot. I can't imagine how awful the parking lot must be for that neighboring homeowner! There are a few bottles in smashed condition still there. As I walked back along the edge of the parking lot I noticed many cigarette butts. I picked up 97 cigarette butts, mostly from the new wood chip covering beyond the edge of the parking lot. I'm surprised the cigarettes did not ignite because it appears they were just flicked out and left to burn. I did not go beyond the wood chip area looking for cigarette butts and I

stopped collecting them once I came to the enlarged cement area with the two trees. If you go to that area this morning you will see for yourself how many cigarette butts there are. I will stop by the fire station on my way home today and make inquiry to see if we should be concerned about fire hazard as the parking lot abuts a fire hazard zone. There sure was a lot of trash there. I noticed there was no food in the plastic trash containers, plastic and paper lunch bags but there is a coyote trail leading up to the area. I picked up several paper "airplanes" where the kids were shooting them off the ridge into the field - one of them is a folded up Marymount parking paper! I also retrieved a new "arrow." I have saved the trash and will follow-up with pictures and itemized description. There is a lot of trash - especially since you consider the school year as just started!

I will be looking to see what the City required regarding trash and smoking in the EIR.

Also, my computer could not load the complete EIR "letters" pdf. There was a notice "This pdf document might not be deployed correctly." so I will have to make a trip to the city to review hard copies. Please let me have some times when this will be possible.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547=3856

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

**Sent:** Monday, October 07, 2013 5:28 PM

**To:** 'aram@rpv.com'

**Cc:** 'MBrophy@marymountpv.edu'

**Subject:** Marymount College new east parking lot - trash photos

Here are the photos showing the bags of trash I picked up on Sunday, October 6, 2013 from Marymount College's new East Parking Lot:

- 1) Marymount Parking lot bags of trash - two photos, one showing a blue Ikea bag filled with beer and alcohol bottles and cans as well as one plastic soda bottle filled with cigarette butts from on section of the parking lot that abuts the brush; the other showing three bags of trash in the field after first collection trip;
- 2) Marymount Parking lot hillside trash - three photos showing hillside trash, yoghurt container and plastic water bottle in field;
- 3) Marymount Parking lot paper airplane trash - three photos showing paper "airplane" trash - papers, including a Marymount brochure folded into the shape of a glider;
- 4) Marymount Parking lot hillside Trojan trash - three photos showing package of Trojan product, a Marymount paper "Determining ... Acceleration of Gravity and other Marymount documents in the field;
- 5) Marymount Parking lot beer bottle trash - three photos showing bags containing beer bottles, beverage cans and other trash on hillside.

Sincerely,

Diane Smith

GRAFFITI PROBLEMS:

**From:** Rozas, David T. [mailto:DTRozas@lasd.org]  
**Sent:** Monday, March 17, 2014 12:04 PM  
**To:** 'Diane Smith'  
**Cc:** Petru,Carolynn L.  
**Subject:** RE: Lomita Sheriff Report of Graffiti

Hi Diane, We drove to both locations yesterday. The catch basin has been painted over. However, Vista Del Mar is the problem. It is a vacant lot that has become a gathering place for all the youngsters. It appears from reading some of the graffiti that it is local kids and from San Pedro. The view is awesome and I m sure that's what they come up there to see. There is a makeshift bench half way down the property where the gaze out over the water. It also appears to be a construction dumping ground. There were a lot of building material that have been strewn about. We spoke to a neighbor who came out and visited us. He was aware of the day/night visits by the kids but said they really don't bother him so there was real no reason to call the station. We told him that he needs to call when the carloads of kids get up there. I gave him my card and the stations phone number.

In the meantime, we will be working with the city to find the property owner and have the property fenced off to eliminate this hazard.

Please let me know if I can be assistance..

Dave Rozas  
Lomita Station  
(310) 891-3227

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Sunday, March 16, 2014 4:37 PM  
**To:** Rozas, David T.  
**Subject:** RE: Lomita Sheriff Report of Graffiti

Dear Mr. Rozas,  
Thank you for your response and I hope you enjoyed your time off.  
I understand that at least Marymount has painted over the graffiti – I'm not sure of Vista del Mar.  
I have photographs of all the graffiti both at the Marymount catch basin and the top of Vista del Mar.

Marymount opened a new East Parking Lot June 29, 2013. After school started, the end of August 2013, neighbors started noticing more and more trash, smoking and flicking cigarettes into the open field below the lot, and drinking and generally trashing the place. After numerous complaints I offered to put my own trash cans up there and then the school put in trash cans (late November) and started regular security patrols after the holidays. Neighbors then started noticing young people gathering at the end of Vista del Mar and the look-out on the switchbacks just below the entrance to Vista del Mar. Our City Council joins us in our concern about safety and we have had people speak at our homeowners meetings about the increase in crime in our city. In fact, I am hopeful the

Sheriff's department will be able to work with the Palos Verdes Police to install cameras at all ingress and egress to the peninsula in the near future.

Meanwhile, the increase in nuisance from motorcycles and cars with loud exhaust going up and down the switchbacks has increased tremendously since the beginning of the school year and now we are seeing graffiti in the important Marymount catch basin and in the beautiful Vista del Mar cul-de-sac - places where we've never seen it before. I have recommended that the owner of the vandalized property in the Vista del Mar cul-de-sac be fenced off. I have lived across the canyon from Vista del Mar since 1978 and I have experienced the horror of fires in the canyon. Thanks to our wonderful fire department, barriers were immediately erected at the entrance to the canyon and thank goodness we have not had a fire there ever since.

These young people do not understand how dangerous and threatening it is to flick live cigarettes into the canyon over combustible trash - it is a great concern to all of us. I will offer to buy a length of chicken wire and some rebar and make a temporary barrier across the property until something more appropriate (and stronger) can be put up there.

On February 25, 2014 I was coming up the switchbacks at around midnight (after the RPV Planning Commission meeting) and was STUNNED to see 8 cars parked in two rows in the viewing pull out area just below the entrance to Vista de Mar. I saw LIVE FIRE coming from what appeared to be a little barbeque or hibachi. I slowed down to see what was going on and the young people looked at me - they were holding cups - not being noisy - just the live fire jolted me so I sped up and went right in my house and called Lomita Sheriff's Department and asked them to please send a car right away.

I do not know if the Marymount drinkers/smokers have just moved to Vista del Mar or if it is just a sign of the times.

So I have kept pictures of all the graffiti as I assume you keep a log of it or are in touch with the LAPD gang graffiti unit or whatever it is called - to help you monitor that type of activity in our area. Other residents are taking photos as well.

Thank you for all your good work to protect our city.

I hope my photos and comments are helpful.

Sincerely,

Diane

P.S. Please forward my comments to your "ccs" and others as you see fit.

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

**From:** Rozas, David T. [mailto:DTRozas@lasd.org]

**Sent:** Sunday, March 16, 2014 1:07 PM

**To:** 'Diane Smith'

**Cc:** Petru,Carolynn L.; Souza, Reece W.

**Subject:** RE: Lomita Sheriff Report of Graffiti

Hi Diane, I just returned from a few days off and saw this matter. Has this been taken care of? Is the graffiti still there? Please let me know so I can get the reports rolling on this side and have the city paint it over.... Thanks, Dave Rozas

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, March 14, 2014 9:11 AM  
**To:** Rozas, David T.  
**Cc:** bubba32@cox.net; 'LOIS Karp'; 'Linda Gordon'; 'Gregory Lash'  
**Subject:** FW: Lomita Sheriff Report of Graffiti

Below is my summary of my phone call with Lomita Sheriff's department about ½ hour ago. I am forwarding to you our photos taken yesterday at the end of Vista del Mar and the Marymount Catch Basin on P.V. Drive East (across from Ganado) at the suggestion of one of our neighbors.

Many neighbors are concerned over the recent increase in traffic and are warned of an increase in crime in the area. I am hopeful you can identify the gangs or individuals responsible for this graffiti and provide more supervision until you can catch the culprits. In the past month I have heard the security alarm go off on a home on Vista del Mar – I visited the site and spoke to one of your officers who told me not to be concerned. I also called your department about the 8 cars with young people I saw on the viewing area below Vista del Mar where I saw a hibachi or such type of container with live fire in it. I was assured that your department would investigate.

Please let me hear from you with regard to all of these recent suspicious activities in our neighborhood.

Thank you.

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

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, March 14, 2014 8:58 AM  
**To:** 'James'; 'Linda Gordon'; 'Gregory Lash'; 'LOIS Karp'; 'vickihanger@aol.com'  
**Subject:** Lomita Sheriff Report of Graffiti

Dear Neighbors,

I just spoke to Sgt. Arellano of the Lomita Sheriff Department about the graffiti at Vista del Mar and Marymount's catch basin. I told him that we have pictures of the graffiti and would like to know if our local Sheriff department or the LA Police have a gang unit that can recognize these symbols so we have an idea of who is degrading our neighborhood. Sgt. Arellano told me that the Lomita Sheriff Department does keep in touch with schools but that we seldom have such incidents in our city. He asked me to file a report with the front desk and transferred my call. The woman at the front desk told me that she could not take a report from me because I was not the owner of the property!!!!

I would like to get these photos "on the record" of the unsightly graffiti before Marymount and Vista del Mar "owners" paint over them.

Suggestions?

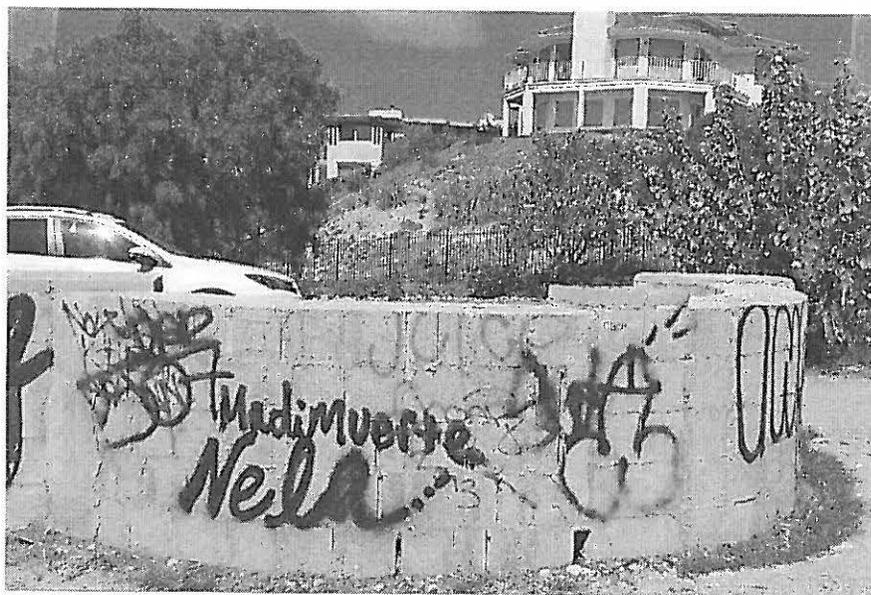
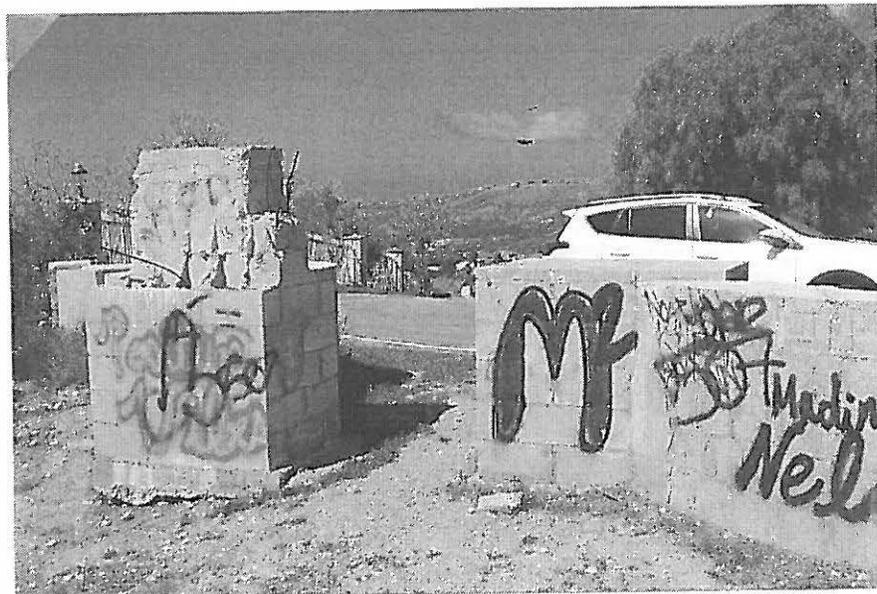
Diane



Marymount Catch Basin Graffiti (removed within a day of notice)

VISTA del mar

3/13/14



## EXHIBIT I

### Complaint of types of vehicles other than intended use for CARS

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, November 20, 2013 2:01 PM  
**To:** 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'  
**Cc:** 'vickihanger@aol.com'; 'Marc Harris'; 'Mbrophy@marymountpv.edu'; 'LOIS Karp'  
**Subject:** Marymount East Parking Lot – Type of Vehicles allowed – NO MOTORCYCLES

Dear Ara, Eduardo and Joel,

I may not have emphasized how irritating it is to hear the motorcycles revving their engines during the day. Some of the motorcycles are very loud. I have only seen one camper and one "coach" up there but of course I am not looking all the time. We would therefore appreciate it if Marymount would designate an area for "motorcycles only" and designate an area for campers, coaches, buses and recreational vehicles – out of sight and earshot of neighbors.

Thank you,  
Diane Smith  
2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275  
310/547-3856



**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, November 20, 2013 1:35 PM  
**To:** 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'  
**Cc:** 'vickihanger@aol.com'; 'LOIS Karp'; 'Marc Harris'; 'MBrophy@marymountpv.edu'  
**Subject:** Marymount East Parking Lot - Gates are up all night

Dear Ara, Eduardo and Joel,

Attached are photographs I took Sunday, October 20, 2013 at 7:12 pm showing a gray Honda Pilot License No. 5XYR404. We noticed so many vehicles coming and going – that is why I eventually got in my car and went there and took pictures. The gates were up as usual. It is only a matter of time before the light beacon attracts the public and they come to enjoy the view and trash the place – like the public did with dogs at Ocean trails. As more and more people found out about the lovely trails at Trump National there were too many bad that came with the good and the bad apples ruined it for everyone. I don't know how Trump managed to tolerate all the nasty people – especially the pit bulls that attacked a sweet yellow lab. Back on track – those gates need to be operated automatically with a gate pass – for students only.

Sincerely,

Diane L. Smith, 2704 San Ramon Drive, Rancho Palos Verdes, CA 90275

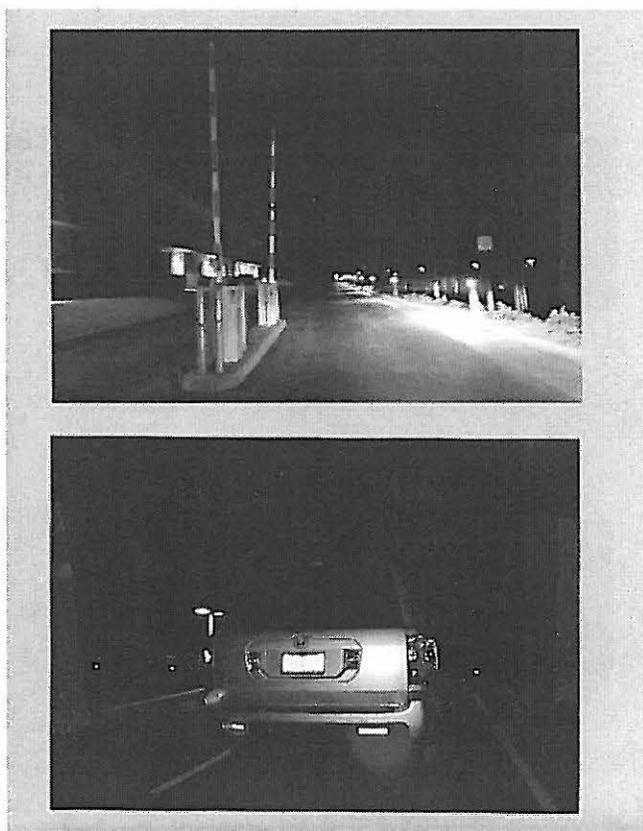


EXHIBIT J

Marymount knew of neighbors' complaints as early as October 31, 1997

ROSLYN J. STEWART  
ATTORNEY AT LAW  
2903 VISTA DEL MAR  
RANCHO PALOS VERDES, CA 90275  
PHONE & FAX (310) 514-0303

October 31, 1997

RECEIVED  
NOV 03 1997  
PLANNING, BUILDING  
& CODE ENF

Marymount College  
30800 Palos Verdes Drive East  
Rancho Palos Verdes, CA 90275

Attention: Tom McFadden, President

Dear Tom:

This letter is to confirm the recent disturbances we have experienced from the college's activities.

Three days ago I called to report that one of your students was walking on the top of the wall between our properties. This same student climbed off the fence and entered our yard in search of his soccer ball. Not only are we concerned that your students will injure themselves by these activities, but we are annoyed and disturbed by the intrusion into our privacy and the trespass onto our private property. As you know while it may not be immediate, we have always returned the errant soccer balls upon our discovery of them. Also we have two dogs which might attack such an intruder. And finally, the terrain on our property is steep in many places and a student may be injured. We would appreciate your posting a NO TRESPASSING sign on the wall, also advising the students or other players using your field NOT TO DISTURB THE NEIGHBORS.

In addition to the continuing problem of the soccer balls coming over the fence, we have recently found over 12 golf balls in our yard from the school. Needless to say great injury and/or property damage can result from this carelessness.

Two days ago we called to request that Marymount cease using their leaf blowers prior to 8 AM. On that day they were in use at 6 AM which is not unusual. On several occasions we have been awakened by the leaf blowers prior to 6 AM. I left a message for Jim Reeves about this problem. I was told that Jim was in a meeting with Greg Medico and the information would be given to both of them, and the problem would be taken care of immediately. You can imagine our disappointment when we again were disturbed yesterday morning at 7:20AM by the use of the leaf blower on the college property, and again today before 7 AM by the use of the power mower on Castel field.

Marymount's use of these gardening machines prior to 8 AM on week-days (and 9 AM on Saturdays) is a violation of R.P.V. Municipal Code section 8.16.010, enforceable by the Sheriff or the City Code Enforcement Department. We are hopeful that Marymount will voluntarily conform with this ordinance and that such enforcement will not be necessary. Thank you for your anticipated cooperation.

Very truly yours,

RS

Roslyn J. Stewart

cc: City of Rancho Palos Verdes Code Enforcement.

## Ara Mihranian

---

**From:** Greg Pfof  
**Sent:** Wednesday, March 26, 2014 7:59 AM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount proposed NAIA field

*Sincerely*

*Gregory Pfof, AICP*

*Deputy Community Development Director*

*City of Rancho Palos Verdes*

*30940 Hawthorne Boulevard*

*Rancho Palos Verdes, California 90275*

*(310) 544-5228; gregp@rpv.com*

**From:** famous dentist [mailto:doctorhollywood@live.com]  
**Sent:** Wednesday, March 26, 2014 7:49 AM  
**To:** PlanningCommission  
**Subject:** Marymount proposed NAIA field

Gentlemen,

We are sick to our stomach from the ongoing arrogant behavior by the dean of Marymount college.

There is logic to everything.

Before you can even contemplate voting on this unfair NAIA field project you have to put yourselves in our shoes, we , the residents in close proximity to this college.

Simply,

we would like to see your reactions to the constant noise.

We would like to see your reactions to the many car-headlights hitting your windows at night.

We would like to see your reactions when so many cars parked outside your house.

We would like to see your reactions when your children can not play safely outside.

The NAIA field project is not suitable for our neighborhood, our neighborhood and nobody's else's.

Thank you,

Dr. Bashar Komoc and family

## Ara Mihranian

---

**From:** Duncan Tooley <duncantooley@cox.net>  
**Sent:** Tuesday, March 25, 2014 11:01 AM  
**Cc:** Ara Mihranian; Marc Harris  
**Subject:** Re: DRAFT Proposal for MaryMountGarden and Fencing

Ara,  
Thank you for sending this, because I have not been in any loops and was not informed of this progress.

It all sounds good except that I have a question about the heavy black line between the landscaping and my property. I assume that is the existing chain link fence.

I don't understand the motivation for its removal as it clarifies the boundary. It may be a possibility after the other fences are in place and the landscaping is mature (probably years from now!).

I will not be able to attend the April 1 meeting as I will be in Louisiana for my daughter's surgery then.

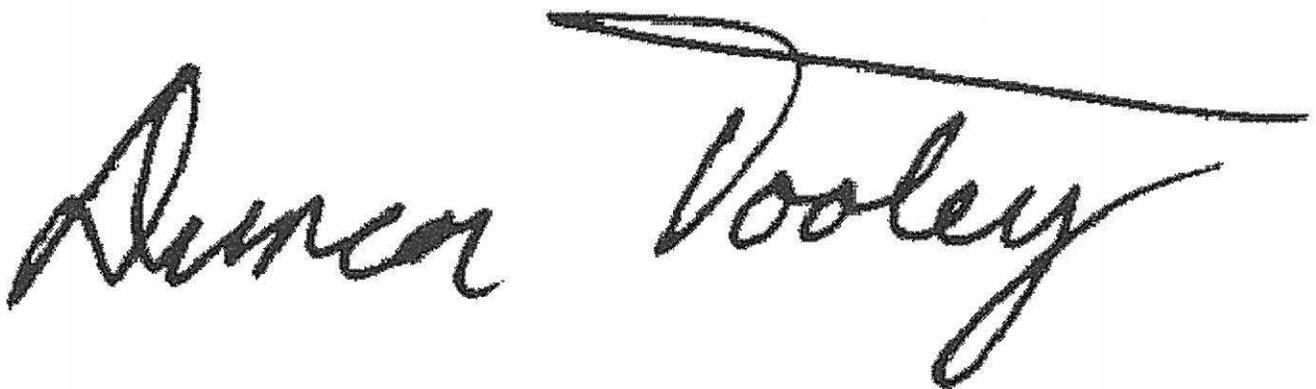
Please convey to the council my affirmations of:

- Preference for 6' fence
- Acceptance of fence and positioning

and my disapproval of what appears an intent to have the MaryMount landscaped area blend into our yard!

- fence removal (adjacent my property)
- vegetation proposed is now mostly ground cover with no taller blocking vegetation along fence as proposed last September.

Thank you,

The image shows two handwritten signatures in black ink. On the left is the signature 'Ara' and on the right is the signature 'Duncan Tooley'. The signature 'Duncan Tooley' is written in a cursive style with a long horizontal line extending from the top of the 'D'.

Duncan Tooley, CHT Sub-Conscious Mind Trainer and Wellness Coach



**310-832-0830** [CLICK HERE to book an appointment.]

- *"Your Mind Runs your Body"*: The book that shows the path to health and happiness.  
<http://www.YourMindRunsYourBody.com>

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, March 18, 2014 9:37 AM  
**To:** Ara Mihranian  
**Subject:** Outdoor lighting

Are the lights at Marymount's East Parking Lot the most efficient lighting available? (least expensive and least burden on the grid)  
Diane

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Saturday, March 01, 2014 7:44 AM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Subject:** FW: Follow-up on Thursday's Visit - resident detention and removal  
**Attachments:** Marymount Parking Lot - GROW PROJECT MEMO.docx; Marymount finally repairs broken pipe 2-11-14 at top of Landsli.jpg

Attached is a photo I took on February 11, 2014 showing Marymount workers at the site of the broken pipe (or whatever it was that was saturating the top of the South Shores Landslide). Marymount workers appear to be investigating the saturation but I never did find out what was causing the leak and if it was repaired properly.

I am not allowed to go to Marymount and take pictures anymore so these are the best pictures I could take.

Did you ever find out what caused the saturation?

Did you verify that the leak was repaired?

The City Geologist was concerned over the South Shores Landslide as it was mentioned several times in the Environmental Impact Report on this project.

I am greatly puzzled at what is going on at Marymount.

It should not have taken months and months for Marymount to fix broken pipes at an area extremely sensitive to water overflow next to a landslide.

Why does neither Marymount nor the City seem to care?

You both ask Citizens to be involved and then when we are, you kick us out.

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

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Tuesday, February 11, 2014 1:07 PM  
To: 'Jim Reeves'  
Cc: 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'  
Subject: RE: Follow-up on Thursday's Visit - resident detention and removal

Dear Jim,

Finally, today, I see that you have people digging up and hopefully repairing the leak at the south east side of the new parking lot! Thank you for finally attending to this.

In response to your email to me yesterday, on Feb. 6, 2014 just after I visited Marymount's public Project Grow kickoff, three Marymount Security Officers detained me after seeing me take one photograph of trash on Marymount property and depositing that trash into a trash barrel. I was walking from the trash barrel towards the broken pipe saturation area next to Vista del Mar to see if there was any sign of Marymount repairing the leakage when the first of the three security people asked me if I was a resident. He didn't ask me if I had a visitor pass or if I was a guest of Project Grow - no he it seems he was "on the look-out" for residents taking pictures. I told him right away that I was a resident and he responded that I had no right to take pictures on the property. I took notes and asked him his name but he would not give me his name and instead started working his phone. (see attached memo) Mr. Brophy made serious insinuations in his email to me but I will point out, If the security officer was really concerned about student safety for my taking a photo of the "Project Grow" area as it relates to resident homes then he would have detained me when I first arrived!

Jim, you tell me,

"Thank you for your efforts to identify matters in need of attention at the University's new parking area."  
but Jim, your words do not connect with your actions.

You say thank you to me but you kick me out for taking photos of your trash and water leakages.

Your actions do not speak like your words.

You knew darn well that the parking lot is under review and comment until February 18 but the truth of the matter is that you don't want residents PROVING how sloppy and careless you are.

We residents know how treacherous fires can be.

We residents know how treacherous leaking pipes can be.

Your security guards stopped me from identifying matters in need of attention that were neglected and kicked me out. When I asked the security guard to please call Mr. Reeves and tell him Diane Smith would like permission to take photos, the security guard told me that he spoke to you and that you were in San Pedro and would contact me when you got back that afternoon. I asked the security guard if you refused to give me permission to take photos and your security guard was extremely agitated and raised his voice to me telling me, again, that you were in San Pedro and would contact me when you got back that afternoon. Luckily my neighbor Sara Dokter came by and witnessed the latter part of my experience with your security guards.

Regarding student smoking - they are still flicking their cigarettes into the field. I was in the field on Sunday with Greg Lash and pointed out all the flicked cigarette butts in the field. We were both surprised a fire had not ignited. Greg and I picked up all sorts of trash that had been heaved into the field. That is why we ask for a wall - so that Marymount's trash can be restricted to Marymount. I picked up an empty Jack Daniels bottle, beer and soda cans, sandwich boxes, all sorts of snack packages like Cheetos, Doritos, etc., lots of napkins, cigarette boxes, even a medical cannabis prescription plastic container. Right now, there is a big black trash bag on the hill and other stuff that the wind has brought down.

Even though you have two trash containers now it took all my efforts to shame you into putting them there. Now, your maintenance people need to regularly empty the trash containers.

We shouldn't have to ask you to do this.

But then still students intentionally throw trash into the field - I picked up a paper airplane that was shot into the field and showed it to Greg.

I know you have put up signs to warn students that this is a quiet zone, to turn their radios off, and not to jump over neighbor fences to retrieve balls and tell them there is no smoking and all of that but the students don't always do what you tell them to do. Just like Marymount, we residents ask Marymount to fix something and Marymount does not fix it. We ask Marymount to put in trash receptacles but Marymount does not put in trash receptacles. Monkey see - - monkey do. It's not rocket science Jim.

Today I had to go to my grandson's school at Mira Catalina and I saw three groups of students IN FRONT OF MARYMOUNT on the public street, all smoking away like chimneys. Maybe you have discouraged them from smoking out back and they've just moved out front. At least they are not in a fire zone but just look at the street and all those cigarette butts washing into our oceans.

It's a head-shaker.

OK, I have responded to your first paragraph and now I must attend to other matters.

Sincerely,

Diane

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

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

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Monday, February 10, 2014 6:15 PM  
To: Diane Smith  
Cc: 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'  
Subject: Follow-up on Thursday's Visit

Hello Diane,

Thank you for your efforts to identify matters in need of attention at the University's new parking area. We have looked at the irrigation leak on the east side of the lot and are making arrangements to effect a repair. With respect to other issues you have identified, I think you would agree that we've made progress with student smoking on the east side of the parking lot as well as the litter. We will continue to carefully monitor these areas to ensure that they remain clean, safe and do not unreasonably impact our neighbors.

As noted in previous emails, the University is closing this parking area over weekends and during holiday breaks when parking is not needed in this lot. Also, we continue to consider strategies to mitigate the concerns raised by the pole lights in the parking lot and anticipate providing City staff with recommendations for addressing this matter soon.

With respect the garden area, we are working with the neighbors immediately adjacent to the garden in an effort to address any concerns they might have. We are certainly respectful of their desire to maintain the peaceful and private use of their property.

While the University and I have appreciated your feedback about the concerns raised by you and our neighbors about campus operations, I must insist that you contact me directly with any future request to visit the campus. Upon request, I will advise you of an appropriate time when your visit can be accommodated. I appreciate your observance of our request in this matter and would encourage you to communicate with me by email with concerns as they arise.

Sincerely,

Jim Reeves

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

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

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

From: Diane Smith [mailto:radsmith@cox.net]  
Sent: Tuesday, February 04, 2014 10:55 AM

To: Jim Reeves  
Cc: 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'  
Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Jim,

Thank you very much for closing the east parking lot and keeping the lights off over the Christmas vacation. I had a house full of guests, the weather was fantastic and we therefore spent just about every evening out back enjoying the view and dark night sky.

I hope things can somehow work out for both Marymount and its backyard neighbors.

Sincerely,  
Diane

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

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 27, 2013 1:14 PM  
To: Diane Smith  
Cc: Ara Mihranian; eduardos@rpv.com; Joel Rojas  
Subject: Re: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Hello Diane,

We have closed the lot for the long holiday break with the parking lot lights off over that period. Best wishes for a pleasant Thanksgiving holiday.

Jim Reeves

Sent from my iPhone

On Nov 26, 2013, at 8:51 PM, "Diane Smith" <radlsmith@cox.net<mailto:radlsmith@cox.net>> wrote:

Thank you for the glorious dark nights last Saturday, Sunday and now tonight as the lights are turned off – it is simply wonderful, just as it has been from 1978 until June 29 of this year.

I believe the planning department made an oversight with regards to Marymount's East Parking Lot lighting. RPV's Hess Park Community Center Parking Lot Lights would be appropriate at Marymount's East Parking Lot. I hope you will have time to visit RPV's Hess Park Community Center Parking Lot at night. I hope too that you will have time to return to our home at night to see how bright and invasive the present lighting is on local residents. Any hedge would take enormous care to grow thick and tall enough to block the existing light, assuming it is planted at the maximum height.

Thank you again for turning the lights off when the lot has not been in use Saturday, Sunday and tonight.

Sincerely,  
Diane Smith

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 20, 2013 5:24 PM  
To: Diane Smith; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>  
Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>  
Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Ms. Smith,

Thank you for your time today. I appreciated the opportunity to view the parking area from your perspective. We will continue to review the operational impacts of the lot and work with City staff to develop some possible solutions.

Sincerely,  
Jim Reeves

Jim Reeves  
Sr. Vice President  
Finance & Administration  
Marymount California University  
(310) 303-7330  
<mailto:JReeves@MarymountCalifornia.edu>JReeves@MarymountCalifornia.edu<mailto:JReeves@MarymountCalifornia.edu>  
<image001.jpg>

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

From: Diane Smith [<mailto:radlsmith@cox.net>mailto:radlsmith@cox.net]  
Sent: Wednesday, November 20, 2013 3:42 PM  
To: Jim Reeves; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>  
Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>  
Subject: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Mr. Reeves and Eduardo,  
It has been over four months since I invited Marymount to come to my home to see the horrible lights that invade our properties from Marymount's new East Parking Lot. Thank you very much for finally coming to our home and to the Cornelius home to see, first hand, Marymount's new East Parking Lot from our perspectives in daytime. Thank you also Mr. Reeves for noting that Wednesdays are not as busy as other days.  
Please return to our homes at night so that you can see for yourself what has been imposed on us, every single night until 10:00 p.m., seven days a week, since the bright annoying lights were first turned on – on June 29, 2013.  
If we are not home you are welcome to go through the east side gates of our home.

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

Cc: Yvonne Hamilton

---

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

---

---

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

---

---

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

---

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

---

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

---

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

---

## Ara Mihranian

---

**From:** Fred Koehler <fhkoehler@cox.net>  
**Sent:** Wednesday, March 19, 2014 2:03 PM  
**To:** Ara Mihranian  
**Subject:** Upcoming CC Meeting

Dear sir, One more letter to ask you to curtail Marymount's endless changes to the contract with our city. I can understand a little tweaking here and there but it seems they request endless changes and the City doesn't know how to say NO. In most business's a contract is a contract.

And Marymount is a business, a big business here. I have to ask who is representing the tax paying citizens that oppose Marymount's invasive expansion plans?

Priscilla Koehler  
3352 Seaclaire Dr.  
RPV, Ca. 90275  
312/541/1866

## Ara Mihranian

---

**From:** Marc Harris <marc\_90277@yahoo.com>  
**Sent:** Friday, March 14, 2014 12:10 PM  
**To:** Ara Mihranian; Erin Harris; Jim Reeves  
**Cc:** Joel Rojas  
**Subject:** Re: Marymount - Photos From Harris Property Set 1 of 6

Ah, That recommendation is perfect with either the 6 or 8 foot hedge.

Thank you for clarifying.

Marc Harris

**From:** Ara Mihranian <AraM@rpv.com>  
**To:** Marc Harris <marc\_90277@yahoo.com>; Erin Harris <ErinABurns@aol.com>; Jim Reeves <JReeves@marymountcalifornia.edu>  
**Cc:** Joel Rojas <JoelR@rpv.com>  
**Sent:** Friday, March 14, 2014 11:58 AM  
**Subject:** RE: Marymount - Photos From Harris Property Set 1 of 6

Marc,

Attached is the photo I emailed you delineating the Staff recommendation from the February 18<sup>th</sup> CC Staff Report. For clarification, the Green line represents the hedge at 8-feet in height and the brown line represents the fence at 6-feet in height. The February 18<sup>th</sup> Staff recommendation would have the fence and hedge wrap around the edge of the parking lot at the corner where the closest story pole is shown in the attached photo.

Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com  
www.palosverdes.com/rpv



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Marc Harris [mailto:marc\_90277@yahoo.com]  
**Sent:** Friday, March 14, 2014 11:49 AM  
**To:** Ara Mihranian; Erin Harris; Jim Reeves  
**Subject:** Re: Marymount - Photos From Harris Property Set 1 of 6

Hi Ara,

Thank you for taking the pictures. I am assuming that the hedge height is at the top of the story poles. Because the hedge is extended so far out from the parking lot it is blocking our view corridor. See attached:

I would like to suggest that the hedge be moved closer to the edge of the end of the Parking lot.

**From:** Ara Mihranian <AraM@rpv.com>  
**To:**  
**Sent:** Friday, March 14, 2014 10:49 AM  
**Subject:** Marymount - Photos From Harris Property Set 1 of 6

Good morning,

Attached are photos taken from Mr. Harris' property (spa location) of the story poles at different locations along the edge of the parking lot.  
The photos are being sent in 6 separate emails cited in the subject line due to the size of the photos (high resolution).

Let me know if you have any questions.

Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

## Ara Mihranian

---

**From:** Marc Harris <marc\_90277@yahoo.com>  
**Sent:** Friday, March 14, 2014 11:49 AM  
**To:** Ara Mihranian; Erin Harris; Jim Reeves  
**Subject:** Re: Marymount - Photos From Harris Property Set 1 of 6  
**Attachments:** Proposed Hedge Issue.jpg

Hi Ara,

Thank you for taking the pictures. I am assuming that the hedge height is at the top of the story poles. Because the hedge is extended so far out from the parking lot it is blocking our view corridor. See attached:

I would like to suggest that the hedge be moved closer to the edge of the end of the Parking lot.

**From:** Ara Mihranian <AraM@rpv.com>  
**To:**  
**Sent:** Friday, March 14, 2014 10:49 AM  
**Subject:** Marymount - Photos From Harris Property Set 1 of 6

Good morning,

Attached are photos taken from Mr. Harris' property (spa location) of the story poles at different locations along the edge of the parking lot.  
The photos are being sent in 6 separate emails cited in the subject line due to the size of the photos (high resolution).

Let me know if you have any questions.

Ara

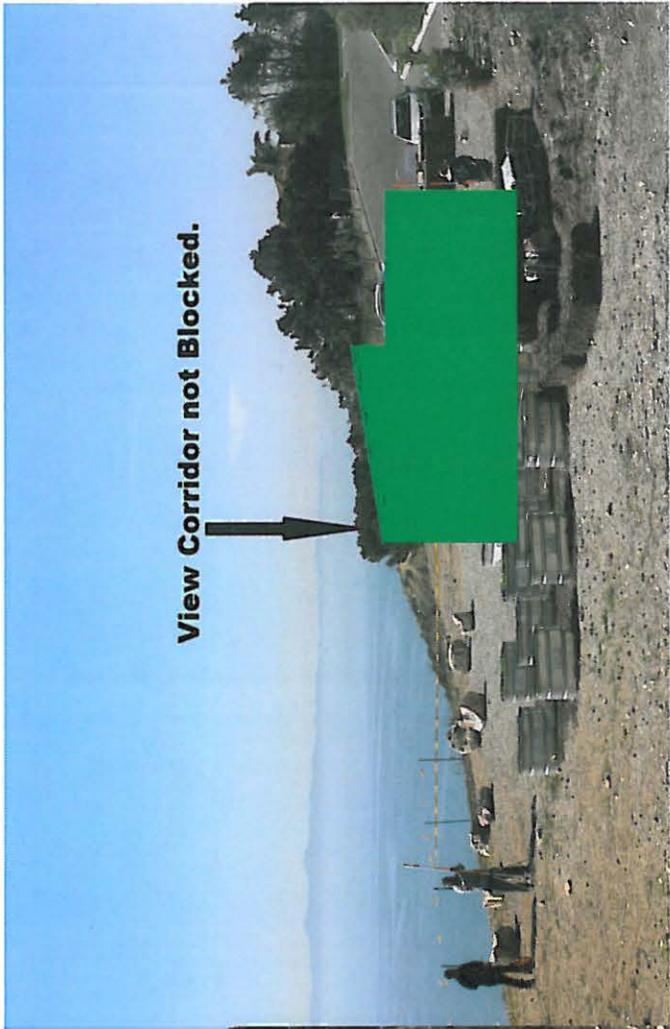
**Ara Michael Mihranian**  
Deputy Director of Community Development

---

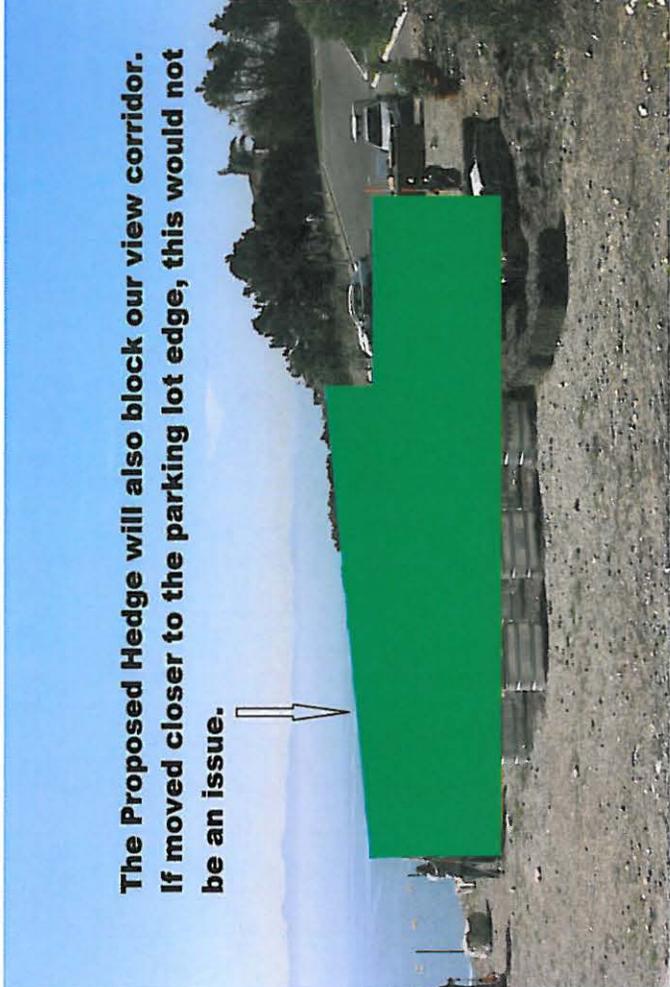
  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com  
www.palosverdes.com/rpv



Do you really need to print this e-mail?



**View Corridor not Blocked.**



**The Proposed Hedge will also block our view corridor. If moved closer to the parking lot edge, this would not be an issue.**

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, March 12, 2014 2:05 PM  
**To:** Ara Mihranian  
**Cc:** 'Jim Reeves'; dtooley1@cox.net; 'Marc Harris'; roni@roniramosphoto.com; utopia4u@cox.net; ronmcsherry@hotmail.com; ladydmagg@hotmail.com; hjcollins@yahoo.com; psjense@aol.com; gensar@cox.net; anita\_reynolds@att.net; mfrusteri@cox.net; racisz@cox.net; idelle@cox.net  
**Subject:** Marymount East Parking Lot - Height Flags

Dear Ara,

Thank you for coming to our home this morning to take photographs of the flags heights for the fencing/wall at Marymount's East Parking Lot.

It was nice that Mr. Reeves and Mr. Schult (sp?) from Marymount took the time to come to our home as well.

I would appreciate it if you would send copies of the photos you took, showing the varying heights to me.

I am assuming the connection points are the Vista del Mar wall continuing around to San Ramon?

Thanks so much.

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

Cc: Jim Reeves, Marymount;  
Cc: affected San Ramon and Tarapaca neighbors

## Ara Mihranian

---

**From:** Marc Harris <marc\_90277@yahoo.com>  
**Sent:** Wednesday, March 12, 2014 1:56 PM  
**To:** Ara Mihranian; Erin Harris  
**Subject:** Sorry I missed you.  
**Attachments:** Sitting Ocean View Blockage.jpg; SPA Ocean view blockage.jpg

Hi Ara,

Thanks for coming by.

#1 The mock fence is on the ridgeline. Prior correspondence indicated that it would be some ways back?

#2 I can almost bet that everyone **stood** and took a look at the view to see if there was a view impairment. From a standing viewpoint only about 1/5 to 1/4 of our view is blocked. That alone should be enough to rethink this fence. However, the fact is that 90% of the time on this deck is spent sitting on a chaise lounge enjoying the view or in the spa doing the same, and with those views, the ocean view blockage increases significantly.

**We do not want a fence there.** Even glass would get dirty, reflect, etc etc etc. I thought that was one the main items in the general plan is to not block a view corridor?

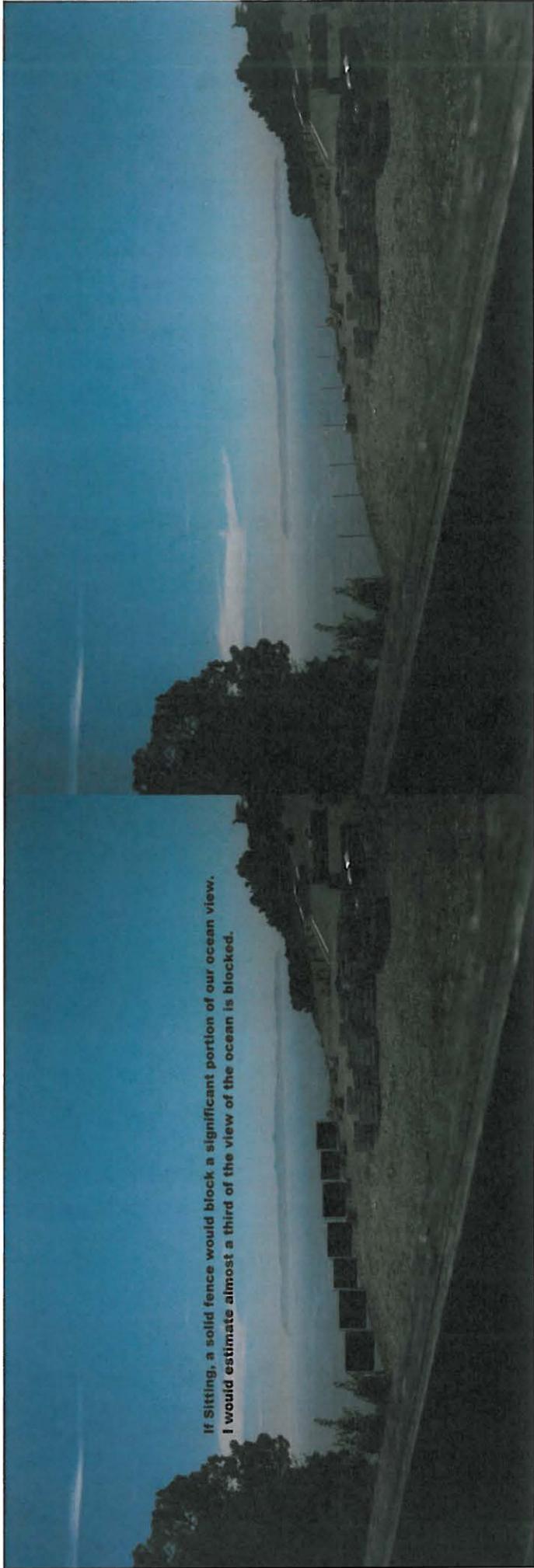
There is a solution. For example: Move the GROW Project and residents downslope will not complain AND our view corridor will not be affected. It is a very simple solution. Is this being considered?

Please include this email and pictures with any formal feedback that the city is collecting.

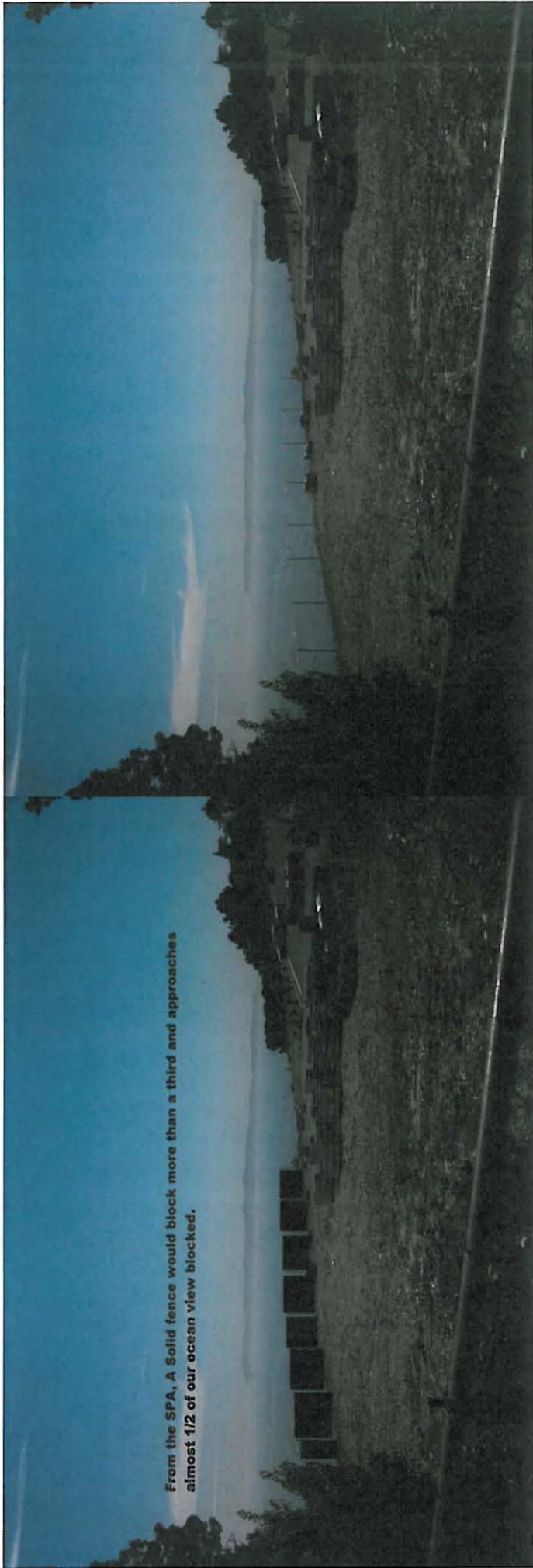
Here are a couple of pictures that I took for reference.

Thank you again,

Marc & Erin Harris



*If Sitting, a solid fence would block a significant portion of our ocean view.  
I would estimate almost a third of the view of the ocean is blocked.*



**From the SPA, A Solid fence would block more than a third and approaches almost 1/2 of our ocean view blocked.**

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, March 04, 2014 9:28 AM  
**To:** Ara Mihranian  
**Subject:** FW: Follow-up on Thursday's Visit - resident detention and removal  
**Attachments:** Marymount Parking Lot - GROW PROJECT MEMO.docx; Marymount photographers 7 am Sunday Feb. 23 2014.jpg

I have not had a response from Jim Reeves about Marymount contractors starting work before 8 am Sunday mornings. (Roslyn Stewart complained about that too)

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Friday, February 28, 2014 3:21 PM  
To: 'Jim Reeves'  
Cc: 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'; 'roni@roniramosphoto.com'; 'Marc Harris'; 'dtooley1@cox.net'; 'utopia4u@cox.net'; 'LOIS Karp'; 'James'; 'Gregory Lash'; 'Linda Gordon'  
Subject: FW: Follow-up on Thursday's Visit - resident detention and removal

Dear Jim,

Attached are photographs I took early Sunday morning, February 23, 2014, when our neighborhood was awoken to our dogs barking at Marymount photographers. The photographers had flashing reflectors taking pictures with high powered lens cameras of what I do not know. It was foggy that morning so I wonder what on earth they were photographing at 7 am!! I understood the city has rules against disturbing residents before certain times of the day - especially on a weekend when you say in your email below:

"As noted in previous emails, the University is closing this parking area over weekends and during holiday breaks when parking is not needed in this lot. "

Once again you mislead us.

At the very least you should have notified us that the University was planning some sort of a photo shoot and it was necessary to be done at 7 am on a Sunday morning when it was foggy or something like that - something to justify this disruption. It was very inconsiderate of you to instruct photographers to disrupt our neighborhood at 7 am on a Sunday morning. It makes me wonder if this was some type of retaliation for my taking pictures of your broken water pipes saturating the South Shores Landslide or my pictures of your trash on your Project Kick-Off when you kicked me out. If so, then this early Sunday morning photo shoot may be considered retaliatory harassment.

Our dog and our neighbors dogs were all barking at the bright flashing of three umbrella-type reflectors. I was in my nighty when I dashed to see what the dogs were barking at. Your photographers saw me, stopped and got on their cell phones. That's when I went in to change out of my nighty and came back with my camera to take pictures of them. I have complained to the City but I have not heard back from anyone.

I would like the courtesy of an explanation and reassurance that you will not have companies coming out to disrupt the peace and tranquility of our Sunday mornings without first giving us reasonable notice that strangers will be hovering out there.

Sincerely,

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

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

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

Sent: Tuesday, February 11, 2014 1:07 PM

To: 'Jim Reeves'

Cc: 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'

Subject: RE: Follow-up on Thursday's Visit - resident detention and removal

Dear Jim,

Finally, today, I see that you have people digging up and hopefully repairing the leak at the south east side of the new parking lot! Thank you for finally attending to this.

In response to your email to me yesterday, on Feb. 6, 2014 just after I visited Marymount's public Project Grow kickoff, three Marymount Security Officers detained me after seeing me take one photograph of trash on Marymount property and depositing that trash into a trash barrel. I was walking from the trash barrel towards the broken pipe saturation area next to Vista del Mar to see if there was any sign of Marymount repairing the leakage when the first of the three security people asked me if I was a resident. He didn't ask me if I had a visitor pass or if I was a guest of Project Grow - no he it seems he was "on the look-out" for residents taking pictures. I told him right away that I was a resident and he responded that I had no right to take pictures on the property. I took notes and asked him his name but he would not give me his name and instead started working his phone. (see attached memo) Mr. Brophy made serious insinuations in his email to me but I will point out, If the security officer was really concerned about student safety for my taking a photo of the "Project Grow" area as it relates to resident homes then he would have detained me when I first arrived!

Jim, you tell me,

"Thank you for your efforts to identify matters in need of attention at the University's new parking area."

but Jim, your words do not connect with your actions.

You say thank you to me but you kick me out for taking photos of your trash and water leakages.

Your actions do not speak like your words.

You knew darn well that the parking lot is under review and comment until February 18 but the truth of the matter is that you don't want residents PROVING how sloppy and careless you are.

We residents know how treacherous fires can be.

We residents know how treacherous leaking pipes can be.

Your security guards stopped me from identifying matters in need of attention that were neglected and kicked me out. When I asked the security guard to please call Mr. Reeves and tell him Diane Smith would like permission to take photos, the security guard told me that he spoke to you and that you were in San Pedro and would contact me when you got back that afternoon. I asked the security guard if you refused to give me permission to take photos and your security guard was extremely agitated and raised his voice to me telling me, again, that you were in San Pedro and would contact me when you got back that afternoon. Luckily my neighbor Sara Dokter came by and witnessed the latter part of my experience with your security guards.

Regarding student smoking - they are still flicking their cigarettes into the field. I was in the field on Sunday with Greg Lash and pointed out all the flicked cigarette butts in the field. We were both surprised a fire had not ignited. Greg and I picked up all sorts of trash that had been heaved into the field. That is why we ask for a wall - so that Marymount's trash can be restricted to Marymount. I picked up an empty Jack Daniels bottle, beer and soda cans, sandwich boxes, all sorts of snack packages like Cheetos, Doritos, etc., lots of napkins, cigarette boxes, even a medical cannabis prescription plastic container. Right now, there is a big black trash bag on the hill and other stuff that the wind has brought down.

Even though you have two trash containers now it took all my efforts to shame you into putting them there. Now, your maintenance people need to regularly empty the trash containers.

We shouldn't have to ask you to do this.

But then still students intentionally throw trash into the field - I picked up a paper airplane that was shot into the field and showed it to Greg.

I know you have put up signs to warn students that this is a quiet zone, to turn their radios off, and not to jump over neighbor fences to retrieve balls and tell them there is no smoking and all of that but the students don't always do what you tell them to do. Just like Marymount, we residents ask Marymount to fix something and Marymount does not fix it. We ask Marymount to put in trash receptacles but Marymount does not put in trash receptacles. Monkey see -- monkey do. It's not rocket science Jim.

Today I had to go to my grandson's school at Mira Catalina and I saw three groups of students IN FRONT OF MARYMOUNT on the public street, all smoking away like chimneys. Maybe you have discouraged them from smoking out back and they've just moved out front. At least they are not in a fire zone but just look at the street and all those cigarette butts washing into our oceans. It's a head-shaker.

OK, I have responded to your first paragraph and now I must attend to other matters.

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

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

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Monday, February 10, 2014 6:15 PM  
To: Diane Smith  
Cc: 'Ara Mihanian'; eduardos@rpv.com; 'Joel Rojas'  
Subject: Follow-up on Thursday's Visit

Hello Diane,

Thank you for your efforts to identify matters in need of attention at the University's new parking area. We have looked at the irrigation leak on the east side of the lot and are making arrangements to effect a repair. With respect to other issues you have identified, I think you would agree that we've made progress with student smoking on the east side of the parking lot as well as the litter. We will continue to carefully monitor these areas to ensure that they remain clean, safe and do not unreasonably impact our neighbors.

As noted in previous emails, the University is closing this parking area over weekends and during holiday breaks when parking is not needed in this lot. Also, we continue to consider strategies to mitigate the concerns raised by the pole lights in the parking lot and anticipate providing City staff with recommendations for addressing this matter soon.

With respect the garden area, we are working with the neighbors immediately adjacent to the garden in an effort to address any concerns they might have. We are certainly respectful of their desire to maintain the peaceful and private use of their property.

While the University and I have appreciated your feedback about the concerns raised by you and our neighbors about campus operations, I must insist that you contact me directly with any future request to visit the campus. Upon request,

I will advise you of an appropriate time when your visit can be accommodated. I appreciate your observance of our request in this matter and would encourage you to communicate with me by email with concerns as they arise.

Sincerely,

Jim Reeves

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

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Tuesday, February 04, 2014 10:55 AM  
To: Jim Reeves  
Cc: 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'  
Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Jim,

Thank you very much for closing the east parking lot and keeping the lights off over the Christmas vacation. I had a house full of guests, the weather was fantastic and we therefore spent just about every evening out back enjoying the view and dark night sky.

I hope things can somehow work out for both Marymount and its backyard neighbors.

Sincerely,  
Diane

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

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 27, 2013 1:14 PM  
To: Diane Smith  
Cc: Ara Mihranian; eduardos@rpv.com; Joel Rojas  
Subject: Re: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Hello Diane,

We have closed the lot for the long holiday break with the parking lot lights off over that period. Best wishes for a pleasant Thanksgiving holiday.

Jim Reeves

Sent from my iPhone

On Nov 26, 2013, at 8:51 PM, "Diane Smith" <radlsmith@cox.net<mailto:radlsmith@cox.net>> wrote:

Thank you for the glorious dark nights last Saturday, Sunday and now tonight as the lights are turned off – it is simply wonderful, just as it has been from 1978 until June 29 of this year.

I believe the planning department made an oversight with regards to Marymount's East Parking Lot lighting. RPV's Hess Park Community Center Parking Lot Lights would be appropriate at Marymount's East Parking Lot. I hope you will have time to visit RPV's Hess Park Community Center Parking Lot at night. I hope too that you will have time to return to our home at night to see how bright and invasive the present lighting is on local residents. Any hedge would take enormous care to grow thick and tall enough to block the existing light, assuming it is planted at the maximum height.

Thank you again for turning the lights off when the lot has not been in use Saturday, Sunday and tonight.

Sincerely,  
Diane Smith

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 20, 2013 5:24 PM  
To: Diane Smith; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>  
Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>  
Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Ms. Smith,  
Thank you for your time today. I appreciated the opportunity to view the parking area from your perspective. We will continue to review the operational impacts of the lot and work with City staff to develop some possible solutions.

Sincerely,  
Jim Reeves

Jim Reeves  
Sr. Vice President  
Finance & Administration  
Marymount California University  
(310) 303-7330  
<mailto:JReeves@MarymountCalifornia.edu>JReeves@MarymountCalifornia.edu<mailto:JReeves@MarymountCalifornia.edu>  
<image001.jpg>

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

From: Diane Smith [<mailto:radlsmith@cox.net>mailto:radlsmith@cox.net]  
Sent: Wednesday, November 20, 2013 3:42 PM  
To: Jim Reeves; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>  
Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>  
Subject: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Mr. Reeves and Eduardo,  
It has been over four months since I invited Marymount to come to my home to see the horrible lights that invade our properties from Marymount's new East Parking Lot. Thank you very much for finally coming to our home and to the Cornelius home to see, first hand, Marymount's new East Parking Lot from our perspectives in daytime. Thank you also Mr. Reeves for noting that Wednesdays are not as busy as other days.  
Please return to our homes at night so that you can see for yourself what has been imposed on us, every single night until 10:00 p.m., seven days a week, since the bright annoying lights were first turned on – on June 29, 2013.

If we are not home you are welcome to go through the east side gates of our home.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

Cc: Yvonne Hamilton

---

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

---

---

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

---

---

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

---

---

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

---

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Marc Harris <marc\_90277@yahoo.com>  
**Sent:** Wednesday, March 12, 2014 1:56 PM  
**To:** Ara Mihranian; Erin Harris  
**Subject:** Sorry I missed you.  
**Attachments:** Sitting Ocean View Blockage.jpg; SPA Ocean view blockage.jpg

Hi Ara,

Thanks for coming by.

#1 The mock fence is on the ridgeline. Prior correspondence indicated that it would be some ways back?

#2 I can almost bet that everyone **stood** and took a look at the view to see if there was a view impairment. From a standing viewpoint only about 1/5 to 1/4 of our view is blocked. That alone should be enough to rethink this fence. However, the fact is that 90% of the time on this deck is spent sitting on a chaise lounge enjoying the view or in the spa doing the same, and with those views, the ocean view blockage increases significantly.

**We do not want a fence there.** Even glass would get dirty, reflect, etc etc etc. I thought that was one the main items in the general plan is to not block a view corridor?

There is a solution. For example: Move the GROW Project and residents downslope will not complain AND our view corridor will not be affected. It is a very simple solution. Is this being considered?

Please include this email and pictures with any formal feedback that the city is collecting.

Here are a couple of pictures that I took for reference.

Thank you again,

Marc & Erin Harris

MEMO

DATE: February 6, 2014

FROM: Diane L. Smith

SUBJECT: Marymount East Parking Lot – Marymount California University Advertising Brochure - SPRING 2014 promotion of Marymount’s Cultural Arts Program’s “GROW PROJECT KICKOFF” located immediately behind San Ramon residents and the new Marymount East Parking Lot

Today I met with Greg Lash at 10:00 a.m. to prepare wording of a petition for our neighbors who oppose to Marymount’s New East Parking Lot to sign. Resident written comments on Marymount’s New East Parking Lot must be turned in to the City before 5:30 p.m. before February 10, 2014.

Afterwards, I walked to Marymount to see what the “GROW PROJECT” located next to Marymount’s New East Parking Lot was all about. Marymount advertises: *Our programs are designed for students who truly want to make a difference. Courses emphasize problem solving, communication strategies and a sense of entrepreneurship. With a focus on the future, Marymount California continues to grow. We're expanding our campus, our faculty and our programs all to help our students realize their full academic and professional potential. Grow with us. See your future through our eyes. It looks amazing.*

I walked around by the old Preschool (of which I have fond memories), and then around past the open gates to the East Parking Lot. There were many people, students and one adult, working away, setting up two covered stands with written material for students. The first person I met was a very nice young girl by the name of Judith Jacques-Hines. She asked me if I was just visiting and I said no, that I was a neighbor. Judith he was very nice and welcomed me warmly. She invited me to see what they were doing and planning. She explained that the soil was very bad and so they brought in irrigation piping to several galvanized troughs (that were donated) where they would grow seasonal herbs and other seasonal vegetables. Judith also told me that the whole area was planned to be wheelchair friendly as well. Judith took me to the dwarf fruit trees, about nine of them, include dwarf oranges, that they planned to grow. The plan is to donate their crop to Harbor Interfaith women and children in San Pedro. She had spoken to Sharon at Harbor Interfaith and they were very excited about the project. I asked about how many oranges such a little tree could produce and Judith thought they could get about 30. Judith also told me that Harbor Interfaith women and children would be invited to come and visit and help out or just meditate. Judith pointed out the several meditation and seating boulders at the edge of the area next to the field below that is readily available. She also pointed out another area immediately back of Marc Harris’ house and I believe 2758 San Ramon, that would be developed for seating so that people can congregate, have lunch or just rest and enjoy the garden.

It was very windy and trash started flying so I went with Judith to help pick up the trash as it snagged on the chain link fence by San Ramon back yards.

Judith introduced me to Kathleen Talbot, the Sustainability Officer, who was a specialist in Native California plants. Kathleen pointed out the planned Native California garden. Kathleen also pointed out the rocks and said they are there for people to sit and enjoy as a public park.

I was also introduced to Sallie Wu, Director of Peace Center and Interculture. Sallie told me she was Professor, Psychology and has taught at Marymount for 30 years.

Apparently Marymount has been working with the South Coast Chapter of the California Native Plant Society and finally got a grant two weeks ago. It was explained that they plan to have community events here. I picked up some more flying trash and asked them if they had a trash barrel and they did not but then Sallie found a box for me to put it in. I thanked them and went on my way.

I walked straight up towards the Vista del Mar homes and picked up trash, including two cigarette boxes, an empty plastic coffee cup and lid, a potato chip bag and two ketchup packets and I took a picture of more trash in the field. I walked over to the closest trash bin on the upper level of the parking lot and tossed in the trash. I noticed a security guard was driving around the parking lot. I then continued walking over towards the area that was wet and saturated with leaking pipes and the security guard drove up to me and said, "are you a resident?" I said, "yes, I am." He then said, "you are not allowed to take pictures here." I took out my notebook and started writing down what he said and I asked him his name. He would not give me his name and instead got on his phone. I told the security officer I needed to take a picture of the leak because it needed to be fixed and he said he is not part of maintenance. I asked him his name, again but he refused. I asked him why he was refusing to give me his name and he said he was calling his superior. He got off the phone and told me his superior was on his way out to the parking lot. When I said, "are you refusing to give me your name?" then he responded, "Wayne" and I asked if he had a last name and he said, "Young." Finally Wayne Young's superior walked towards me and I asked him his name and he said, "Matt" and gave me his card:



Matt explained to me that this is private property and I was not allowed to take pictures. Matt explained that I needed a guest pass to be on the property and I needed permission to be on the property. I told him I visited the garden project. I asked him if it is Marymount's policy not to allow taking of photographs by anyone on Marymount property unless they have permission. A third security officer (Matt's boss came walking over to me. I asked the third officer his name and he said "Mike." I asked Mike if Mr. Reeves was on campus and he said he believed Mr. Reeves was there. I then asked him to call Mr. Reeves but he and Matt just stood there. I insisted that he simply call Mr. Reeves and tell him that Diane Smith is here on campus and wants to take pictures. "Just call him to get his permission," I said. They walked away a bit and then came back and said they had spoken to Mr. Reeves but he was in San Pedro and he would be back this afternoon and will contact me when he comes back. I asked Mike if Mr. Reeves gave me permission to take photos and Mike responded that I am not allowed to take pictures on Marymount property without permission from Mr. Reeves and he asked me to leave the premises.

Just then, my neighbor Sara Doktor, drove up!!! I told her that she came in the nick of time because I was going to refuse to leave and let them call the Sheriff's office. I told Sara that the security officers told me I was not allowed to take pictures on Marymount property and that I have to get a permit to be on the property. Sara said, "what?" She told me to get in the car and then Sara asked her own questions, "are you telling me that we cannot take pictures on this property?" Sara said, "We are not allowed to take photos? And the security guard verified, "You need official business to be on our campus." I got in the car and then I asked Sara to stop and take a look at the area with the broken pipe. Sara and I got out of the car and I pointed out the saturated area that still is not fixed. I added, "how can they have a garden project with all sorts of pipes – when they can't fix the pipes they already have?" The security guards were still looking at us so we got in the car.

Sara then drove over to the "GROW PROJECT KICKOFF" area and said she had an appointment but could just swing by. We saw a man standing there using his cell phone. We pulled down the window and asked him if he was Marymount faculty. He said no, that he was just visiting from USC, just a guest. We asked him if he had a permit and he said no. We asked him if he took pictures and he told us not today he didn't because it wasn't very clear out.

I do not know how many people obtained guest passes today – I don't intend to return but I do want to let all residents know welcome we are at Marymount.

Photographers at 7 AM SUNDAY  
Feb. 23 at Marymount East  
Parking LOT



FOGGY  
MORNING  
Feb. 23  
2014



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, March 04, 2014 7:20 AM  
**To:** dtooley1@cox.net  
**Cc:** Ara Mihranian; Eduardo Schonborn; Joel Rojas; 'Marc Harris'; utopia4u@cox.net; roni@roniramosphoto.com  
**Subject:** Marymount student trespassing and invasion of property  
**Attachments:** Marymount East Parking Lot - Stewart 1 of 2.jpg; Marymount East Parking Lot - Petition 2 of 2.jpg; Marymount Parking lot - Vista del Mar Jan 9 2006 letter from Jo.jpg

Dear Dr. Tooley,

I don't know if you have ever seen the attached letter dated October 31, 1997 from your former neighbor across the parking lot on Vista del Mar – Roslyn Stewart. Marymount has been chastised in the past for its students trespassing on neighbors' property. Stewart sold her home to DiNardo who vigorously opposed Marymount's expansion because of constant student trespassing on his property "for fun" and to get their soccer balls. DiNardo finally gave up and sold. (A corporation apparently now owns the home and people come and go with no interest in conflict.) I have asked the City why Marymount is allowed to get away with all these nuisances, violations of its conditional use permits and ordinances but the City doesn't even keep records of the violations.

Marymount does not keep its word - - unless pressed and pressed by residents/city – it is exhausting and often residents just give up – so does the city and Marymount counts on this pattern.

It is my feeling that the only way Marymount will obey the rules is if they are financially penalized.

Diane Smith

ROSLYN J. STEWART  
ATTORNEY AT LAW  
2903 VISTA DEL MAR  
RANCHO PALOS VERDES, CA 90275  
PHONE & FAX (310) 514-0303

October 31, 1997

RECEIVED  
NOV 03 1997  
PLANNING, BUILDING  
& CODE ENF.

Marymount College  
30800 Palos Verdes Drive East  
Rancho Palos Verdes, CA 90275

Attention: Tom McFadden, President

Dear Tom:

This letter is to confirm the recent disturbances we have experienced from the college's activities.

Three days ago I called to report that one of your students was walking on the top of the wall between our properties. This same student climbed off the fence and entered our yard in search of his soccer ball. Not only are we concerned that your students will injure themselves by these activities, but we are annoyed and disturbed by the intrusion into our privacy and the trespass onto our private property. As you know while it may not be immediate, we have always returned the errant soccer balls upon our discovery of them. Also we have two dogs which might attach such an intruder. And finally, the terrain on our property is steep in many places and a student may be injured. We would appreciate your posting a NO TRESPASSING sign on the wall, also advising the students or other players using your field NOT TO DISTURB THE NEIGHBORS.

In addition to the continuing problem of the soccer balls coming over the fence, we have recently found over 12 golf balls in our yard from the school. Needless to say great injury and/or property damage can result from this carelessness.

Two days ago we called to request that Marymount cease using their leaf blowers prior to 8 AM. On that day they were in use at 6 AM which is not unusual. On several occasions we have been awakened by the leaf blowers prior to 6 AM. I left a message for Jim Reeves about this problem. I was told that Jim was in a meeting with Greg Medico and the information would be given to both of them, and the problem would be taken care of immediately. You can imagine our disappointment when we again were disturbed yesterday morning at 7:20AM by the use of the leaf blower on the college property, and again today before 7 AM by the use of the power mower on Castel field.

Marymount's use of these gardening machines prior to 8 AM on week-days (and 9 AM on Saturdays) is a violation of R.P.V. Municipal Code section 8.16.010, enforceable by the Sheriff or the City Code Enforcement Department. We are hopeful that Marymount will voluntarily conform with this ordinance and that such enforcement will not be necessary. Thank you for your anticipated cooperation.

Very truly yours,

151

Roslyn J. Stewart

cc: City of Rancho Palos Verdes Code Enforcement.

NUMBER 171

AMOUNT REC'D \_\_\_\_\_

APPLICANT/CONTRACTOR

ROSLYN STEWART / J L JONES  
(name)

2903 VISTA DEL MAR  
(address)

R.P.V. CA. ~~90274~~

telephone: home 514-0303 work 316-0333

378-0303

LANDOWNER:

SAME AS ABOVE  
(name)

(address)

telephone: home \_\_\_\_\_ work \_\_\_\_\_

Project Location: 2903 VISTA DEL MAR, RPV

Project Description: SINGLE FAM. RESIDENCE

Describe in detail the type and nature of the minor exception requested. Be specific.

A SIX (6) foot fence, (6) SIX feet from the front property line bordering VISTA DEL MAR. Length of fence is approx (17') seventeen feet, from driveway south to lot 6 property line. Fence to be standard wrought iron fence. A Gate 6' HIGH ending approx 15' from property line w/a 6' BRICK PILASTER

Explain why this exception is necessary.

House is on ISOLATED CUL-DE-SAC. IF fence IS SET BACK 20' from property line people will continue to dump trash and park on our property as they have done in the past. House sets up 300' from the street. We have previously spent \$1,500.00 cleaning such trash.

General Information

- \_\_\_\_\_ 1. Maximum height of project, measured from top of lowest foundation wall to ridge.
- \_\_\_\_\_ 2. Square footage of project.
- \_\_\_\_\_ 3. If addition, square footage of existing structure (including any covered or enclosed patios).
- \_\_\_\_\_ 4. Square footage of driveways and parking areas.

PETITION TO CITY OF KY

impacted neighbors  
Marymount  
parking EAST  
LOT

Jane & Keith Smith 2704 San Ramon

Bob Pratty 2701 SAN RAMON 2-8-14

Heath + Julie Collins 2702 San Ramon

Roland and Laura McSherry 2714 San Ramon Dr.

Sam Rauer Jr 2736 San Ramon

Ronnie Hinchliffe 2736 San Ramon

Marc Harris 2750 SAN RAMON DR

Erin Harris 2750 San Ramon Dr.

Philip Matyja 2758 San Ramon Dr.

Gary Tavetian 2764 San Ramon Dr.

Nancy Thompson 2764 San Ramon Dr

Joanne Hamilton 2732 San Ramon Drive, R.P.V. 90275 -

Masreen Jordan 30759 Tarapaca, R.P.V. 90275 -

Richard McCallister 30752 Tarapaca Rd R.P.V. CA 90275

Jill 30739 TARAPACA RD R.P.V. CA 90275

Diana Or. Pa 2829 SAN RAMON DR R.P.V. CA 90275

Lu CA 2829 SAN RAMON DR R.P.V. 90275

Chris Kim 2810 San Ramon Dr R.P.V. 90275

Quinn Hanger 2938 VISTA DEL MAR, R.P.V. CA 90275

Vicki J. Hanger 2938 VISTA DEL MAR R.P.V. 90275

Frank & Matt 2950 VISTA DEL MAR R.P.V. 90275

Dorothy M. Melton 2950 Vista Del Mar R.P.V. 90275

Ann Carter 2700 SAN RAMON 2/15/14 R.P.U.C.A. 90275



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, March 03, 2014 7:44 PM  
**To:** Ara Mihranian  
**Subject:** RE: Follow-up on Thursday's Visit - resident detention and removal

Ara, you told Marymount to fix their leaking pipe back in November when I sent the first pictures to you showing the saturation - it had obviously been leaking for quite some time.

Marymount doesn't seem to care what you (the City) say.

They have no respect for you, nor us.

Marymount did nothing about the leaking pipe then and by the time I saw it in February the saturation area had doubled.

I'm wondering what would have happened if I had not said anything at all about it.

Same thing as Paseo del Mar and Ocean Trails?

Diane

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

From: Ara Mihranian [mailto:AraM@rpv.com]  
Sent: Monday, March 03, 2014 2:49 PM  
To: Diane Smith; Joel Rojas  
Subject: RE: Follow-up on Thursday's Visit - resident detention and removal

Hi Diane,

The City does care about the concerns you have raised.

As I mentioned to you previously, Marymount responded to my inquiry about the leaky pipe on February 5th. I requested, via email today, a follow-up from Marymount regarding this matter to be certain the leak was located and repaired. I also spoke to the City Geologist a few weeks ago about this matter so that he can research it if warranted.

As always, I will continue to keep you posted as information comes my way. Additionally, the Council will be made aware of these matters via the upcoming April 1st City Council Staff Report.

Thanks again!

Ara

Ara Michael Mihranian  
Deputy Director of Community Development \_\_\_\_\_

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com  
www.palosverdes.com/rpv

☐ Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Saturday, March 01, 2014 7:44 AM  
To: Ara Mihranian; Eduardo Schonborn; Joel Rojas  
Subject: FW: Follow-up on Thursday's Visit - resident detention and removal

Attached is a photo I took on February 11, 2014 showing Marymount workers at the site of the broken pipe (or whatever it was that was saturating the top of the South Shores Landslide). Marymount workers appear to be investigating the saturation but I never did find out what was causing the leak and if it was repaired properly.

I am not allowed to go to Marymount and take pictures anymore so these are the best pictures I could take.

Did you ever find out what caused the saturation?

Did you verify that the leak was repaired?

The City Geologist was concerned over the South Shores Landslide as it was mentioned several times in the Environmental Impact Report on this project.

I am greatly puzzled at what is going on at Marymount.

It should not have taken months and months for Marymount to fix broken pipes at an area extremely sensitive to water overflow next to a landslide.

Why does neither Marymount nor the City seem to care?

You both ask Citizens to be involved and then when we are, you kick us out.

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

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Tuesday, February 11, 2014 1:07 PM  
To: 'Jim Reeves'  
Cc: 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'  
Subject: RE: Follow-up on Thursday's Visit - resident detention and removal

Dear Jim,

Finally, today, I see that you have people digging up and hopefully repairing the leak at the south east side of the new parking lot! Thank you for finally attending to this.

In response to your email to me yesterday, on Feb. 6, 2014 just after I visited Marymount's public Project Grow kickoff, three Marymount Security Officers detained me after seeing me take one photograph of trash on Marymount property and depositing that trash into a trash barrel. I was walking from the trash barrel towards the broken pipe saturation area next to Vista del Mar to see if there was any sign of Marymount repairing the leakage when the first of the three security people asked me if I was a resident. He didn't ask me if I had a visitor pass or if I was a guest of Project Grow - no he it seems he was "on the look-out" for residents taking pictures. I told him right away that I was a resident and he responded that I had no right to take pictures on the property. I took notes and asked him his name but he would not give me his name and instead started working his phone. (see attached memo) Mr. Brophy made serious insinuations in

his email to me but I will point out, If the security officer was really concerned about student safety for my taking a photo of the "Project Grow" area as it relates to resident homes then he would have detained me when I first arrived!

Jim, you tell me,

"Thank you for your efforts to identify matters in need of attention at the University's new parking area."

but Jim, your words do not connect with your actions.

You say thank you to me but you kick me out for taking photos of your trash and water leakages.

Your actions do not speak like your words.

You knew darn well that the parking lot is under review and comment until February 18 but the truth of the matter is that you don't want residents PROVING how sloppy and careless you are.

We residents know how treacherous fires can be.

We residents know how treacherous leaking pipes can be.

Your security guards stopped me from identifying matters in need of attention that were neglected and kicked me out. When I asked the security guard to please call Mr. Reeves and tell him Diane Smith would like permission to take photos, the security guard told me that he spoke to you and that you were in San Pedro and would contact me when you got back that afternoon. I asked the security guard if you refused to give me permission to take photos and your security guard was extremely agitated and raised his voice to me telling me, again, that you were in San Pedro and would contact me when you got back that afternoon. Luckily my neighbor Sara Dokter came by and witnessed the latter part of my experience with your security guards.

Regarding student smoking - they are still flicking their cigarettes into the field. I was in the field on Sunday with Greg Lash and pointed out all the flicked cigarette butts in the field. We were both surprised a fire had not ignited. Greg and I picked up all sorts of trash that had been heaved into the field. That is why we ask for a wall - so that Marymount's trash can be restricted to Marymount. I picked up an empty Jack Daniels bottle, beer and soda cans, sandwich boxes, all sorts of snack packages like Cheetos, Doritos, etc., lots of napkins, cigarette boxes, even a medical cannabis prescription plastic container. Right now, there is a big black trash bag on the hill and other stuff that the wind has brought down.

Even though you have two trash containers now it took all my efforts to shame you into putting them there. Now, your maintenance people need to regularly empty the trash containers.

We shouldn't have to ask you to do this.

But then still students intentionally throw trash into the field - I picked up a paper airplane that was shot into the field and showed it to Greg.

I know you have put up signs to warn students that this is a quiet zone, to turn their radios off, and not to jump over neighbor fences to retrieve balls and tell them there is no smoking and all of that but the students don't always do what you tell them to do. Just like Marymount, we residents ask Marymount to fix something and Marymount does not fix it. We ask Marymount to put in trash receptacles but Marymount does not put in trash receptacles. Monkey see - - monkey do. It's not rocket science Jim.

Today I had to go to my grandson's school at Mira Catalina and I saw three groups of students IN FRONT OF MARYMOUNT on the public street, all smoking away like chimneys. Maybe you have discouraged them from smoking out back and they've just moved out front. At least they are not in a fire zone but just look at the street and all those cigarette butts washing into our oceans.

It's a head-shaker.

OK, I have responded to your first paragraph and now I must attend to other matters.

Sincerely,

Diane

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275  
(310) 547-3856

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

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Monday, February 10, 2014 6:15 PM  
To: Diane Smith  
Cc: 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'  
Subject: Follow-up on Thursday's Visit

Hello Diane,

Thank you for your efforts to identify matters in need of attention at the University's new parking area. We have looked at the irrigation leak on the east side of the lot and are making arrangements to effect a repair. With respect to other issues you have identified, I think you would agree that we've made progress with student smoking on the east side of the parking lot as well as the litter. We will continue to carefully monitor these areas to ensure that they remain clean, safe and do not unreasonably impact our neighbors.

As noted in previous emails, the University is closing this parking area over weekends and during holiday breaks when parking is not needed in this lot. Also, we continue to consider strategies to mitigate the concerns raised by the pole lights in the parking lot and anticipate providing City staff with recommendations for addressing this matter soon.

With respect to the garden area, we are working with the neighbors immediately adjacent to the garden in an effort to address any concerns they might have. We are certainly respectful of their desire to maintain the peaceful and private use of their property.

While the University and I have appreciated your feedback about the concerns raised by you and our neighbors about campus operations, I must insist that you contact me directly with any future request to visit the campus. Upon request, I will advise you of an appropriate time when your visit can be accommodated. I appreciate your observance of our request in this matter and would encourage you to communicate with me by email with concerns as they arise.

Sincerely,

Jim Reeves

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

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Tuesday, February 04, 2014 10:55 AM  
To: Jim Reeves  
Cc: 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'  
Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Jim,

Thank you very much for closing the east parking lot and keeping the lights off over the Christmas vacation. I had a house full of guests, the weather was fantastic and we therefore spent just about every evening out back enjoying the view and dark night sky.

I hope things can somehow work out for both Marymount and its backyard neighbors.

Sincerely,

Diane

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

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 27, 2013 1:14 PM  
To: Diane Smith  
Cc: Ara Mihranian; eduardos@rpv.com; Joel Rojas  
Subject: Re: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Hello Diane,

We have closed the lot for the long holiday break with the parking lot lights off over that period. Best wishes for a pleasant Thanksgiving holiday.

Jim Reeves

Sent from my iPhone

On Nov 26, 2013, at 8:51 PM, "Diane Smith" <radlsmith@cox.net<mailto:radlsmith@cox.net>> wrote:

Thank you for the glorious dark nights last Saturday, Sunday and now tonight as the lights are turned off – it is simply wonderful, just as it has been from 1978 until June 29 of this year.

I believe the planning department made an oversight with regards to Marymount's East Parking Lot lighting. RPV's Hess Park Community Center Parking Lot Lights would be appropriate at Marymount's East Parking Lot. I hope you will have time to visit RPV's Hess Park Community Center Parking Lot at night. I hope too that you will have time to return to our home at night to see how bright and invasive the present lighting is on local residents. Any hedge would take enormous care to grow thick and tall enough to block the existing light, assuming it is planted at the maximum height.

Thank you again for turning the lights off when the lot has not been in use Saturday, Sunday and tonight.

Sincerely,

Diane Smith

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 20, 2013 5:24 PM  
To: Diane Smith; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>  
Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>  
Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Ms. Smith,

Thank you for your time today. I appreciated the opportunity to view the parking area from your perspective.

We will continue to review the operational impacts of the lot and work with City staff to develop some possible solutions.

Sincerely,  
Jim Reeves

Jim Reeves  
Sr. Vice President  
Finance & Administration  
Marymount California University  
(310) 303-7330  
<mailto:JReeves@MarymountCalifornia.edu>JReeves@MarymountCalifornia.edu<mailto:JReeves@MarymountCalifornia.edu>  
<image001.jpg>

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

From: Diane Smith [<mailto:radlsmith@cox.net>mailto:radlsmith@cox.net]  
Sent: Wednesday, November 20, 2013 3:42 PM  
To: Jim Reeves; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>  
Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>  
Subject: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Mr. Reeves and Eduardo,  
It has been over four months since I invited Marymount to come to my home to see the horrible lights that invade our properties from Marymount's new East Parking Lot. Thank you very much for finally coming to our home and to the Cornelius home to see, first hand, Marymount's new East Parking Lot from our perspectives in daytime. Thank you also Mr. Reeves for noting that Wednesdays are not as busy as other days.  
Please return to our homes at night so that you can see for yourself what has been imposed on us, every single night until 10:00 p.m., seven days a week, since the bright annoying lights were first turned on – on June 29, 2013.  
If we are not home you are welcome to go through the east side gates of our home.

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

Cc: Yvonne Hamilton

---

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

---

---

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

---

---

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

---

---

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

---

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Duncan Tooley <duncantooley@cox.net>  
**Sent:** Sunday, March 02, 2014 10:20 AM  
**To:** 'Jim Reeves'  
**Cc:** Diane Smith; Ara Mihranian; Eduardo Schonborn; Joel Rojas; roni@roniramosphoto.com; 'Marc Harris'  
**Subject:** Support for solid fence border with marymount

Jim,

At the February 18 RPV Council hearing, you said that you are continuing to speak with the residents about the parking area issues. I just want to point out that you have not talked to me since I sought you out while the lot was under construction. At that time I was told that beyond the lot would be a buffer zone nursery for native plants between my house and the parking. Apparently much has changed without notification or review. Besides the now "Public" project in that zone, I hear there are plans for picnic tables in the corner by my residence. This is totally unacceptable and out of alignment with the professed concern for your neighbors.

In September, I met with Mark Harris, Ara Mihranian, and Marymount's Environmental Manager (whose name I don't remember) about the disappearance of the masonry wall extension that had been approved in the project. I was told that instead, dense shrubs extending 6 feet high would be planted along the chain link fence that separates my property from Marymount and that the dead branches of trees on my property that hang over the fence would be cut and removed if I just marked which ones with a ribbon on them. This was promised to happen "in a couple of weeks when all of my crew returns from vacation."

Zero action on this item has occurred.

A new development is a Marymount student sitting on the glider on my property enjoying the view. This never happened while the western chain link fence was present along Marymount's property, thereby making my property inaccessible from Marymount without climbing a fence. Now students can just walk across to my property.

I support the RPV city recommendation for a solid fence between my property and Marymount. (Put the planned masonry extension back!) I also support some type of fence or passage obstruction along the western edge that would inhibit students from walking around to my property.

Sincerely,

Duncan Tooley

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, February 26, 2014 4:54 PM  
**To:** Ara Mihranian  
**Subject:** FW: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT  
**Attachments:** Marymount Parking Lot - GROW PROJECT MEMO.docx

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Friday, February 07, 2014 10:04 AM  
To: 'MBrophy@marymountcalifornia.edu'  
Cc: 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'; 'jim.knight@rpv.com'; 'brian.campbell@rpv.com'; 'anthony.misetich@rpv.com'; 'susan.brooks@rpv.com'; 'jerry.duhovic@rpv.com'; 'Karpov'; 'James'; 'jmaniataki@aol.com'; 'glash@cox.net'; 'philip.matuzic@gmail.com'; 'gensar@cox.net'; 'anchanj@cox.net'; 'racisz@cox.net'; 'idelle@cox.net'; 'Marc Harris'; 'mfrusteri@cox.net'; 'roni@roniramosphoto.com'; 'ronmcsberry@hotmail.com'; 'vickihanger@aol.com'  
Subject: FW: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Dear Dr. Brophy,

The one and only time you responded to me was October 2, 2013 and I have not heard from you until today. At the end of your October 2, 2013 response you said:

" I have not heard from any other neighbor about the lot, but I will look into your comments and requests."

That's it. Nothing since from you.

Mr. Jim Reeves then communicated with me.

Yesterday, I calmly, clearly and politely asked, and repeatedly asked your security personnel to please call Mr. Reeves and ask him if he will give Diane Smith permission to be on the premises and take photographs. The head security officer turned away and dialed his phone and was talking. He came back to me and said Mr. Reeves was in San Pedro and would be back this afternoon and would contact me. I asked the security officer, again, and again, if he asked Mr. Reeves if Diane Smith could be on the property and take pictures and the security person repeated again that Mr. Reeves would contact me and demanded that I leave the property.

My memo is attached.

Sincerely,

Diane Smith

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Friday, February 07, 2014 9:37 AM  
To: 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'  
Cc: 'jim.knight@rpv.com'; 'brian.campbell@rpv.com'; 'anthony.misetich@rpv.com'; 'susan.brooks@rpv.com'; 'jerry.duhovic@rpv.com'; 'Karpov'; 'James'; 'jmaniataki@aol.com'; 'Gregory Lash'; 'Diggory1@aol.com'; 'kathyvenn@aol.com'; 'roni@roniramosphoto.com'; 'vickihanger@aol.com'; 'Marc Harris'; 'Parvin Jensen'  
Subject: FW: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Dear Ara, Eduardo and Joel,

You told me to take pictures as evidence of our objections to Marymount's East Parking Lot as the parking lot is still in its 6-month review period.

Our comments are due February 10, 2014.

We neighbors object to the students smoking and flicking their cigarettes into the open fields and we have lots of photographs and evidence of that - that is why we need a solid barrier between the parking lot and the field so we can deter fires. The photographs do not lie.

We object to the students noise at the new East Parking Lot so we try to get pictures/videos of them bouncing their basketballs (Ara was witness to that but my camera was not strong enough to capture it), and flicking their vehicle lights on and off in "fun" and revving their engines, car alarms going off, groups of kids congregating in the corner next to San Ramon homes, smoking stuff, and drinking - - - how else can you believe us if we can't get pictures?

We do get pictures from our homes where we see the reflection of plastic trash on the hillside but we have to go on the property to take pictures of the beer cans, beer bottles, condom packages (ugh and other) and especially cigarette butts so you will believe us. If Marymount knew we wanted to take

pictures of that then they might not allow us on the property. When I was

already there on the property picking up trash in November and saw the leakage at the far end closest to the Vista del Mar property I HAD to photograph it so you would believe me that it is indeed leaking. That was in November 2013 and now it is February 2014 and the area of leakage saturation has doubled and thank goodness my neighbor Sara Dokter was there to witness it with me yesterday.

In hindsight it seemed to me that security was on the look-out for neighbors. I took an initial picture of the "Grow Project Kickoff" as I approached the area and there were students (people) walking towards me but the picture was intended to see the area of the kickoff next to neighbors'

homes - I couldn't help the people in the way. I took pictures of the dwarf trees they intend to plant and of the galvanized containers showing watering devices and of the boulder seating area. These pictures were necessary for me to show you that having an abusive bright light, noisy and trashy parking lot was not enough to impose on neighbors but that they now invite the underprivileged from San Pedro to participate in growing and harvesting a community garden in the back yards of San Ramon neighbors.

Marymount's security officer driving up to me after I had deposited all that trash in the trash barrel and saying, "are you a resident?". Please read my memo as I prepared it directly from the notes I took the whole time I was there. I was calm, inquisitive as to their names and requested they call Mr. Reeves and they were very nervous, very hostile and, again, luckily my neighbor Sara Dokter was there, at least towards the end, to experience this. It was quite amazing. Dr. Brophy's attempt to characterize me as going around taking pictures of students is ludicrous and just weak. Dr. Brophy and Marymount don't want to be further exposed as hypocrites - having this GROW PROJECT ridiculous community garden to educate and feed the poor - look at my memo - harvest from a few dwarf fruit trees? I am interested in their upcoming WATERSHED SCHEENING AND PANEL DISCUSSION on March 27 - I suppose they will kick me out of that, especially if I have questions on how much time it takes to repair pipes (or whatever is causing saturation) at their parking lot located at the top of the South Shores Landslide. I am interested in also attending the next Marymount SUSTAINABILITY EXPO on April 22 where they celebrate Earth Day telling people how they can reduce their footprint.

Dr. Brophy spoke at the January 21 City Council meeting boasting of their goodness - even saying how neighbors walk their dogs there. What a bunch of junk. Dr. Brophy left out the part that their security officers are great at kicking mature neighbors out for walking our dogs there - even the previous Mayor (much younger than us) was kicked out.

Marymount security can't seem to kick out the smoker students, drinker students, noisy students and so on. Heck, Marymount security doesn't even know who has the "power"

to turn on and off those annoying parking lot lights - - remember when they left the lights on all night? I went to their security asking who was in charge? They told me - maintenance. I went to maintenance and they told me - security. Do you want me to dig up that whole scenario?

I was stopped by Marymount security who was driving in a little security golf cart vehicle right after I had picked up a lot of trash and deposited it up on the second level into a trash receptacle. I was calm and inquisitive and took notes and names and went home and wrote up a memo.

I believe our time frame to submit comments to the East Parking Lot should be suspended until we can nail down the true and honest future purpose of this GROW PROJECT Marymount kicked off yesterday at 12:30 pm. We need time to

consider the number of vehicles and people that would be added to the campus and the parking lot during the week and weekends, vehicles from Harbor Interfaith clients and their children, handicapped vehicles and so on.

I therefore request an extension of time to submit public comment to a time you feel is appropriate.

Thank you.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

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

From: Michael Brophy [mailto:MBrophy@marymountcalifornia.edu]

Sent: Friday, February 07, 2014 8:24 AM

To: Diane Smith; 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'; cc@rpv.com

Subject: Ms. Diane Smith/Mr. Ara Mihranian

Greetings

Yesterday we had some excitement on campus when Ms. Diane Smith came onto our private property and began taking photographs of our students. I have spent time with our campus safety team and have come to learn that there may be some confusion about whether or not Ms. Smith was invited to do so by city staff member Ara Mihranian. I understand Mr. Mihranian was also on campus taking photos.

Let me keep this simple: I will ask Diane Smith or Ara Mihranian to call me directly at 310-944-2306 if they wish to come onto our campus. This is private property and we have the responsibility to create a safe and peaceful environment for our students and staff. Something happened yesterday that put that in jeopardy, so I only ask that these individuals speak with me directly about any future request to visit campus. Many neighbors use our private campus all the time, but incidents like yesterday are not welcome.

Regards,

Michael

---

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

---

## MEMO

DATE: February 6, 2014

FROM: Diane L. Smith

SUBJECT: Marymount East Parking Lot – Marymount California University Advertising Brochure - SPRING 2014 promotion of Marymount’s Cultural Arts Program’s “GROW PROJECT KICKOFF” located immediately behind San Ramon residents and the new Marymount East Parking Lot

Today I met with Greg Lash at 10:00 a.m. to prepare wording of a petition for our neighbors who oppose to Marymount’s New East Parking Lot to sign. Resident written comments on Marymount’s New East Parking Lot must be turned in to the City before 5:30 p.m. before February 10, 2014.

Afterwards, I walked to Marymount to see what the “GROW PROJECT” located next to Marymount’s New East Parking Lot was all about. Marymount advertises: *Our programs are designed for students who truly want to make a difference. Courses emphasize problem solving, communication strategies and a sense of entrepreneurship. With a focus on the future, Marymount California continues to grow. We're expanding our campus, our faculty and our programs all to help our students realize their full academic and professional potential. Grow with us. See your future through our eyes. It looks amazing.*

I walked around by the old Preschool (of which I have fond memories), and then around past the open gates to the East Parking Lot. There were many people, students and one adult, working away, setting up two covered stands with written material for students. The first person I met was a very nice young girl by the name of Judith Jacques-Hines. She asked me if I was just visiting and I said no, that I was a neighbor. Judith he was very nice and welcomed me warmly. She invited me to see what they were doing and planning. She explained that the soil was very bad and so they brought in irrigation piping to several galvanized troughs (that were donated) where they would grow seasonal herbs and other seasonal vegetables. Judith also told me that the whole area was planned to be wheelchair friendly as well. Judith took me to the dwarf fruit trees, about nine of them, include dwarf oranges, that they planned to grow. The plan is to donate their crop to Harbor Interfaith women and children in San Pedro. She had spoken to Sharon at Harbor Interfaith and they were very excited about the project. I asked about how many oranges such a little tree could produce and Judith thought they could get about 30. Judith also told me that Harbor Interfaith women and children would be invited to come and visit and help out or just meditate. Judith pointed out the several meditation and seating boulders at the edge of the area next to the field below that is readily available. She also pointed out another area immediately back of Marc Harris’ house and I believe 2758 San Ramon, that would be developed for seating so that people can congregate, have lunch or just rest and enjoy the garden.

It was very windy and trash started flying so I went with Judith to help pick up the trash as it snagged on the chain link fence by San Ramon back yards.

Judith introduced me to Kathleen Talbot, the Sustainability Officer, who was a specialist in Native California plants. Kathleen pointed out the planned Native California garden. Kathleen also pointed out the rocks and said they are there for people to sit and enjoy as a public park.

I was also introduced to Sallie Wu, Director of Peace Center and Interculture. Sallie told me she was Professor, Psychology and has taught at Marymount for 30 years.

Apparently Marymount has been working with the South Coast Chapter of the California Native Plant Society and finally got a grant two weeks ago. It was explained that they plan to have community events here. I picked up some more flying trash and asked them if they had a trash barrel and they did not but then Sallie found a box for me to put it in. I thanked them and went on my way.

I walked straight up towards the Vista del Mar homes and picked up trash, including two cigarette boxes, an empty plastic coffee cup and lid, a potato chip bag and two ketchup packets and I took a picture of more trash in the field. I walked over to the closest trash bin on the upper level of the parking lot and tossed in the trash. I noticed a security guard was driving around the parking lot. I then continued walking over towards the area that was wet and saturated with leaking pipes and the security guard drove up to me and said, "are you a resident?" I said, "yes, I am." He then said, "you are not allowed to take pictures here." I took out my notebook and started writing down what he said and I asked him his name. He would not give me his name and instead got on his phone. I told the security officer I needed to take a picture of the leak because it needed to be fixed and he said he is not part of maintenance. I asked him his name, again but he refused. I asked him why he was refusing to give me his name and he said he was calling his superior. He got off the phone and told me his superior was on his way out to the parking lot. When I said, "are you refusing to give me your name?" then he responded, "Wayne" and I asked if he had a last name and he said, "Young." Finally Wayne Young's superior walked towards me and I asked him his name and he said, "Matt" and gave me his card:



Matt explained to me that this is private property and I was not allowed to take pictures. Matt explained that I needed a guest pass to be on the property and I needed permission to be on the property. I told him I visited the garden project. I asked him if it is Marymount's policy not to allow taking of photographs by anyone on Marymount property unless they have permission. A third security officer (Matt's boss came walking over to me. I asked the third officer his name and he said "Mike." I asked Mike if Mr. Reeves was on campus and he said he believed Mr. Reeves was there. I then asked him to call Mr. Reeves but he and Matt just stood there. I insisted that he simply call Mr. Reeves and tell him that Diane Smith is here on campus and wants to take pictures. "Just call him to get his permission," I said. They walked away a bit and then came back and said they had spoken to Mr. Reeves but he was in San Pedro and he would be back this afternoon and will contact me when he comes back. I asked Mike if Mr. Reeves gave me permission to take photos and Mike responded that I am not allowed to take pictures on Marymount property without permission from Mr. Reeves and he asked me to leave the premises.

Just then, my neighbor Sara Doktor, drove up!!! I told her that she came in the nick of time because I was going to refuse to leave and let them call the Sheriff's office. I told Sara that the security officers told me I was not allowed to take pictures on Marymount property and that I have to get a permit to be on the property. Sara said, "what?" She told me to get in the car and then Sara asked her own questions, "are you telling me that we cannot take pictures on this property?" Sara said, "We are not allowed to take photos? And the security guard verified, "You need official business to be on our campus." I got in the car and then I asked Sara to stop and take a look at the area with the broken pipe. Sara and I got out of the car and I pointed out the saturated area that still is not fixed. I added, "how can they have a garden project with all sorts of pipes – when they can't fix the pipes they already have?" The security guards were still looking at us so we got in the car.

Sara then drove over to the "GROW PROJECT KICKOFF" area and said she had an appointment but could just swing by. We saw a man standing there using his cell phone. We pulled down the window and asked him if he was Marymount faculty. He said no, that he was just visiting from USC, just a guest. We asked him if he had a permit and he said no. We asked him if he took pictures and he told us not today he didn't because it wasn't very clear out.

I do not know how many people obtained guest passes today – I don't intend to return but I do want to let all residents know welcome we are at Marymount.

## Ara Mihranian

---

**From:** Jim Reeves <JReeves@marymountcalifornia.edu>  
**Sent:** Wednesday, February 26, 2014 10:42 AM  
**To:** Roni Tomlin; Ara Mihranian  
**Subject:** Phone Call Follow-up

Hello Ms. Tomlin,

Thank you for taking the time to discuss your concerns related to smoking on the eastern border of the campus and the garden. Please note below the description of the garden and its activities as provided to the City.

With respect to smoking and the concerns related to fire, we too share your concerns. The University has a no smoking policy that has pushed some smokers to the borders of the campus in hopes that they can evade detection. In response to this the University has stepped up its enforcement of policy and imposed severe sanctions, including fines on those who violate policy. You will have noticed over the past few months an increased presence in campus security staff in the area and a decrease in the number of students smoking and congregating. In addition, we have ordered additional signage to be placed in this area to reinforce this message.

With respect to your specific questions about the subject garden, my responses are as follows:

- While the distance between your property and the garden provides a significant buffer zone, our plan is to provide fencing and a hedge row that would screen the containers and activities in the garden from your property. The height and length of this hedge row will need to be determined after further consultation, however, this solution would address your concerns about any visual impacts from your property.
- Restrooms will not be provided as there are other facilities on campus available to students during the times when they would ordinarily be in the garden.
- The garden is not considered a “public” facility and will not be generally available to public access. As noted below, there may be opportunities to have others view what we’re doing in propagating native plants, however, we anticipate that viewings will be in very small numbers and during the school week when there will negligible impact on neighbors.

### Garden Narrative Provided by Marymount for RPV Staff Report

Soon after the expanded parking lot was completed, Marymount developed a campus garden program (referred to as the GROW Project) in the unimproved area between the parking lot and the property line adjacent to 2750 San Ramon Drive. According to Marymount, the campus garden provides an opportunity to use plants to screen the parking lot from the properties at 2742 and 2750 San Ramon Drive while providing an educational opportunity to Marymount’s students and the community on sustainable and low water gardens that benefit local charities.

As I indicated on our telephone conversation, I will provide you updates as these considerations continue.

Sincerely,

Jim Reeves

Sr. Vice President

Finance & Administration

Marymount California University

(310) 303-7330

JReeves@MarymountCalifornia.edu

*amazing lives in view*

# MARYMOUNT

CALIFORNIA UNIVERSITY

Please note that as of September 1<sup>st</sup>, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

---

**From:** Roni Tomlin [mailto:ramos09@verizon.net]  
**Sent:** Friday, February 21, 2014 3:40 PM  
**To:** Jim Reeves; AraM@rpv.com  
**Subject:** Fwd: Phone call today

Mr. Reeves,

I have forwarded a copy of the email with the discussion points we spoke of today to Mr. Mihranian, I understand he is the City Planner assigned to this project. When you reply to my questions below, would you please copy him on this also.

Best,

Roni Ramos Tomlin

Begin forwarded message:

**From:** Roni Tomlin <ramos09@verizon.net>  
**Subject:** Phone call today  
**Date:** February 21, 2014 12:59:48 PM PST  
**To:** Jim Reeves <JReeves@MarymountCalifornia.edu>  
**Bcc:** Diane Smith <radsmith@cox.net>

Mr. Reeves,

Thanks for taking a moment to speak with myself and my sister today, I am sure you realize how concerned we are for our home at 2736 San Ramon. To Summarize here are my specific questions and concerns.

- The HIGH fire danger with smoking in the parking lot/"garden" area.
- The "garden" looking like a series of silver trash cans, right outside our kitchen window.
- Our wish for the "garden" itself to be moved to another area, again away from the view and back yards of the neighbors on San Ramon.
- What about toilet facilities? Are you planing to have portable toilets in that area???
- Who will be able to access the "garden" I believe you stated students, will any public have access to that space???

I would sincerely appreciate your comments (via and email reply) on these points, and again request to be informed of future plans for that area.

Thanks in advance for your time.

Roni Ramos Tomlin

Randee Hinchliffe

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, February 25, 2014 10:01 AM  
**To:** Ara Mihranian; Eduardo Schonborn  
**Cc:** 'Karpov'; 'James'; 'Linda Gordon'; 'Gregory Lash'; jmaniataki@aol.com  
**Subject:** FW: Parking area Concerns

Dear Ara and Eduardo,

In their February 18, 2014 letter, Marymount's attorneys Burke, Williams & Sorensen, LLP at Page 2, Paragraph 3, lines 3-8, use as one of their excuses for an extension of time, that:

"None of the staff recommendations in the report and related resolution . . . nor any of the proposed operational changes such as the . . . restrictions on the types of vehicles that may enter . . ."

I am forwarding Mr. Reeves Nov. 19, 2013 email to me where he refers to "cars".

I distinctly remember when you both and Mr. Reeves came to my home and I explained to Mr. Reeves that I had seen large trucks that have four sets of headlights, and one camper, one "coach" and such vehicles that should not be permitted into the lot at all – including motorcycles. We discussed the motorcycle parking might be located next to the maintenance buildings because the maintenance vehicles might be noisy as well and the noise would be away from classrooms. The type of vehicles that should be allowed into the parking lot was very well discussed – Mr. Reeves even chuckled when I told him I did not think Marymount would want the motorcycle parking next to the chapel!

Marymount knew full well that neighbors objected to the type of vehicles parking in the east parking lot – that the east parking lot was intended for student overflow parking – to get the students off of P.V. Drive East, Crest Road and the Mira Catalina tract.

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

**From:** Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
**Sent:** Tuesday, November 19, 2013 12:13 PM  
**To:** radlsmith@cox.net  
**Cc:** Michael Brophy; Eduardo Schonborn (EduardoS@rpv.com)  
**Subject:** Parking area Concerns

Hello Ms. Smith,

I write in response to your recent email in which you cite several concerns related to the new parking area on campus. We appreciate your feedback on these matters and want to convey to you that we have every intention of managing this area consistent with the conditions outlined in our CUP and good management practices. While we have gone through a bit of a "break-in" period during this first semester of use of the lot, I believe we're making progress. Let me respond to a few of your questions and concerns:

- Security gate – We have experienced some programming challenges early on that we now believe we’ve solved. The gates are scheduled to open at 7:00 am and close at 6:00 pm, after which no cars can enter the lot.
- Trash – We have had our grounds crew increase their sweeps of these areas to pick-up trash. We have also ordered additional trash receptacles to be placed in this area.
- Cigarette debris – The University has adopted a smoke-free campus policy. While we recognize this to be good policy for the well-being of our students and staff, it has served to push smokers to those areas where they may not be easily observed. In response, we have asked our campus safety staff to monitor this area more frequently to enforce policy, and impose sanctions as necessary.

Thank you again for your feedback and please feel free to contact me directly with any further concerns.

Sincerely,

Jim Reeves

**Jim Reeves**

Sr. Vice President

Finance & Administration

Marymount California University

(310) 303-7330

[JReeves@MarymountCalifornia.edu](mailto:JReeves@MarymountCalifornia.edu)

*amazing lives in view*

**MARYMOUNT**  
CALIFORNIA UNIVERSITY

Please note that as of September 1<sup>st</sup>, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

---

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

---

## Ara Mihanian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, February 25, 2014 9:11 AM  
**To:** Ara Mihanian  
**Cc:** vickihanger@aol.com; racisz@cox.net; idelle@cox.net; anita\_reynolds@att.net; 'Marc Harris'; dtooley1@cox.net; roni@roniramosphoto.com; ronmcsberry@hotmail.com; psjense@aol.com; gensar@cox.net; mfrusteri@cox.net; philip.matuzic@gmail.com; gtavetian@cox.net; utopia4u@cox.net; 'Karpov'; 'James'; 'Gregory Lash'; 'Linda Gordon'  
**Subject:** FW: Marymount Neighborhood Advisory Committee Meeting Notes  
**Attachments:** Marymount Eastern Parking Lot Suggestions.ppt; Marymount - Smith letter 11-20-13 to Hamilton 1 of 2.jpg; Marymount - Smith letter 11-20-13 to Hamilton 2 of 2.jpg

Dear Ara,

Please attach this forwarded email from Marc Harris and power point to your copy (and city council) of the letter I sent to Yvonne Hamilton in November, that I gave to you, I believe in January. I did not have the attachments at the time and I told you I would forward them to you – sorry for being so late. I've attached my letter too so you will know what I am referring to.

These notes are especially important now because although Marymount met with residents about the parking lot issues in November, 2013 there are no notes pertaining to the public PROJECT GROW that Marymount was planning. I'm sure such a project would have been included in Marc Harris' notes had the public project, and the extent thereof, been revealed by Marymount to the residents. If Marymount had revealed its plans for a public project at the November community meeting then residents would have had an opportunity to consider and voice further concerns about things such as noise from the public toilet facilities (porta potties), and the odors associated with this, seating arrangements next to neighbors' properties, more trash, smoking and leaking pipes and so on.

After seeing those professional photographers at the Marymount East Parking Lot at 7:00 a.m. last Sunday morning, when it was foggy and you couldn't see the ocean, and re-reading my letter to Yvonne, I must now join Yvonne Hamilton in complaining about invasion of privacy. I was in my nighty when I went outside to investigate my dog barking and saw the three photographers with high-powered lenses up there. I am still waiting to hear from you on this latter issue.

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

**From:** Marc Harris [mailto:marc\_90277@yahoo.com]  
**Sent:** Monday, November 18, 2013 8:00 PM  
**To:** mfaustini@cox.net; kathyvenn@aol.com; suedanb@ox.net; ronmcsberry@hotmail.com; MeDiggory1@aol.com; utopia4u@cox.net; glash@cox.net; gensar@cox.net; john.feyk@cox.net; maryff@cox.net; radlsmith@cox.net; Duncan Tooley; Erin Harris; gunnarco@aol.com; philip.matuzic@gmail.com  
**Subject:** Marymount Neighborhood Advisory Committee Meeting Notes

Notes from tonights meeting...

Eduardo (City) is taking over the Marymount Project from Ara.

Jim Reeves is sitting in for Dr Brophy.

## Eastern Parking Lot

- Hours – 7am – 6pm (When the programming is in place)
- Students may leave as late as 10pm because of classes.
- Both arms go up at 7am and down at 6pm. Exit is automatic.
- Weekend is supposed to be closed.
- **They are working on vegetation screening (Possible Low wall) for light pollution and sound for San Ramon and Tarapaca. (Drip Irrigation going in right now)**
- Will revisit smoking area designated at MM. Patrolling to enforce smoke free campus.
- Ordered Trash Bins.

To contact Security – Main Number 310 377-5501 and listen to the prompt for Security.

**6 month review for the Eastern Parking Lot tentatively scheduled for Feb 4 2014 City Council Meeting.**

**Get your comments to the City well before this date.**

Classes 8am – before 10pm

No weekend classes currently. May in the future.

Construction Phases. Still working on Phase I (Athletic Field)

I have attached the powerpoint that I am submitting (Work in progress) ...

# Marymount Eastern Parking Lot Suggestions

Marc & Erin Harris  
2750 San Ramon Dr

# Screening and Open Space

10 Foot Hedge Here



Drought-Tolerant California Native Plants Here

# Open Space Alternatives

- Native California groundcover

# Smoking, Noise, etc...

- Smoke free campus. It is happening in the Eastern parking lot. Need to figure this out.
- Mitigate noise from loitering students in the parking lot.

Richard A. and Diane L. Smith  
2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275  
R: (310) 547-3856 E: [radlsmith@cox.net](mailto:radlsmith@cox.net)  
November 20, 2013

Ms. Yvonne Hamilton  
2732 San Ramon Drive  
Rancho Palos Verdes, CA 90275

Re: Marymount University New East Parking Lot

Dear Yvonne,

Yesterday I attended the Rancho Palos Verdes City Council Meeting at Hesse Park Community Center and noticed the type of lights used at Hesse Park Community Center seem quite, soft and unobtrusive – somewhat like the lights at the Peninsula High School Parking lot in Rolling Hills Estates. I have previously conveyed to Ara the latter type of lights that I believe would suffice for Marymount. I conveyed this to two of the five councilpersons at the recess. The councilpersons were sincerely sympathetic to our light concerns as well as the trash, and noise. I did not explain your personal concerns over the invasion of privacy you have experienced so you may want to dictate a letter to me and I will type it up for your approval, signature and delivery. If and when you experience another invasion concern this is the number to call to notify/complain:

### **Marymount Security number 310 377-5501 (listen to prompt)**

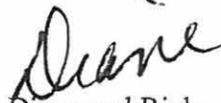
It is my personal opinion that the City Council is sincerely trying to do everything they can to solve this parking lot nuisance for not only the San Ramon neighbors but also Vista del Mar and Tarapaca. It was very difficult for the City Council to imagine what the parking lot lights would look like once installed and what it would actually sound like from our perspectives. Please know that they appreciate our input. I particularly appreciate what an additional stress this has been on you, Yvonne, and under your circumstances your heroic efforts to participate in this process is greatly recognized by all of us.

I am attaching Marc Harris' 11/18/13 email notes of the community representatives meeting with Marymount held Monday, November 18, 2013. Marc's perspective may be different from your perspective of the parking lot and both yours and Marc's may be different from our perspective in that the 10-foot hedge indicated on Marc's power-point program does nothing to discourage light and noise for the downslope San Ramon and Tarapaca residents. It is very important for you to voice your suggestions as to what may help to make you feel more secure living next door to this new parking lot. We downslope residents experience an echo corridor which is exaggerated under certain weather conditions, including fog. Marc noted that Marymount needs to figure out what to do about the smokers and mitigate noise from

loitering students. I don't know what they can do about smokers either – maybe have a sand box for them to aim their flicking butts at? I don't know if you were home last Monday at around 5 o'clock when a student vehicle security alarm went off for such a long time but that noise is awful and seems to happen so often. Marc also noted that there are no weekend classes currently but notes there may be in the future. It is my opinion that the east parking lot should remain closed for weekend use permanently and used as overflow parking for special events only. We residents are burdened enough with lights and noise 7 days a week until 10 pm every single night and it is nerve-wracking. Marc works so he does not notice it like we do. We should at least have equal relief from this nuisance but no less than relief on the weekends for our peaceful weekend entertainment. I will address these and more issues in separate correspondence with the City and will make sure you get a copy.

Thank you so very much Yvonne.

Sincerely,



Diane and Rick

cc: Rancho Palos Verdes City Council  
Ara Mihranian, Deputy Community Development Director  
Mr. & Mrs. T. Clarke (Tarapaca)  
Mr. & Mrs. D. Hanger (Vista del Mar)  
San Ramon Drive residents: Harris, Tooley, Cornelius, Dorian, McSherry, Levan,  
Jensen, Doktor, Pratley

## Ara Mihranian

---

**From:** Roni Tomlin <ramos09@verizon.net>  
**Sent:** Friday, February 21, 2014 8:28 PM  
**To:** Jim Reeves; Ara Mihranian  
**Subject:** View of the Marymount garden and parking lot from 2736 San Ramon Dr.

Mr. Reeves,

You mentioned on the phone today that you did not think that the container "garden" looked like trash cans...as you can see from this photo taken from my window...they certainly do look like trash cans! compare them to a trash can available from home depot (see example.)-

Roni Ramos Tomlin  
2736 San Ramon Dr.



## Ara Mihranian

---

**From:** Roni Tomlin <ramos09@verizon.net>  
**Sent:** Friday, February 21, 2014 3:40 PM  
**To:** Jim Reeves; Ara Mihranian  
**Subject:** Fwd: Phone call today

Mr. Reeves,

I have forwarded a copy of the email with the discussion points we spoke of today to Mr. Mihranian, I understand he is the City Planner assigned to this project. When you reply to my questions below, would you please copy him on this also.

Best,  
Roni Ramos Tomlin

Begin forwarded message:

**From:** Roni Tomlin <ramos09@verizon.net>  
**Subject:** Phone call today  
**Date:** February 21, 2014 12:59:48 PM PST  
**To:** Jim Reeves <JReeves@MarymountCalifornia.edu>  
**Bcc:** Diane Smith <radlsmith@cox.net>

Mr. Reeves,

Thanks for taking a moment to speak with myself and my sister today, I am sure you realize how concerned we are for our home at 2736 San Ramon. To Summarize here are my specific questions and concerns.

- The HIGH fire danger with smoking in the parking lot/"garden" area.
- The "garden" looking like a series of silver trash cans, right outside our kitchen window.
- Our wish for the "garden" itself to be moved to another area, again away from the view and back yards of the neighbors on San Ramon.
- What about toilet facilities? Are you planing to have portable toilets in that area???
- Who will be able to access the "garden" I believe you stated students, will any public have access to that space???

I would sincerely appreciate your comments (via and email reply) on these points, and again request to be informed of future plans for that area.

Thanks in advance for your time.

Roni Ramos Tomlin  
Ranee Hinchliffe

BURKE, WILLIAMS & SORENSEN, LLP

444 South Flower Street - Suite 2400  
Los Angeles, California 90071-2953  
voice 213.236.0600 - fax 213.236.2700  
www.bwslaw.com

Direct No.: 213.236.2702  
Our File No.: 04693-0005  
ddavis@bwslaw.com

February 18, 2014

**VIA HAND DELIVERY & E-MAIL (CC@rpv.com)**

Mayor Duhovic and Members of the City Council  
City of Rancho Palos Verdes  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, California 90275-5391

**Re: Marymount California University: 6-Month Review of Expanded Parking Lot Project (Planning Case ZON2003-00317)**

Dear Mayor Duhovic and City Council Members:

Marymount California University (Marymount) respectfully requests that the City Council **defer any final action on the above-referenced agenda item to a continued public hearing in April or as soon thereafter as possible** so that Marymount has an adequate opportunity in accordance with its vested property rights and due process protections to meaningfully respond to the proposed modifications to Marymount's Conditional Use Permit (CUP), which were not previously presented to Marymount nor made available to Marymount until the 300-page staff report and agenda package was posted on the City's website sometime after the close of business on February 13, 2014.

Unlike prior hearings where the City was processing an application for new entitlements, the subject hearing concerns proposed changes to Marymount's existing CUP, in particular, its recently completed "Eastern Parking Lot," which City staff acknowledges was built in compliance with all approvals and a final Certificate of Occupancy was issued on August 6, 2013. Under California law, the grant of a CUP and subsequent reliance on the CUP by the permit holder creates a fundamental vested property right. (See Malibu Mountains Recreation, Inc. v. County of Los Angeles (1998) 67 Cal.App.4th 359, 367.) Once a CUP vests, the permittee is entitled to all the protections of due process before the permit may be modified or revoked. (See Bauer v. City of San Diego (1999) 75 Cal.App.4th 1281, 1294-95.)

As explained by the California Supreme Court, the constitutional principle of due process requires reasonable notice before governmental deprivation of a significant property interest, which notice must, at a minimum, "be reasonably calculated to afford affected persons the realistic opportunity to protect their interests," and must "occur sufficiently prior to a final decision to permit a 'meaningful' predeprivation hearing to affected landowners." (Horn v. County of Ventura (1979) 24 Cal.3d 605, 617-618.) Where a property owner is denied such due process, the courts will set aside the underlying government decision.

LA #4825-6055-6312 v1

Marymount California University  
Procedural Objections to Public Hearing Item 2  
(Planning Case no. ZON2003-00317)  
February 18, 2014  
Page 2

In the case of Goat Hill Tavern v. City of Costa Mesa (1992) 6 Cal.App.4th 1519, the City of Costa Mesa scheduled a public hearing on the tavern's request for a renewal of its conditional use permit. The staff report, accompanied by over 100 pages of documents, was not given to the tavern's attorney until the Friday evening before the Monday hearing. The tavern's attorney requested a continuance to adequately respond to the lengthy report. The city council refused and proceeded with the hearing. The tavern owner sought a writ of mandate to set aside the city council's decision. The trial court held that the city's refusal to continue the hearing violated the tavern owner's due process rights and set aside the decision. (See page 4 of the attached case.)

Similarly, in Cohan v. City of Thousand Oaks (1994) 30 Cal.App.4th 547, the court of appeal granted a property owner's writ of mandate to set aside the city council's decision on a development application where the council engaged in numerous due process violations, which forced the property owner to respond to wide-ranging issues at a hearing without adequate prior notice.

Here, the 300 page staff report and agenda package was never delivered to any Marymount representative, but rather, was merely posted on the City's website late in the evening on Thursday, February 13, 2014, just before a long holiday weekend. None of the staff recommendations in the report and related resolution regarding additional improvements such as the proposed hundreds of feet of fencing and landscaping, nor any of the proposed operational changes such as the complete closure of the brand new multi-million dollar Eastern Parking Lot on weekends and the restrictions on the types of vehicles that may enter the most distant of Marymount's parking lots were ever presented in detail or in writing to any Marymount representative until the day the staff report was posted on the City's website. In fact, as late as 4:52 PM on February 13, 2014, the City's Deputy Director of Community Development, Ara Mihranian, refused to both disclose the details of his pending recommendation, or even explain the purported rationale for them. Instead, he effectively told Marymount Vice President Jim Reeves that he could read the details in the staff report being released that evening and then he would be glad to discuss them "later." This is not the due process required under California law (not to mention a complete lack of professional courtesy to an affected property owner).

In addition to the lack of adequate notice or opportunity to prepare for the hearing on what was publicly noticed as a "review of the operation of the recently constructed expanded parking lot project," the proposed agenda item includes a recommendation to create a new "prohibition on outdoor programs and gatherings" on the Marymount campus, which would result in the forced removal of a campus food garden.

Marymount has invested years of work and millions of dollars to create an additional parking area that City staff concedes was built according to the plans and the conditions of approval. Marymount cannot be deprived of the full benefit of that investment or of the

Marymount California University  
Procedural Objections to Public Hearing Item 2  
(Planning Case no. ZON2003-00317)  
February 18, 2014  
Page 3

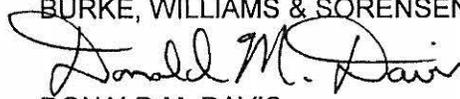
permitted uses of its property under the circumstances described above. **Marymount's constitutional right to due process and a fair hearing require that no final action be taken on the agenda item this evening and that the matter be continued. Because of upcoming scheduling conflicts in March, Marymount requests that the continued hearing be scheduled for a Council meeting date in April or anytime thereafter.**

To the extent Marymount has been made aware of public concerns that are both reasonable and substantiated regarding the operation of the Eastern Parking Lot, Marymount representatives have been actively considering and pursuing incremental enhancements to the facility and its operation. The staff recommendations jettison these efforts in favor of heavy-handed, immediate mandates that are neither based on substantial evidence nor the applicable legal standard of a "compelling public necessity." (See Bauer v. City of San Diego (1999) 75 Cal.App.4th 1281, 1295.) Accordingly, **Marymount respectfully requests that prior to the continued hearing, a City Council subcommittee be appointed to see if mutually acceptable enhancements and operational measures can be developed before the continued hearing date.**

Finally, to avoid a repeat of the due process violations arising from this evening's hearing, the **Council should direct staff to provide future notice to Marymount of its recommendations, including the full staff report, at least 10 days prior to the continued hearing in a manner similar to that required for permit revocations under RPV Municipal Code section 17.86.060.**

Sincerely,

BURKE, WILLIAMS & SORENSEN, LLP



DONALD M. DAVIS

DMD:ir

Attachments (Goat Hill Tavern Case)

cc: (Via e-mail only)  
Dr. Michael Brophy, President, Marymount College  
Jim Reeves, Vice President, Marymount College  
Joel Rojas, RPV Community Development Director  
Ara Mihranian, RPV Deputy Community Development Director  
Carol Lynch, RPV City Attorney

6 Cal.App.4th 1519, 8 Cal.Rptr.2d 385  
 (Cite as: 6 Cal.App.4th 1519)

▷

GOAT HILL TAVERN, Plaintiff and Respondent,

v.

CITY OF COSTA MESA, Defendant and  
 Appellant.

No. G011143.

Court of Appeal, Fourth District, Division 3,  
 California.  
 May 29, 1992.

#### SUMMARY

A tavern, which had been in operation for 35 years and existed as a legal nonconforming use under a city's zoning ordinance, applied for a renewal of a conditional use permit that allowed the tavern to use an adjoining space as a game room. The city, intending to close the tavern, denied the application, based upon complaints received from neighboring residents and businesses. The tavern sought a writ of administrative mandamus (Code Civ. Proc., § 1094.5) to compel the city to renew the permit. The trial court, applying the independent judgment test, concluded that the city's denial was not supported by the evidence and granted the writ. (Superior Court of Orange County, No. 644919, Greer Stroud, Temporary Judge. <sup>FN†</sup>)

The Court of Appeal affirmed. The court held that the trial court properly applied the independent judgment test, rather than the substantial evidence test, since the city's action affected a fundamental vested right. The court held that the city's action in attempting to close the business did not affect a purely economic privilege; the right to continue an established business was sufficiently personal and important to preclude its extinction by a nonjudicial body. The court also held that the denial of an application to renew a permit merited a higher level of judicial review. Finally, the court held that the trial court's decision was supported by substantial evidence, since the tavern owner presented favorable evidence and there was no showing to

distinguish the complaints about the tavern from other possible causes.

FN† Pursuant to California Constitution, article VI, section 21. (Opinion by Wallin, J., with Sills, P. J., and Crosby, J., concurring.)

#### HEADNOTES

Classified to California Digest of Official Reports  
 (1) Zoning and Planning § 19--Nonconforming  
 Uses--Existing Use.

Although a city's zoning ordinance required a conditional use permit for any establishment serving food or beverages within 200 feet of a residential zone, a tavern that did not have such a permit existed as a legal nonconforming use, since, under different ownership and name, it had been in continuous operation in its present location before enactment of the zoning ordinance.

(2a, 2b) Zoning and Planning § 30--Conditional  
 Use Permits--Judicial Review--Standard of Review--  
 Independent Judgment Test.

In a proceeding for writ of administrative mandamus, the trial court did not err in applying the independent judgment test to a city's denial of a renewal application for a tavern's conditional use permit, which had allowed the tavern to use an adjoining space for a game room, where the city sought to close the tavern by denying the permit. The owner's right to continued operation of the tavern, which had existed as a legal nonconforming use for over 35 years, and in which the owner had made a substantial investment, was a fundamental vested right and not a purely economic privilege. The right to continue an established business was sufficiently personal, vested, and important to preclude its extinction by a nonjudicial body. Accordingly, the trial court's review of the city's action under the independent judgment test, rather than the substantial evidence test, was proper.

[See Cal.Jur.3d, Zoning and Other Land Controls, § 169; 8 Witkin, Cal. Procedure (3d ed. 1985)

6 Cal.App.4th 1519, 8 Cal.Rptr.2d 385  
 (Cite as: 6 Cal.App.4th 1519)

Extraordinary Writs, § 254.]

(3) Zoning and Planning § 30--Conditional Use Permits--Judicial Review-- Standard of Review--Nature of Affected Right.

The grant or denial of a conditional use permit is an administrative or quasi-judicial act, and judicial review must be in accordance with Code Civ. Proc., § 1094.5 (scope of writ review of administrative action). If the administrative decision substantially affects a fundamental vested right, the trial court must exercise its independent judgment on the evidence and find an abuse of discretion if the findings are not supported by the weight of the evidence. On appeal, a reviewing court will consider only whether the trial court's finding is supported by substantial evidence. If the decision does not substantially affect a fundamental vested right, the trial court considers only whether the findings are supported by substantial evidence in the light of the whole record.

(4) Administrative Law § 111--Judicial Review--Administrative Mandamus-- Scope and Extent of Review--Vested Rights.

The term "vested," in the sense of "fundamental vested rights" to determine the scope of judicial review in an administrative mandamus proceeding, is not synonymous with the vested rights doctrine relating to land use and development. When an administrative decision affects a right which has been legitimately acquired or is otherwise vested, and when that right is of a fundamental nature from the standpoint of its economic aspect or its effect in human terms and the importance to the individual in the life situation, then a full and independent judicial review of that decision is indicated. The abrogation of such a right is too important to the individual to relegate it to exclusive administrative extinction. Whether an administrative decision substantially affects a fundamental vested right must be decided on a case-by-case basis. Although no exact formula exists by which to make this determination, courts are less sensitive to the preservation of purely economic interests.

(5) Zoning and Planning § 30--Conditional Use Permits--Judicial Review-- Economic Interests--City's Decision to Close Business.

A city's denial of a renewal application for a conditional use permit, which had allowed a tavern to operate a game room in an adjoining space, did not affect purely economic interests, and thus review under the independent judgment test was proper, where the purpose and result of the city's decision was to shut down the tavern. The city's decision, which interfered with the tavern owner's existing use of his property, involved interests sufficiently vested and important to preclude their extinction by a nonjudicial body.

(6) Zoning and Planning § 30--Conditional Use Permits--Judicial Review-- Denial of Application to Renew.

Denial of an application to renew a conditional use permit merits a heightened judicial review. Once a use permit has been properly issued, the power of a municipality to revoke it is limited. Of course, if the permittee does nothing beyond obtaining the permit, it may be revoked. Where a permit has been properly obtained and in reliance thereon the permittee has incurred material expense, the permittee acquires a vested property right to the protection of which he or she is entitled. When a permittee has acquired such a vested right, it may be revoked if the permittee fails to comply with reasonable terms or conditions expressed in the permit granted, or if there is a compelling public necessity. A compelling public necessity warranting the revocation of a use permit for a lawful business may exist where the conduct of that business constitutes a nuisance.

(7) Zoning and Planning § 30--Conditional Use Permits--Judicial Review-- Substantial Evidence.

The trial court's decision in a proceeding for writ of administrative mandamus, that the evidence did not support a city's denial of an application to renew a tavern's conditional use permit, was supported by substantial evidence. Although the city denied the permit based on evidence of

6 Cal.App.4th 1519, 8 Cal.Rptr.2d 385  
(Cite as: 6 Cal.App.4th 1519)

complaints from neighboring residents and businesses, the tavern owner presented favorable testimony, police records showed the number of incidents reported at the tavern were less than at other bars and coffee shops in the vicinity, and there was no showing to distinguish complaints about the tavern from other possible causes.

#### COUNSEL

Thomas Kathe, City Attorney, Adams, Duque & Hazeltine, Richard R. Terzian and Cristina L. Sierra for Defendant and Appellant.

Harper & Burns and Alan R. Burns for Plaintiff and Respondent.

#### WALLIN, J.

Robert Ziemer, owner of the Goat Hill Tavern, was granted a writ of administrative mandamus ( Code Civ. Proc., § 1094.5) ordering the City Council of the City of Costa Mesa to set aside its denial of Ziemer's application for renewal of a conditional use permit for the tavern, to recognize that the tavern had a vested right to continue operation, and to renew the conditional use permit. The city appeals, contending the trial court erred in finding the tavern had any vested rights to continue in business which resulted in the trial court erroneously applying the independent judgment standard of review, rather than the substantial evidence test. We affirm.

Goat Hill Tavern <sup>FN1</sup> is located on Newport Boulevard, a busy arterial street, at a point which will eventually be the terminus of a freeway. The property is zoned commercial and the commercial nature of the area is expected to intensify in the future. An apartment building, in a residential zone, abuts the property behind the tavern's parking lot. The Helm bar is next door.

FN1 "Goat Hill" was the early name of the area where Goat Hill Tavern is located, prior to the incorporation of the City of Costa Mesa.

(1) The city's zoning ordinance requires a conditional use permit for any establishment serving food or beverages within 200 feet of a residential zone. However, Goat Hill Tavern, under different ownership and name, has been in continuous operation in its present location since 1955, before enactment of the current zoning ordinance. The tavern, therefore, existed as a legal nonconforming use. In 1974 a conditional use permit was issued allowing the tavern to add a beer garden. \*1523

Ziemer purchased Goat Hill Tavern in 1984 and invested approximately \$1.75 million in its refurbishment. In 1988 he knocked out a wall into an adjoining commercial space, turning it into a game room. He did not obtain building permits or land use approvals. After the fact, he applied for a conditional use permit for the expansion. Conditional use permit No. 88-132 was approved by the planning commission on September 26, 1988. <sup>FN2</sup> One of the conditions was that approval of the expansion was for a period of six months only. Prior to expiration Goat Hill Tavern could request renewal of the permit.

FN2 The term "conditional use permit" is misleading as it connotes the issuance of an actual document setting forth the property owner's use rights and the conditions imposed upon that use. The city's practice, apparently not uncommon, is to not issue an actual physical document when it grants a conditional use permit. Nor does it adopt a resolution approving or denying a conditional use permit. Rather, the city's planning staff submits an applicant's request for approval of a conditionally permitted use to the planning commission along with a staff report explaining the project, recommending approval or denial of the use, and proposing conditions of approval. If, after a public hearing, the planning commission approves of the request, the approval and

6 Cal.App.4th 1519, 8 Cal.Rptr.2d 385  
(Cite as: 6 Cal.App.4th 1519)

actual conditions imposed upon the applicant are noted in the minutes of the meeting and written on the staff report. The applicant is then given notice of the planning commission's action. When we refer to Goat Hill Tavern's "conditional use permit" we refer to the approval of its expansion as described in the staff report and the conditions noted on the staff report and in the minutes of the September 26, 1988, planning commission meeting.

In September 1989, following citizen complaints of noise from Goat Hill Tavern's parking lot, the city's planning staff discovered the conditional use permit had expired. A request for renewal was made and approved in December for three months.

In March 1990 the city renewed the permit for another three months but added a condition limiting the tavern's hours. Goat Hill Tavern filed suit, and the court stayed enforcement of the hours restriction. The action was dismissed when the three-month period expired.

The city held a public hearing on Goat Hill Tavern's request for a third renewal of the conditional use permit on July 16, 1990. The staff report, accompanied by over 100 pages of documents, was not given to the tavern's attorney until the Friday evening before the Monday hearing. Goat Hill Tavern requested a continuance to adequately respond to the lengthy report. The city council refused unless the tavern agreed to limit its hours of operation in the interim. Ziemer refused; the hearing was held and the conditional use permit was denied.

In Goat Hill Tavern's ensuing second administrative mandamus proceeding, the court concluded the city's refusal to continue the July 16 hearing \*1524 violated Ziemer's due process rights. The city was ordered to hold a new hearing on the renewal of the permit. It was held in December 1990 and the tavern's application was again denied.

The following facts regarding Goat Hill Tavern were adduced at the hearing. Tenants of the apartment building abutting the tavern's parking lot and some business owners began complaining about the tavern in the summer of 1989. The complaints largely related to late night noise in the parking lot and trash. In response, conditions were imposed on earlier extensions of the tavern's conditional use permit which required additional security guards, decreased noise levels and increased cleanup. The owner of the apartment building testified that on three occasions after July 1990, people were milling about the tavern parking lot about 2 a.m., honking horns and yelling. At least one of his tenants had moved because of the noise and others were threatening to leave. Several apartment tenants wrote letters complaining of noise and fights in the parking lot, and of individuals vomiting, urinating and defecating on residents' lawns and fences.

Several nearby business owners made similar complaints, stating Goat Hill Tavern was no longer a neighborhood tavern but had become a popular nightclub. The staff report summarized 19 reported police incidents occurring at the tavern between August 1990 and November 1990. They included incidents in the parking lot and complaints the tavern exceeded its capacity and its patrons were drunk in public.

Goat Hill Tavern submitted a petition signed by 1,035 persons, including 248 Costa Mesa residents, supporting its permit renewal application. Declarations from its janitorial company indicated the tavern had expanded its area of cleanup beyond its own parking lot. Numerous letters from Costa Mesa residents, area businesses, and civic and charitable groups supporting the tavern's application were also presented.

Goat Hill Tavern presented evidence suggesting an explanation for the complaints was the large number of homeless and transient persons who frequented the area. A nearby city-owned parking lot was known as a congregating area for

6 Cal.App.4th 1519, 8 Cal.Rptr.2d 385  
(Cite as: 6 Cal.App.4th 1519)

homeless people. Additionally, the Helm bar, adjoining the tavern, could be the cause of the complaints. Ziemer was not allowed to cross-examine complaining witnesses as to why they believed Goat Hill Tavern, and not the other possible sources, was responsible for their complaints. Although at the beginning of the hearing the mayor asked each witness to provide such an explanation, no witness did so, and no follow-up questions were asked.

The tavern submitted police reports of incidents at all similar establishments within the area for the previous 90 days. Nineteen incidents were \*1525 reported at Goat Hill Tavern. But, of the 18 bars and coffee shops in the vicinity, 10 had a greater number of reported incidents for the same period and only 5 had less than 15 incidents.

Goat Hill Tavern also submitted the declaration of a paralegal who had reviewed the city's conditional use permit file. She found 79 conditional use permits issued between 1974 and 1990 with term limitations which had expired and were not renewed. Many of the businesses were still in operation.

#### I

Goat Hill Tavern sought a writ of administrative mandamus (Code Civ. Proc., § 1094.5) compelling the city to renew its conditional use permit. The trial court, applying the independent judgment test, concluded the city's decision to deny renewal of the permit was not supported by the evidence and granted the writ. The court specifically concluded that Ziemer had a vested property right and, to terminate the use, the city must establish Goat Hill Tavern was a public nuisance or demonstrate a compelling public necessity. (2a) The city appeals, contending the trial court applied an incorrect standard of review. It argues that Ziemer had no fundamental vested right in Goat Hill Tavern and, therefore, the trial court was limited to a determination of whether substantial evidence supported the city's decision.

(3) The grant or denial of a conditional use permit is an administrative or quasi-judicial act. (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 517 [ 113 Cal.Rptr. 836, 522 P.2d 12]; *Smith v. County of Los Angeles* (1989) 211 Cal.App.3d 188, 198 [ 259 Cal.Rptr. 231].) Judicial review must be in accordance with Code of Civil Procedure section 1094.5.

If an administrative decision substantially affects a fundamental vested right, the trial court must exercise its independent judgment on the evidence and find an abuse of discretion if the findings are not supported by the weight of the evidence. (*Strumsky v. San Diego County Employees Retirement Assn.* (1974) 11 Cal.3d 28, 32 [ 112 Cal.Rptr. 805, 520 P.2d 29]. See Code Civ. Proc., § 1094.5, subd. (c).) On appeal, we consider only whether the trial court's finding is supported by substantial evidence. (*Whaler's Village Club v. California Coastal Com.* (1985) 173 Cal.App.3d 240, 251 [ 220 Cal.Rptr. 2], criticized on other grounds in *Surfside Colony, Ltd. v. California Coastal Com.* (1991) 226 Cal.App.3d 1260, 1269-1272 [ 277 Cal.Rptr. 371].) If the decision does not substantially affect a fundamental vested right, the \*1526 trial court considers only whether the findings are supported by substantial evidence in the light of the whole record. (*Strumsky v. San Diego County Employees Retirement Assn., supra*, 11 Cal.3d at p. 32.)

The threshold issue on appeal is whether Ziemer had any vested fundamental right to continue operation of the tavern. FN3 (4) Preliminarily, we note “[t]he term 'vested' in the sense of 'fundamental vested rights' to determine the scope of judicial review ... [in an administrative mandamus proceeding] is not synonymous with ... the 'vested rights' doctrine relating to land use and development.” (*Whaler's Village Club v. California Coastal Com., supra*, 173 Cal.App.3d at p. 252.) “When an administrative decision affects a right which has been *legitimately acquired* or is

6 Cal.App.4th 1519, 8 Cal.Rptr.2d 385  
(Cite as: 6 Cal.App.4th 1519)

otherwise vested, and when that right is of a fundamental nature from the standpoint of its economic aspect or its effect ... in human terms and the importance ... to the individual in the life situation, then a full and independent *judicial* review of that decision is indicated because [t]he abrogation of the right is too important to the individual to relegate it to exclusive administrative extinction.” ( *San Marcos Mobilehome Park Owners' Assn. v. City of San Marcos* (1987) 192 Cal.App.3d 1492, 1499 [ 238 Cal.Rptr. 290], internal quotation marks omitted.)

FN3 The original conditional use permit only applied to the expansion. Goat Hill Tavern previously existed as a legal nonconforming use. Had the city denied the conditional use permit when it was first requested in 1988 after construction of the game room expansion, presumably the tavern would have been required to close the game room and revert to its original capacity. One would assume, therefore, that in approving or denying renewal of the conditional use permit, the city only sought to terminate the expanded use. However, the city is emphatic that by denying renewal of the permit it intends to force the tavern out of business. The city, Goat Hill Tavern and the trial court all appeared to operate under the same premise: that the tavern's original rights as a legal nonconforming use and its right to operate in the expanded capacity under the conditional use permit have become inextricably intertwined and denying renewal of the conditional use permit puts the tavern out of business. Because the issue has not been raised by either party, we do not consider whether a different standard of review would apply if the city was only attempting to close the game room as opposed to an entire business which has operated as a legal nonconforming use for over 35 years.

“Whether an administrative decision substantially affects a fundamental vested right must be decided on a case-by-case basis. [Citation.] Although no exact formula exists by which to make this determination [citation] courts are less sensitive to the preservation of purely economic interests. [Citation.] In deciding whether a right is 'fundamental' and 'vested,' the issue in each case is whether the 'affected right is deemed to be of sufficient significance to preclude its extinction or abridgment by a body lacking *judicial* power. “ [Citation.] ” ( *301 Ocean Ave. Corp. v. Santa Monica Rent Control Bd.* (1991) 228 Cal.App.3d 1548, 1556 [ 279 Cal.Rptr. 636].) \*1527

The courts have rarely upheld the application of the independent judgment test to land use decisions. Those cases have typically involved classic vested rights. (See *Halaco Engineering Co. v. South Central Coast Regional Com.* (1986) 42 Cal.3d 52 [ 227 Cal.Rptr. 667, 720 P.2d 15]; *Anderson v. City of La Mesa* (1981) 118 Cal.App.3d 657 [ 173 Cal.Rptr. 572]; *Stanson v. San Diego Coast Regional Com.* (1980) 101 Cal.App.3d 38 [ 161 Cal.Rptr. 392].)

For example, in *Anderson* the city issued the plaintiff a building permit which complied with the standard zoning ordinance requiring a five-foot setback, but not the specific plan requiring a ten-foot setback. In good faith reliance on the permit the plaintiff built her house within seven feet of the lot line. The court concluded once the plaintiff had completed her house in reliance on the permit, her rights vested and the trial court correctly applied its independent judgment in reviewing the city's decision denying a variance from the zoning. ( *Anderson v. City of La Mesa, supra*, 118 Cal.App.3d at p. 660.)

In *Stanson* the coastal commission told the plaintiff that he did not need a permit to remodel his restaurant. In reliance, he obtained building permits and expended substantial sums of money remodeling his building. The court concluded that under these circumstances the plaintiff had acquired

6 Cal.App.4th 1519, 8 Cal.Rptr.2d 385  
(Cite as: 6 Cal.App.4th 1519)

a vested right to construct his building and the trial court should have applied the independent judgment test in reviewing the coastal commission's denial of his subsequent permit application. (*Stanson v. San Diego Coast Regional Com.*, *supra*, 101 Cal.App.3d at p. 50.)

(5) The city urges that any rights impacted by its denial of Goat Hill Tavern's renewal application are purely economic interests. Therefore, the rights are not fundamental vested rights. (*Champion Motorcycles, Inc., v. New Motor Vehicle Bd.* (1988) 200 Cal.App.3d 819, 824 [ 246 Cal.Rptr. 325].) However, a review of cases considering the application of the independent judgment test and the definition of fundamental vested rights demonstrates that the rights affected by the city's refusal to renew Goat Hill Tavern's permit are sufficiently vested and important to preclude their extinction by a nonjudicial body.

In *San Marcos Mobilehome Park Owners' Assn. v. City of San Marcos*, *supra*, 192 Cal.App.3d 1492, a city rent control commission denied the plaintiff property owner's application for a rent increase in a rent controlled building. Affirming the trial court's application of the substantial evidence test, the court found requests for rent increases "fall into the less sensitive category of the 'preservation of purely economic privileges', and do not substantially and fundamentally impact the individual in the manner contemplated by *Bixby v. Pierno* (1971) 4 Cal.3d 130 ( 93 Cal.Rptr. 234, 481 P.2d 242)] and its progeny." (\*1528*San Marcos Mobilehome Park Owners' Assn.*, *supra*, 192 Cal.App.3d at p. 1500.) "Here, there is no contention, nor does the evidence suggest, that if the Commission denied the requested rent increases, the park owners would be in such an unfavorable economic position they would go out of business. Thus, the Commission's decision does not substantially affect the property owner's right not to have his property taken away from him. [Citations.] Rather, the decision restricts the return he can obtain from his property." (*Id.* at p. 1502.)

Similarly, in *Mobil Oil Corp. v. Superior Court* (1976) 59 Cal.App.3d 293 [ 130 Cal.Rptr. 814], the court held the substantial evidence test applied to an administrative decision requiring gas stations to install gasoline vapor recovery systems because it impacted only economic interests. "We are not presented with the enforcement of a rule which effectively drives the Oil Companies out of business. At most it puts an economic burden on them increasing the cost of doing business. In weighing the relative importance to individuals in the life situation, it is manifest the Oil Companies' right to continue releasing gasoline vapors into the atmosphere is neither fundamental nor vested." (*Id.* at p. 305.)

Similarly, in *Standard Oil Co. v. Feldstein* (1980) 105 Cal.App.3d 590 [ 164 Cal.Rptr. 403], the substantial evidence test was applied to an administrative decision. An air pollution control district granted Standard permission to construct a low-sulphur fuel oil facility, subject to the condition that it shut down two of three other refinery units while the new facility was in operation. When Standard proceeded to operate all four units the district hearing board found it to be in violation of its permit and forced it to shut down the new refinery. The court concluded the action did not impact a fundamental vested right because "[t]here is no contention that Standard will be driven to financial ruin by the action of the District; there is not even a contention that this particular facility will be forced to operate at a loss and close." (*Id.* at p. 604.) The only impact of the decision was reduced profits.

In *San Marcos Mobilehome Park Owners' Assn. v. City of San Marcos*, *supra*, 192 Cal.App.3d 1492, *Standard Oil Co. v. Feldstein*, *supra*, 105 Cal.App.3d 590, and *Mobil Oil Corp. v. Superior Court*, *supra*, 59 Cal.App.3d 293, the courts held the administrative actions implicated purely economic interests because there were no contentions, nor evidence, that the actions would force the companies out of business or cause them

6 Cal.App.4th 1519, 8 Cal.Rptr.2d 385  
 (Cite as: 6 Cal.App.4th 1519)

to lose their property. The opposite is true here. The avowed purpose and result of the city's decision is to shut down Goat Hill Tavern.

In *301 Ocean Ave. Corp. v. Santa Monica Rent Control Bd.*, *supra*, 228 Cal.App.3d 1548, the landowner's rights were found to be fundamental vested rights. The owner of a rent controlled apartment complex with fewer \*1529 parking spaces than apartments had historically assigned parking to some tenants but not to all. He also assigned parking to nontenants on occasion. Availability of parking was not part of the lease agreement. The city rent control board made a determination that parking was a base housing amenity and that the apartment complex's parking units were part of the rental unit and subject to the rent control ordinance. Therefore, rent had to be decreased for those units not granted a parking space. In concluding the independent judgment test applied, the court found "the affected right in this case is sufficiently personal, vested and important to preclude its extinction by a nonjudicial body." (*Id.* at p. 1556.) Unlike *San Marcos Mobilehome Park Owners' Assn., v. City of San Marcos*, *supra*, 192 Cal.App.3d 1492, where there was no interference with the use of land but only a restriction on the escalation of rents, here the city's decision actually interfered with Ziemer's preexisting use of his property.

(2b) Goat Hill Tavern has been in operation for over 35 years as a legal nonconforming use. Ziemer invested over \$1.75 million in its refurbishment, including substantial exterior facade improvements undertaken at the city's behest. He then sought a conditional use permit to allow the addition of a game room, which was granted on a temporary basis. Now, with the expiration of the permit, the city urges he has lost all right to continue in business.<sup>FN4</sup>

FN4 Generally, a nonconforming use has no legal right to expand. (*Sabek, Inc. v. County of Sonoma* (1987) 190 Cal.App.3d 163, 167 [ 235 Cal.Rptr. 350].)

Additionally, the courts have upheld the issuance of a conditional use permit allowing the expansion of a nonconforming use on the condition that the entire use be terminated within a specific time period. (*Edmonds v. County of Los Angeles* (1953) 40 Cal.2d 642, 653 [ 255 P.2d 772].) We, however, find it utterly implausible that Ziemer knowingly gave up all rights to continue operating Goat Hill Tavern in exchange for the opportunity to keep his game room expansion open for six months. Nothing in the documents pertaining to the issuance of the conditional use permit in the first instance suggests that Goat Hill Tavern would be forced to cease operating if an extension of the permit were denied.

We cannot conclude on these unique facts that Ziemer's right to continued operation of his business is not a fundamental vested right. This is not, as the city so strongly urges, a "purely economic privilege." It is the right to continue operating an established business in which he has made a substantial investment.

Interference with the right to continue an established business is far more serious than the interference a property owner experiences when denied a conditional use permit in the first instance. Certainly, this right is sufficiently personal, vested and important to preclude its extinction by a nonjudicial body.

While cases applying the independent judgment test in land use matters are few, we uphold its application here because of the unique facts presented. \*1530 We might conclude differently were this, as the city attempts to suggest, a simple case of a property owner seeking a conditional use permit to begin a use of property. But it is not. Rather, Goat Hill Tavern is an existing business and a legal nonconforming use.

The circumstances presented are more like the

6 Cal.App.4th 1519, 8 Cal.Rptr.2d 385  
(Cite as: 6 Cal.App.4th 1519)

revocation of a conditional use permit than the mere issuance of one. The city has a practice, common in many cities, of issuing limited conditional use permits. When the conditional use permit “expires” the property owner must renew the conditional use permit. At such time, the city argues, the property owner is subject to the same discretionary approval process he or she experienced when the conditional use permit was originally obtained. Renewal is not simply a question of whether the property owner has complied with the conditions of the permit. Rather the city's action on the renewal request can be premised upon any of the discretionary grounds for its issuance in the first instance (Gov. Code, § 65901) because the city views the renewal as a new request for a permit.

Costa Mesa's practice is to do nothing about “expired” conditional use permits and to allow businesses to continue. When a complaint about a business arises, as here, months after the conditional use permit expires, the city demands an application for renewal. In the meantime, the property owner has been continuing to invest in the property and the business, but faces the possible loss of his conditional use permit for reasons other than failure to comply with its original conditions.

(6) Denial of an application to renew a permit merits a heightened judicial review. “Once a use permit has been properly issued the power of a municipality to revoke it is limited. [Citation.] Of course, if the permittee does nothing beyond obtaining the permit it may be revoked. [Citation.] Where a permit has been properly obtained and in reliance thereon the permittee has incurred material expense, he acquires a vested property right to the protection of which he is entitled. [Citations.] When a permittee has acquired such a vested right it may be revoked if the permittee fails to comply with reasonable terms or conditions expressed in the permit granted [citations] or if there is a compelling public necessity. [Citations.] [¶] A compelling public necessity warranting the

revocation of a use permit for a lawful business may exist where the conduct of that business constitutes a nuisance.” ( *O'Hagen v. Board of Zoning Adjustment* (1971) 19 Cal.App.3d 151, 158 [ 96 Cal.Rptr. 484]; *Trans- Oceanic Oil Corp. v. Santa Barbara* (1948) 85 Cal.App.2d 776 [ 194 P.2d 148]; see also *Upton v. Gray* (1969) 269 Cal.App.2d 352 [ 74 Cal.Rptr. 783]; \*1531 *Community Development Com. v. City of Fort Bragg* (1988) 204 Cal.App.3d 1124 [ 251 Cal.Rptr. 709].) By simply denying renewal of its conditional use permit, the city destroyed a business which has operated legally for 35 years. The action implicates a fundamental vested right of the property owner, and the trial court was correct in applying the independent judgment test.<sup>FN5</sup>

FN5 The city relies heavily on *Smith v. County of Los Angeles*, *supra*, 211 Cal.App.3d 188. In *Smith* the court held the independent judgment test did not apply to judicial review of the county's denial of a conditional use permit for an adult business. The business had been in operation before the county's action, presumably as a nonconforming use. However, there was no suggestion in *Smith* that the adult business had any right to continue in operation as a legal nonconforming use had it not applied for the conditional use permit. Here, had Goat Hill Tavern never built its game room expansion, it would still be operating as a legal nonconforming use. Furthermore, *Smith* involved a new application for a conditional use permit, not a renewal of a conditional use permit. For these reasons we find *Smith* unpersuasive.

## II

Although the trial court was required to apply the independent judgment test, on appeal we apply the substantial evidence standard. ( *Barrie v. California Coastal Com.* (1987) 196 Cal.App.3d 8, 14 [ 241 Cal.Rptr. 477]. See also *Strumsky v. San*

6 Cal.App.4th 1519, 8 Cal.Rptr.2d 385  
(Cite as: 6 Cal.App.4th 1519)

*Diego County Employees Retirement Assn., supra*, 11 Cal.3d at p. 32.) (7) Substantial evidence supports the trial court's decision.

The evidence before the trial court is the same evidence which was before the city council at the December 1990 hearing when it made its decision to deny renewal of the conditional use permit. (Code Civ. Proc., § 1094.5, subd. (a).) While the city had evidence of complaints from neighboring residents and businesses, Ziemer also presented a great deal of evidence. Several witnesses wrote or testified favorably to Goat Hill Tavern. Additionally, Ziemer introduced police records showing the number of incidents reported at the tavern were less than at most other bars and coffee shops in the vicinity. There was no showing to distinguish complaints about Goat Hill Tavern from other possible causes, including the Helm bar, which adjoined Goat Hill Tavern, and the homeless who frequent the area.

The city argues that even if it is required to prove Goat Hill Tavern is a public nuisance or there exists a compelling public necessity to terminate its operation, the evidence below supports such a finding. We need not address this claim because it is not properly before us. The city has not yet attempted to obtain a nuisance determination.  
\*1532

The judgment is affirmed.

Sills, P. J., and Crosby, J., concurred.

A petition for a rehearing was denied June 16, 1992, and appellant's petition for review by the Supreme Court was denied August 13, 1992. Panelli, J., and Baxter, J., were of the opinion that the petition should be granted.

Cal.App.4th Dist.  
Goat Hill Tavern v. City of Costa Mesa  
6 Cal.App.4th 1519, 8 Cal.Rptr.2d 385

END OF DOCUMENT

# **Attachment F**

**February 18, 2014  
City Council Staff Report  
(with attachments)**

**Marymount California University  
6-Month Review of the  
Expanded Parking Lot Project**

**April 1, 2014  
City Council Meeting**



**PUBLIC HEARING**

**Date:** February 18, 2014

**Subject:** Marymount California University – 6-Month Review of the Expanded Parking Lot Project (Planning Case No. ZON2003-00317)

**Location:** 30800 Palos Verdes Drive East

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

**Appellant:** N/A

**Applicant:** Marymount California University

5. **Council Questions:**
6. **Rebuttal:**
7. **Declare Hearing Closed:** Mayor Duhovic
8. **Council Deliberation:**
9. **Council Action:**

**MEMORANDUM**

**TO:** HONORABLE MAYOR & CITY COUNCIL MEMBERS  
**FROM:** JOEL ROJAS, AICP,  COMMUNITY DEVELOPMENT DIRECTOR  
**DATE:** FEBRUARY 18, 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 Mihranian, 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 thereby:

- 1) Requiring the planting of an 8-foot tall hedge and installing a 6-foot tall vinyl fence along the eastern and northern portions of the East Parking Lot,
- 2) Requiring a noise study be conducted after installation of the new hedge and vinyl fence;
- 3) Reducing the permitted hours the parking lot can be used;
- 4) Requiring the 10-foot tall parking lot light fixtures to be shielded, limited to 1700 lumens per bulb, and turned off at 9:00 pm;
- 5) Requiring additional trash receptacles with lids and “no smoking” and “no littering” signs be installed in the East Parking Lot;
- 6) Prohibiting outdoor programs and gatherings within the parking lot setback and buffer zone;
- 7) Allowing graduation ceremonies with amplified sound to occur in the East Parking Lot until an athletic field is constructed on site; and,
- 8) Conducting an additional review three months from February 18, 2014 to review the effectiveness of the added conditions of approval.

## **BACKGROUND**

On June 1, 2010, the City Council adopted Resolution No. 2010-42, approving with Conditions of Approval, the Marymount College Facilities Expansion Project Conditional Use Permit (CUP) (also referred to as the Campus Master Plan), which included the construction of an expanded parking lot to accommodate 463 parking spaces. On April 17, 2012, Pursuant to Condition No. 8 of the Facilities Expansion Project, the City Council approved, as a Minor Modification to the Facilities Expansion Project, a reconfiguration of the 2010 Council approved parking lot layout. Specifically, as part of the modified plan, 109 parking spaces were added at the former location of the athletic field, a portion of the existing parking lot (adjacent to the former Preschool building) was restriped to accommodate 13 additional parking spaces and 10 parking spaces were added adjacent to the Administration Building for a total of 463 on-campus parking spaces.

Construction on the expanded parking lot began in January 2013. On August 6, 2013, complete condition compliance was achieved by Marymount on the construction of the expanded parking lot and the City issued the Final Certificate of Occupancy, which triggered the beginning of the 6-month review clock. Pursuant to Condition No. 18 of the Facilities Expansion Project CUP, the City Council is now being asked to conduct the 6-month review of the expanded parking lot operation.

## **DISCUSSION**

According to the Conditions of Approval of the Facilities Expansion Project CUP, the City Council is to conduct a 6-month review of the applicant's compliance with and adequacy of the conditions of approval with regards to each of the three construction phases. The purpose of the 6-month review is to provide the City Council, Staff and the public an opportunity to review the "real-life" operation of the project and to make any necessary adjustments to the conditions of approval to address impacts that were not anticipated during the entitlement process. Specifically, the applicable portion of Condition No. 18 of the Council adopted Conditions of Approval states:

*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...*

For the purpose of this 6-month review, Staff's analysis is based on the construction of the expanded parking lot (also referred to as the East Parking Lot) because this is the only improvement constructed by Marymount as part of Phase 1 of the Council approved Facilities Expansion Project prior to its expiration on September 30, 2013. As part of the 6-month review, Staff observed the operation of the parking lot from various vantage points including neighboring properties and the Marymount campus. Additionally, Staff considered input from neighboring property owners, as discussed herein, to understand how the operation of the parking lot impacts their property. Lastly, Staff also met with the project applicant to review the compliance and adequacy of the conditions of approval. Staff was not made aware of any issues raised by any of the City's Commissions and Committees on the adequacy and compliance with the conditions of approval.

#### Topics of Concern Raised by Neighbors

Shortly after the expanded parking lot became operational at the commencement of the fall 2013 term, the property owners' adjacent to and downslope of Marymount began to express concerns to the City that the parking lot is adversely impacting their quality of life especially from their backyards (see attached correspondence). The concerns primarily came from property owners on San Ramon Drive and Tarapaca Drive. The operational concerns expressed to the City relate to the following topics:

1. Visual and Privacy Impacts
2. Noise Impacts
3. Lighting Impacts
4. Student Smoking and Littering Impacts
5. Outdoor Programs and Group Gatherings Impacts

Based on these concerns expressed by the neighbors and field observations by Staff regarding the operation of the parking lot, Staff reached out to Marymount to see if proactive measures could be taken to minimize these impacts. While Marymount has taken certain actions to help address neighborhood concerns with the new parking lot, Staff believes that certain Conditions of Approval need to be amended to address unforeseen impacts occurring with the operation of the parking lot.

Pursuant to previously noted Condition No. 18, the City Council has the ability to add, delete or modify any Conditions of Approval demonstrated by the information presented herein and at the public hearing to address any impacts resulting from the operation of the parking lot. As such, Staff recommends that the Council, through this 6-month review process, amend certain conditions of approval of Resolution No. 2010-42 to address the observed visual, privacy, noise, and lighting impacts, as described below.

1. Visual and Privacy Impacts

According to the Council certified EIR for the Facilities Expansion Project, the expanded parking lot was assessed, among other things, in terms of visual and privacy impacts. In this regard, the EIR concluded that the eastern portion of the site would be significantly altered because new construction associated with the parking lot would replace the existing unimproved campus lands, thereby, significantly altering the visual character of the eastern portion of the site (excerpt from Page 5.2-30 of the Draft EIR). In order to address the visual and aesthetic impacts associated with the parking lot, mitigation measures were adopted that required additional landscaping be planted to screen the parking lot from neighboring properties (Mitigation Measure AES-4). As for the adopted conditions, Condition No. 166 encourages the use of landscaping to screen the project from surrounding properties and public rights-of-way. Condition No. 171 requires native plants to be planted between the parking lot edge and the property line adjacent to the City-owned San Ramon Reserve at a height not to exceed 42-inches unless the Director determines that such landscaping may exceed 42-inches up to 7-feet provided views are not impaired from 2742 and 2750 San Ramon Drive. Lastly, Condition No. 174 requires a 6-foot tall screening wall to be constructed along the eastern property line beginning at 2742 San Ramon Drive.

Per the approved plans, Marymount did install planting, albeit scarcely, around the perimeter of the parking lot but did not construct the 6-foot tall screening wall along the rear yards of San Ramon Drive (beginning at 2742 San Ramon Drive) because the entirety of the parking lot approved in 2010 was not constructed by Marymount. However, the residents downslope from Marymount are able to see the parking lot from their property, particularly their back yards, and the activities associated with its operation, such as vehicle movements, headlights, and students congregating to name a few. Additionally, some of the residents next to Marymount are experiencing an infringement of privacy, among other things, from the users of the parking lot due to its close proximity to their homes. In light of these public comments and Staff field observations, Staff believes added measures, such as the construction of a screening fence and hedge are now warranted to mitigate the described visual and privacy impacts, as well as other operational impacts stemming from noise, student congregation, and lighting which are described later in this report. Further, based on field observations and conversations with the neighbors, Staff does not believe that the recommended screening will result in a significant view impairment from the adjoining properties. As such, Staff specifically recommends the following amendments to Fence, Wall and Hedge Condition No. 173:

FENCES, WALLS, AND HEDGES CONDITION NO. 173

By April 18, 2014, the applicant shall ~~construct~~ install a 6-foot tall vinyl screening wall-fence finished in an earth tone color and an 8-foot tall hedge along the College's eastern property line eastern and northern portions (closest to 2750 San Ramon Drive) of the parking lot, as deemed acceptable by the Community Development Director, as depicted on the approved site plan, beginning at the southwest corner property line for Lot 26 (2742 San Ramon Drive / Tooley property). Specifically, the fence shall be placed within 3 feet of the parking lot curb

edge (behind the existing 42-inch bollard lights) and the hedge shall be placed within 2 feet of the canyon facing side of the 6-foot tall vinyl fence. An access gate in the vinyl fence shall be permitted for maintenance purposes by Marymount Staff.

In addition to allowing the recommended 8-foot tall hedge height required in Condition No. 173, Staff also recommends the following amendments to Landscaping Condition No. 171 so those two conditions are consistent:

LANDSCAPING CONDITION NO. 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 shall be no higher than 78-feet, in order to minimize any view impairment to the properties at 2742 and 2750 San Ramon Drive.

2. Noise Impacts

The project EIR studied noise impacts associated with the parking lots for the Facilities Expansion Project as a long-term stationary impact. The EIR stated that the San Ramon residences are the nearest noise receptors to the proposed eastern parking lot, particularly from 2742 and 2750 San Ramon Drive which were anticipated to experience an increase in noise levels at their property lines. Noise generated from the parking lot was expected to be attenuated with the grade differential and proposed vegetation between the parking lot and neighboring properties. Furthermore, mitigation was adopted that established campus “quiet hours” between 10:00 pm and 7:00 am that would apply to parking lots in addition to common open space areas (Mitigation Measure NOI-5). Enforcement of this mitigation measure (and the Conditions of Approval) is through Marymount’s security team. Condition No. 160 requires the lower terrace of the eastern parking lot to be closed between 7:00pm and 7:00am and controlled by an automated arm at the entry and exit to the parking lot. According to Marymount, after some technical glitches with the parking lot arm at the beginning of the fall term were resolved, the arm for vehicles entering the parking lot closes at 6:00 pm and the exit arm closes at 10:00 pm providing a grace period for cars parked earlier in the day to leave.

Both the Council adopted Mitigation Measure NOI-4 and Condition of Approval No. 150 required some form of a noise analysis be conducted on the completed parking lot to determine that all reasonable sound attenuation was incorporated. However, a noise analysis was not conducted after the parking lot was completed (August 6, 2013) because Staff felt that it would not give an accurate reading of noise levels since classes would not be in session until the end of August 2013. Once the fall 2013 term began and the parking lot became operable, it was clearly apparent to Staff that additional sound attenuation measures would be needed without having to go through the expense of hiring a consultant

to measure noise impacts. Specifically, Staff confirmed that the use of the parking lot was generating noise from vehicles and student congregation, such as revving engines, car horns, car alarms, student conversations, basketball dribbling, and musical instruments to name a few, that could be heard from the downslope properties as far as Tarapaca Drive. Therefore, to aid in attenuating noise impacts, Staff recommends that Condition No. 150 be amended to require that Marymount conduct a noise study after the new fencing and hedge identified in modified Condition No. 173 discussed above are installed and that Condition No. 160 be modified to place additional restrictions on the hours the parking lot can be used as shown below.

#### NOISE/MECHANICAL EQUIPMENT CONDITION NO. 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, and 30-days after the vinyl fence and hedge screening required by Condition No. 173 are installed, the College Marymount shall provide the City with sound test reports prepared by a certified noise consultant that is 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. The College 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.

#### PARKING CONDITION NO. 160

Parking in at the lower terrace of the eastern parking lot as shown in the plan in the area marked on the site plan reviewed and approved by the City Council at its March 31, 2010 April 17, 2012 meeting shall be prohibited between 7:00 p.m. and 7:00 a.m. During this period, this portion of the parking lot must shall be closed off at 6:00 p.m. with the use of an existing automated arm a chain or other similar devise to prevent cars vehicles from parking or accessing this area 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, buses, campers, trucks, shuttle vans or other similar vehicles shall be permitted to park in the east parking lot. No parking of any vehicles shall be permitted in the parking lot on weekends and federally observed holidays.

#### 3. Lighting Impacts

Lighting impacts from the parking lot were studied in the project EIR and Mitigation Measure AES-7 was adopted that limited the height of the light fixtures to 42-inch bollards along the lower terrace of the east parking lot. Additionally, Condition Nos. 151-156 set criteria to ensure lighting does not spill over onto residential properties nor creates a halo into the night sky. These conditions also establish height limits for the light standards (42-

inches for the bollards and 10-feet for the light poles). It should be noted that emphasis was given to mitigate impacts to Lots 27 (2750 San Ramon) and 26 (2742 San Ramon) on San Ramon Drive because these two lots are in direct view of the parking lot. As an added measure to ensure the parking lot lighting would not adversely impact neighboring properties, the Council adopted Conditions required Marymount to install a mock-up for inspection by City Staff.

At the April 17, 2012 City Council meeting on the proposed reconfiguration of the east parking lot, Staff reported that the parking lot would be illuminated using bollard lighting (not to exceed 42-inches in height) around the perimeter of the parking lot and the driveway access road and light standards (not to exceed 10-feet in height) for the interior of the parking lot. All proposed lighting, as depicted on the project plans, would be night compliant so that the lighting is down-cast to prevent spill-over onto neighboring properties and the night sky. Furthermore, the perimeter bollard light fixtures were shielded from down casting light onto the slopes and landscaping proposed to screen the parking lot and driveway access road from neighboring properties and the properties to the south consistent with the approved conditions of approval. That night, the Council also directed Staff to include interested parties in the lighting mock-up inspection.

Pursuant to Condition No. 151, a mock-up of the bollard light and the light standard was first installed and viewed by Staff and interested parties in April 2013. At that time, City Staff and surrounding neighbors observed the mock-up parking lot lights in the evening (from various vantage points on and off campus) and provided Marymount with its requested revisions to minimize impacts to the surrounding environment. Marymount revised the lighting accordingly, including reducing the intensity of the light bulbs and the mock-up was re-visited by City Staff and the surrounding neighbors in May 2013 and deemed acceptable for installation.

Once the parking lot lighting became operational, the City began to hear concerns from the downslope neighbors that the illumination of the parking lot is clearly visible and has changed the character of the night environment in the area. In response to these public concerns, Staff assessed the parking lot lighting and determined that the lights do not create a halo in the night sky nor shine into neighboring properties or onto the surrounding slopes, as required by the conditions of approval. This is evident at the perimeter of the parking lot where a visible a line exists between the illuminated parking lot and the dark slopes adjacent to the parking lot thereby demonstrating that the City approved photometric plan accurately depicted the lighting effect on the ground. Furthermore, in no case is the parking lot lighting shinning or spilling directly into the yards nor illuminating the neighboring properties. However, the illumination of the parking lot (between the light fixtures and the ground) is visible from the downslope properties along San Ramon Drive and Tarapaca Drive. Staff believes that the addition of a screening fence and hedge along the eastern and northern perimeter of the parking lot as discussed earlier will further minimize the impacts of the parking lot lights from these locations. In addition, Staff recommends that Condition No. 152 be amended so that the total current amount of visible light emitted by each parking lot light bulb (1700 lumens) is not increased in the future and requiring shields be installed around the fixtures of the 10-foot tall light standards, and requiring the parking lot lights be turned off at 9:00 pm (with the exception of the pedestrian

and perimeter bollard lights for security and safety purposes). These proposed recommendations are shown as amendments to Condition Nos. 152 and 156 as follows:

#### LIGHTING CONDITION NO. 152

Parking and Security lighting shall be kept to minimum safety standards and shall conform to City requirements. Fixtures shall be shielded, including the 10-foot tall light standards, as deemed acceptable by the Community Development Director, so that only the subject property is illuminated; there shall be no spillover onto residential properties or halo into the night sky; and light bulbs shall not emit more than 1700 lumens. A trial period of thirty (30) days from the installation of all the project exterior lighting, including building and parking lot 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.

#### LIGHTING CONDITION NO. 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.

#### 4. Smoking and Littering

One of the unintended consequences that Staff has observed with the construction of the parking lot is that the location provides unobstructed views of the harbor and ocean making it an ideal location for students to congregate. The congregation of students at this location comes with impacts, aside from noise previously discussed, such as smoking and littering. Due to the parking lot's close proximity to the City-owned San Ramon Reserve that contains dry brush, smoking and littering of cigarette butts and trash is a significant fire hazard threat, not to mention a nuisance to neighboring properties. Marymount has been made aware of this situation and as a result has voluntarily installed "No Smoking" signs in accordance to its "Smoke Free Campus" and temporary trash receptacles without lids (lids or some form of closure is essential in keeping trash contained under certain weather conditions and away from the wildlife). Notwithstanding, Staff believes that additional requirements should be imposed on Marymount to address these concerns. Specifically, Staff recommends amending Condition Nos. 128 and 180 requiring that Marymount install a minimum of five trash receptacles with lids and "No Smoking" and "No Littering" signs in the parking lot, as shown on the next page:

## SOURCE REDUCTION AND RECYCLING CONDITION NO. 128

The project site design shall incorporate areas for collection of solid waste with adequate space for separate collection of recyclables.

By April 18, 2014, a minimum of five trash receptacles with lids shall be placed in the east parking lot particularly along the eastern edge of the parking lot adjacent to the City-owned San Ramon Reserve.

## SIGNS CONDITION NO. 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 College, 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 April 18, 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.

## 5. Outdoor Programs and Group Gatherings

Soon after the expanded parking lot was completed, Marymount developed a campus garden program (referred to as the GROW project) in the unimproved area between the parking lot and the property line adjacent to 2750 San Ramon Drive. According to Marymount, the campus garden provides an opportunity to use plants to screen the parking lot from the properties at 2742 and 2750 San Ramon Drive while providing an educational opportunity to Marymount's students and the community on sustainable and low water gardens that benefit local charities. Staff recognizes the benefits that such a program may have on the students and local charities, and although the 2010 Conditions of Approval do not explicitly prohibit a campus garden in its current location, the campus garden is located within an area that was intended by the City Council in 2010 to be a buffer zone to minimize impacts to the adjoining properties, as stated in Landscape Condition No. 171.

In light of neighbors' concern letters that the campus garden is too close to their properties (particularly 2742 and 2750 San Ramon Drive) and will adversely impact their property in terms of noise, privacy, and litter, Staff does not believe that this is the appropriate location for a campus garden that could encourage group gatherings. Rather, the campus garden should be relocated to an area on campus that is outside the required setbacks and any identified buffer zones. As such, Staff recommends amending Condition No. 131 to prohibit school activities and congregation in this area.

## OPERATIONAL CONDITION NO. 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

The landscaped area located between the northern edge of the East Parking Lot and the property line with 2742 and 2750 San Ramon Drive shall be maintained as a buffer zone and shall not be used for any school activities, congregation or a viewing area by either the school or outside groups.

#### Other Condition Issues to Address

In addition to the above, Staff recommends amending Condition No. 79 to further clarify the improvements permitted within the Building Geologic Setback Area and Condition No. 136 to allow graduation ceremonies to occur at the East Parking Lot.

#### 1. Building Geologic Setback Area Wording

Condition No. 79 required the applicant, prior to the issuance of a grading permit for the parking lot, to record a restricted use covenant that prohibits development within the designated Building Geologic Setback Area as depicted in the applicant's geotechnical reports. The covenant was recorded in November 2012. It has come to Staff's attention that the language of Condition No. 79 is somewhat inconsistent with the City Council's 2010 approval that allowed a parking lot and site improvements (including the existing sports courts) within the designated Building Geologic Setback Area but not "primary occupancy buildings". As such, the City Attorney recommends amending this condition as follows to more accurately reflect the 2010 Council approved Project Plan and the 2012 City Council approved parking lot.

#### GRADING CONDITION NO. 79

Prior to the issuance of any grading permit, the applicant shall record 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 to the satisfaction of the City Attorney and the City Geologist, that prohibits the development of buildings or other structures and improvements for primary occupancy is prohibited within the designated Building Geologic Setback Area as described in the applicant's geotechnical reports and as depicted on the site and grading plans. 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 irrigation 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.

2. Graduation Ceremonies

Prior to the Council approval of the Facilities Expansion Project in 2010, graduation ceremonies with amplified sound occurred at Castle Field (with a Special Use Permit), which is the current location of a portion of the east parking lot. Since Marymount anticipated conducting its graduation ceremonies on the new Athletic Field approved in 2010, Condition No. 136 limits graduation ceremonies to the new Athletic Field and Tennis Courts. Since the new Athletic Field has not been constructed, Staff allowed Marymount to conduct the 2013 commencement ceremony with amplified sound in the location of the east parking lot. Since the Athletic Field is not anticipated to be constructed in time for the 2014 graduation ceremony, Marymount requests that this event, with amplified sound, be permitted in the existing location of the East Parking Lot. In light of the public concerns discussed herein regarding the impacts associated with the parking lot, Staff recommends allowing the East Parking Lot to be used only for graduation ceremonies with amplified sound and only until the construction of an athletic field has been completed as described in the amended condition below.

OPERATIONAL CONDITION NO. 136

The use of outdoor amplification equipment for outdoor events shall be prohibited unless a Special Use Permit is obtained. Prior to September 1<sup>st</sup> 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 31<sup>st</sup>) 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 ~~may only be used~~ with amplified sound ~~for graduation ceremonies.~~ Graduation ceremonies may only be held in the East Parking Lot and existing tennis courts until the construction of an athletic field on this site has been completed.

Follow-up Review of Amended Conditions of Approval

Pursuant to Condition No. 18, the City Council may require subsequent reviews as deemed appropriate. Given the proposed amendments to the conditions of approval discussed herein, Staff recommends that the City Council require that an additional review be conducted within three months of February 18, 2014 in order to review the effectiveness of the amended conditions and revised them as necessary.

## **ADDITIONAL INFORMATION**

### **Public Notification of Tonight's Meeting**

On January 30, 2014, a public notice announcing the Council's 6-month review of the Parking Lot Expansion project was sent to property owners within a 500-foot radius, all interested parties, and published in the *Peninsula News*. Furthermore, the City's website, under the Marymount homepage, was updated to include information regarding tonight's meeting and a list-serve message was sent to Marymount subscribers.

As previously reported, the City began receiving public comment letters on the operation of the expanded parking lot as early as August 2013 (see attached correspondence) expressing concerns with impacts on neighboring properties. The discussion section of this report addresses the concerns expressed in the comment letters.

## **CONCLUSION**

Based on the foregoing discussion, Staff recommends that the City Council amend the Conditions of Approval adopted by the City Council on June 1, 2010 under Resolution No. 2010-42 to address concerns relating to the operation of the expanded parking lot project and conduct an additional review three months from February 18, 2014 to review the effectiveness of the added conditions of approval.

## **ALTERNATIVES**

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

1. Identify additional concerns with the operation of the parking and direct Staff to gather more information and continue to the public hearing to a date certain;
2. Modify Staff's recommended amendments to the Conditions of Approval; and,
3. Reject Staff's recommended amendments to the Conditions of Approval.

## **ATTACHMENTS**

- A. Draft Resolution No. 2014-XX
  - o Exhibit "A" – Addendum No. 1
  - o Exhibit "B" – Conditions of Approval
- B. Parking Lot Expansion Project Plans
- C. Public Comments Letters

**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 MARYMOUNT 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 AT THE MAY 20, 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 a redline format in the attached Exhibit "B," will not alter or diminish the spirit and intent of the original project approved by the City Council in 2010 because the project design and amenities, including the degree programs, will not be changed. Furthermore, the proposed amendments 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") attached herein 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.

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 the 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 a redline format 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 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.

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 Addendums, 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 in that the proposed amendments do not involve adjustments to the approved grading quantities.

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 Addendums, 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 Addendums, 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 Addendums, 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 18<sup>th</sup> day of February 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 February 18, 2014.

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2014-XX  
EXHIBIT "A"  
ADDENDUM NO. 1  
FINAL ENVIRONMENT IMPACT REPORT  
FEBRUARY 18, 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 reviewed and analyzed the proposed amendments to the conditions of approval to install a screening fence and hedge along the eastern and north edge of the Expanded Parking Lot (also known as the East Parking Lot), as well as increasing the vegetation and limiting the operational hours of the parking lot to further mitigate impacts on adjacent properties. Having reviewed the amendments, the City Council is of the opinion that the revisions to the respective conditions will not alter nor diminish the spirit and intent of the original project approved by the City Council in 2010 nor the reconfiguration of the Expanded Parking Lot, as a Minor Modification, approved by the City Council on April 17, 2012. The proposed revisions will not result in any significant change 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. 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 (FEBRUARY 18, 2014)**  
ZON2003-00317 (Conditional Use Permit No. 9 Revision 'E',  
Grading Permit, Variance, and Minor Exception Permit)

---

**GENERAL CONDITIONS**

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

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

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

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

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

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

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

## **GENERAL CONSTRUCTION CONDITIONS**

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

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

- 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:

| <b>Building</b>  | <b>Total Existing Building (SF)</b> | <b>Proposed Building Demolition (SF)</b> | <b>Proposed Building Addition (SF)</b> | <b>Total Building (SF)</b> |
|--|-------------------------------------|--|--|----------------------------|
| <b>Existing Buildings</b>  |                                     |  |  |                            |
| 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                      |
| <b>Buildings to be Removed</b>                                   |                                     |  |  |                            |
| 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                          |
| <b>Subtotal Existing Buildings</b>                               | <b>92,268</b>                       | <b>(18,022)</b>                          | <b>14,916</b>                          | <b>89,162</b>              |
| Library  |                                     |  | 26,710                                 | 26,710                     |
| Maintenance  |                                     |  | 1,975                                  | 1,975                      |
| Athletic Building  |                                     |  | 33,243                                 | 33,243                     |
| <b>Subtotal New Buildings</b>                                    |                                     |  | <b>61,928</b>                          | <b>61,928</b>              |
| <b>Total Square Footage</b>                                      |                                     |  | <b>76,844</b>                          | <b>151,090</b>             |
| 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 30<sup>th</sup> 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.

Resolution No. 2014-XX  
Exhibit B  
Page 14 of 40

- 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 FEBRUARY 18, 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 Recorders 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 April 18, 2014, a minimum of five trash receptacles with lids shall be placed in the east parking lot particularly along the eastern edge of the parking lot adjacent to the City-owned San Ramon Reserve.

**(AMENDED PER RESOLUTION NO. 2014-XX ON FEBRUARY 18, 2014)**

**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

The landscaped area located between the northern edge of the East Parking Lot and the property line with 2742 and 2750 San Ramon Drive shall be maintained as a buffer zone and shall not be used for any school activities, congregation or a viewing area by either the school or outside groups.

**(AMENDED PER RESOLUTION NO. 2014-XX ON FEBRUARY 18, 2014)**

- 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.

Resolution No. 2014-XX  
Exhibit B  
Page 27 of 40

- 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 1<sup>st</sup> 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 31<sup>st</sup>). 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. Graduation ceremonies may only be held in the East Parking Lot and existing tennis courts until the construction of an athletic field on this site has been completed.

**(AMENDED PER RESOLUTION NO. 2014-XX ON FEBRUARY 18, 2014)**

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

term, to review any campus operational and neighborhood concerns. Reports on the meetings shall be provided to the City Council.

## **PROGRAMS / STUDENT ENROLLMENT**

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

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

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

Resolution No. 2014-XX

Exhibit B

Page 29 of 40

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, and 30-days after the vinyl fence and hedge screening required by Condition No. 173 are installed. Marymount shall

provide the City with sound test reports prepared by a certified noise consultant that is 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.

**(AMENDED PER RESOLUTION NO. 2014-XX ON FEBRUARY 18, 2014)**

## **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. Fixtures shall be shielded, including the 10-foot tall light standards, as deemed acceptable by the Community Development Director, so that only the subject property is illuminated; there shall be no spillover onto residential properties or halo into the night sky; and light bulbs shall not emit more than 1700 lumens. A trial period of thirty (30) days from the installation of all the project exterior lighting, including building and parking lot 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.

**(AMENDED PER RESOLUTION NO. 2014-XX ON FEBRUARY 18, 2014)**

- 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.

**(AMENDED PER RESOLUTION NO. 2014-XX ON FEBRUARY 18, 2014)**

**PARKING**

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

Resolution No. 2014-XX  
Exhibit B  
Page 33 of 40

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 1<sup>st</sup> of every year. Said Program shall:

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

- 159) Parking on the east side of the campus adjacent to the properties on San Ramon Drive in the area marked on the site plan reviewed and approved by the City Council at its March 31, 2010 meeting shall be limited to faculty and staff between 7:00 a.m. and 10:00 p.m. All parking between 10:00 p.m. and 7:00 a.m. is prohibited in this area.

- 160) Parking in the East Parking Lot as shown in the plan reviewed and approved by the City Council at its April 17, 2012 meeting shall be prohibited between 6:00 p.m. and 7:00 a.m. During this period, the parking lot shall be closed off at 6:00 p.m. with the use of an existing 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, buses, campers, trucks, shuttle vans or other similar vehicles shall be permitted to park in the east parking lot. No parking of any vehicles shall be permitted in the parking lot on weekends and federally observed holidays.

**(AMENDED PER RESOLUTION NO. 2014-XX ON FEBRUARY 18, 2014)**

- 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 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 shall be no higher than 8-feet, in order to minimize any view impairment to the properties at 2742 and 2750 San Ramon Drive.

**(AMENDED PER RESOLUTION NO. 2014-XX ON FEBRUARY 18, 2014)**

#### **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 April 18, 2014, the applicant shall install a 6-foot tall vinyl screening fence finished in an earth tone color and an 8-foot tall hedge along the eastern and northern portions (closest to 2750 San Ramon Drive) of the parking lot, as deemed acceptable by the Community Development Director. Specifically, the fence shall be placed within 3 feet of the parking lot curb edge (behind the existing 42-inch bollard lights) and the hedge shall be placed within 2 feet of the

Resolution No. 2014-XX

Exhibit B

Page 38 of 40

canyon facing side of the 6-foot tall vinyl fence. An access gate in the vinyl fence shall be permitted for maintenance purposes by Marymount Staff.

**(AMENDED PER RESOLUTION NO. 2014-XX ON FEBRUARY 18, 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 College, 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 April 18, 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 FEBRUARY 18, 2014)**

## **Attachment B**

### **Expanded Parking Lot Project Plans**

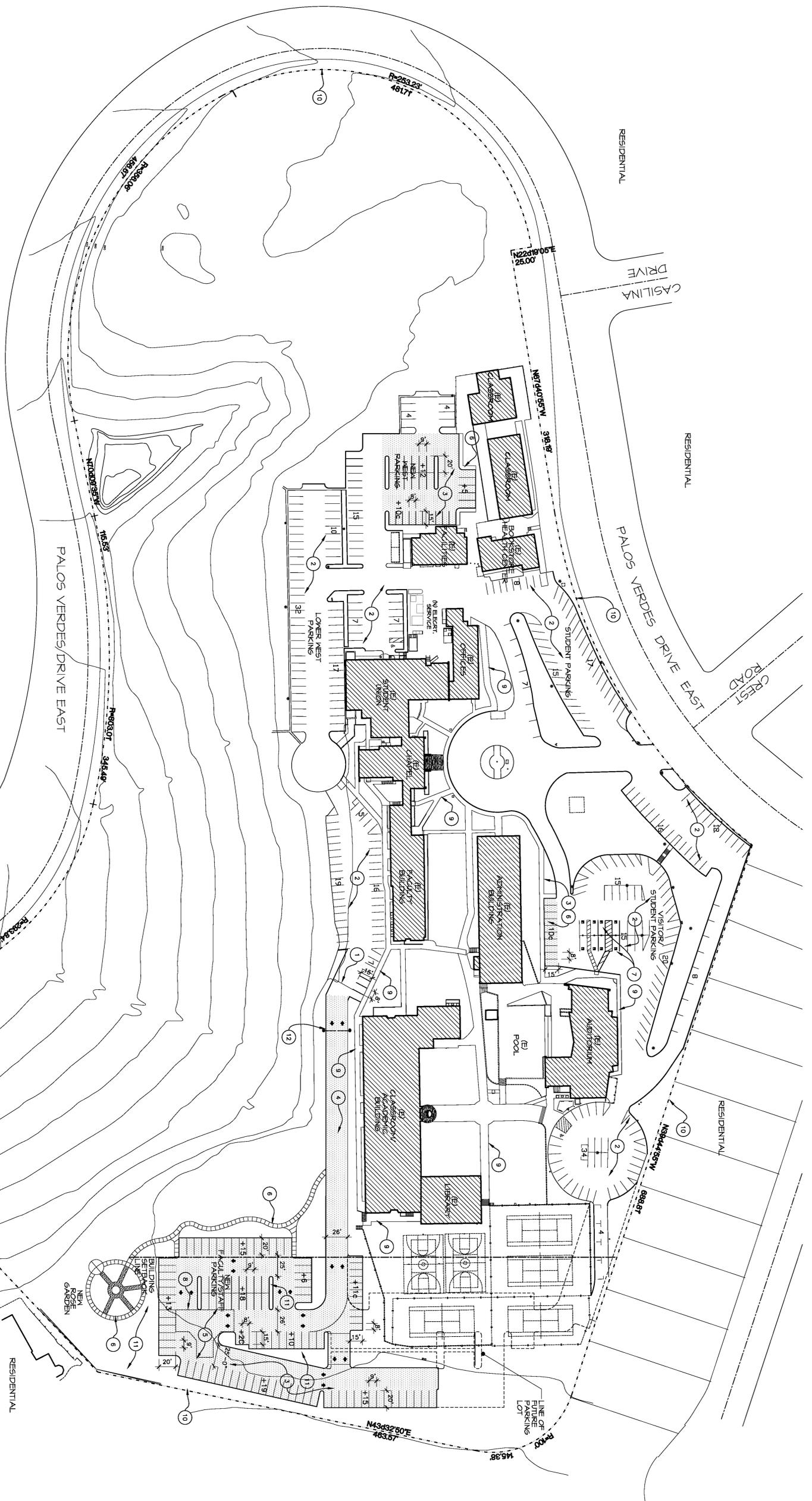
#### **Marymount California University 6-Month Review of the Expanded Parking Lot Project**

**February 18, 2014  
City Council Meeting**

- NOTE LEGEND**
1. EXISTING EDGE OF PAVEMENT.
  2. EXISTING PARKING AREA AC PAVING.
  3. NEW PARKING AREA AC PAVING.
  4. NEW 20' WIDE ACCESS ROAD AC PAVING.
  5. FIRE DEPARTMENT ACCESS ROAD.
  6. NEW CONCRETE WALK.
  7. RE-STRIPE TO ADD FOUR NEW ACCESSIBLE SPACES.
  8. INTERMEDIATE TURN AROUND PER FIG. B, C.I.A.F.D.
  9. EXISTING CONCRETE WALK.
  10. PROPERTY LINE.
  11. NEW LANDSCAPE.
  12. CONTROLLED GATE ACCESS TO PARKING LOT.

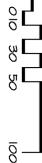
**PARKING CALCULATION**

| EXISTING PARKING W/ RECONFIGURED VISITOR / STUDENT PARKING | 341        |
|--|------------|
| NEW STAFF/FACULTY PARKING LOT:                             | +104       |
| NEW WEST PARKING LOT:                                      | +113       |
| FILL SIZE:   | 17         |
| COMPACT:   | 10         |
| (14 RECONFIGURED, 13 ADDED)                                |            |
| <b>TOTAL PARKING SPACES (PER APPROVED CUP)</b>             | <b>463</b> |



**PROPOSED SITE PLAN**

SCALE 1" = 50'-0"

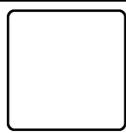


**MARYMOUNT COLLEGE**  
**PROPOSED PARKING LOT IMPROVEMENTS**  
 30800 PALOS VERDES DRIVE EAST  
 RANCHO PALOS VERDES, CALIFORNIA

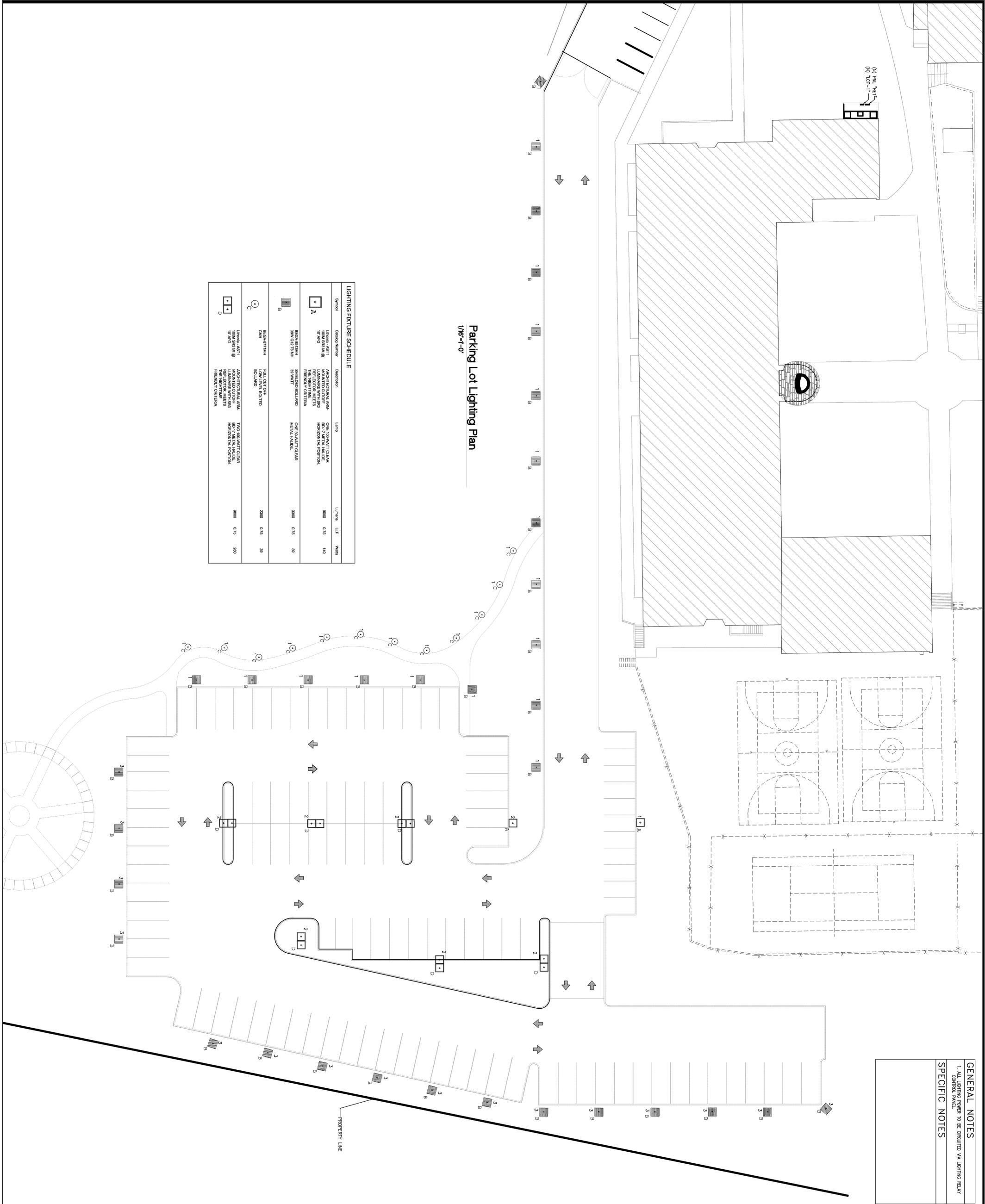
| Sheet Title | PROPOSED SITE PLAN-PARKING LOT |
|-------------|--------------------------------|
| revisions   | R&A No. 962401                 |
|             | Date: 4/10/12                  |
|             | Drawn: R&A                     |
|             | Checked:                       |
|             | Consult: No.                   |



**RASMUSSEN & ASSOCIATES**  
 Architecture  
 Planning  
 Interiors  
 248 South Mills Road  
 Ventura, California 93003  
 (805) 844-7347







**GENERAL NOTES**  
1. ALL LIGHTING POWER TO BE CIRCUITED VIA LIGHTING RELAY CONTROL PANEL.

**SPECIFIC NOTES**

**MARYMOUNT COLLEGE**  
**PROPOSED PARKING LOT IMPROVEMENTS**

30800 PALOS VERDES DRIVE EAST  
RANCHO PALOS VERDES, CALIFORNIA

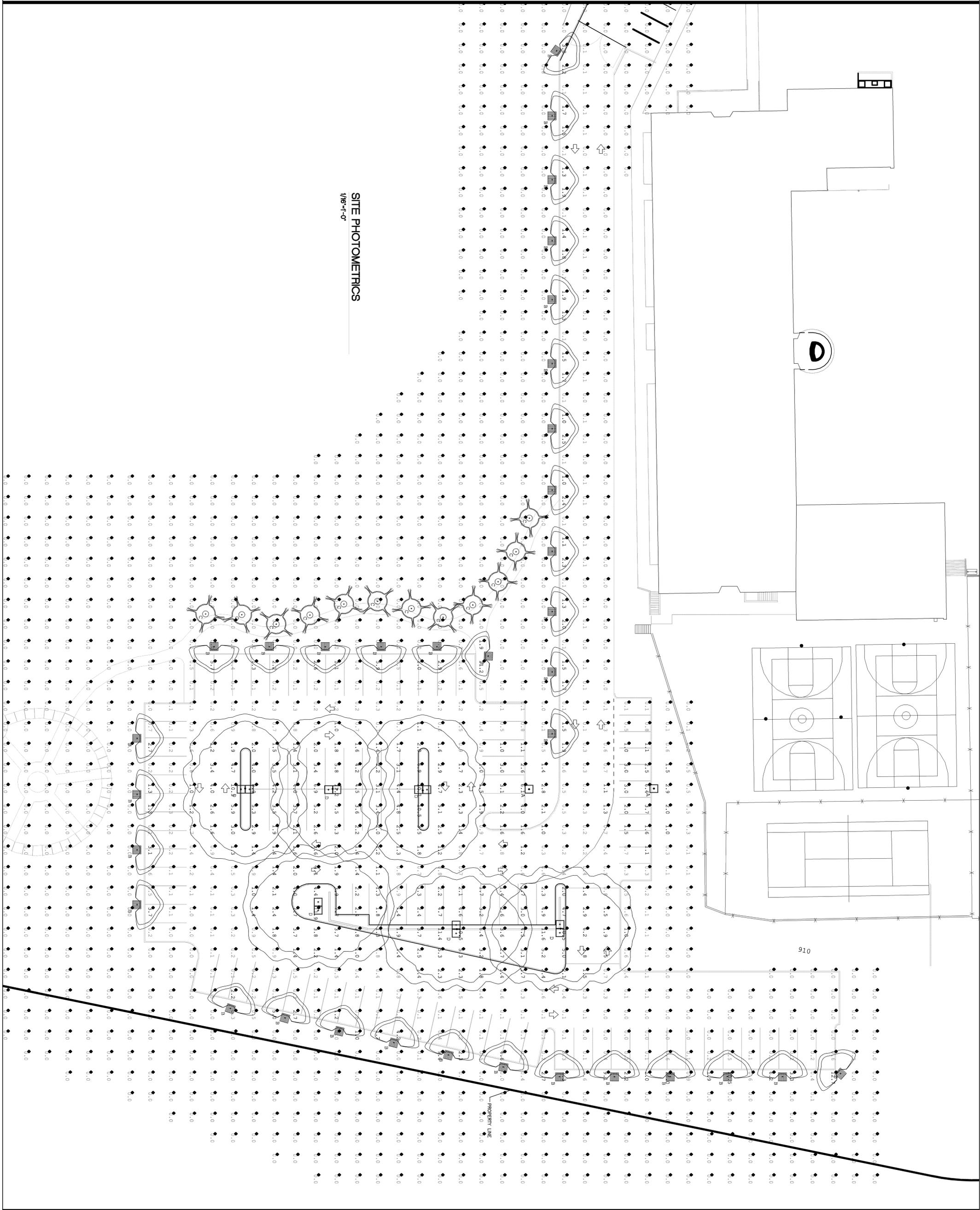
|  |              |         |  |
|--|--------------|---------|--|
| Sheet <b>PARKING LOT LIGHTING PLAN</b> |              |         |  |
| revisions                              | R&A No.      | 962401  |  |
|  | Date:        | 5/30/12 |  |
|  | Drawn:       |         |  |
|  | Checked:     |         |  |
|  | Consult. No: |         |  |

**RASMUSSEN & ASSOCIATES**  
Architecture  
Planning  
Interiors

21 & California Street  
Fourth Floor  
Ventura, California 93001  
(805) 648-1234



Syska Hennessy Group, Inc.  
800 Corporate Pointe  
Suite 200  
Culver City, Ca. 90230  
Tel: 310.312.0200  
Fax: 310.473.7468  
www.syska.com



**SITE PHOTOMETRICS**  
1/8"=1'-0"

**MARYMOUNT COLLEGE**  
**PROPOSED PARKING LOT IMPROVEMENTS**  
  
30800 PALOS VERDES DRIVE EAST  
RANCHO PALOS VERDES, CALIFORNIA

|           |                          |         |
|-----------|--------------------------|---------|
| Sheet     | <b>SITE PHOTOMETRICS</b> |         |
| Title     |                          |         |
| revisions | R&A No.                  | 962401  |
|           | Date:                    | 3/30/12 |
|           | Drawn:                   |         |
|           | Checked:                 |         |
|           | Consult. No.:            |         |

**RASMUSSEN & ASSOCIATES**  
*Architecture*  
**Planning**  
*Interiors*  
21 & California Street  
Fourth Floor  
Ventura, California 93001  
(805) 648-1284

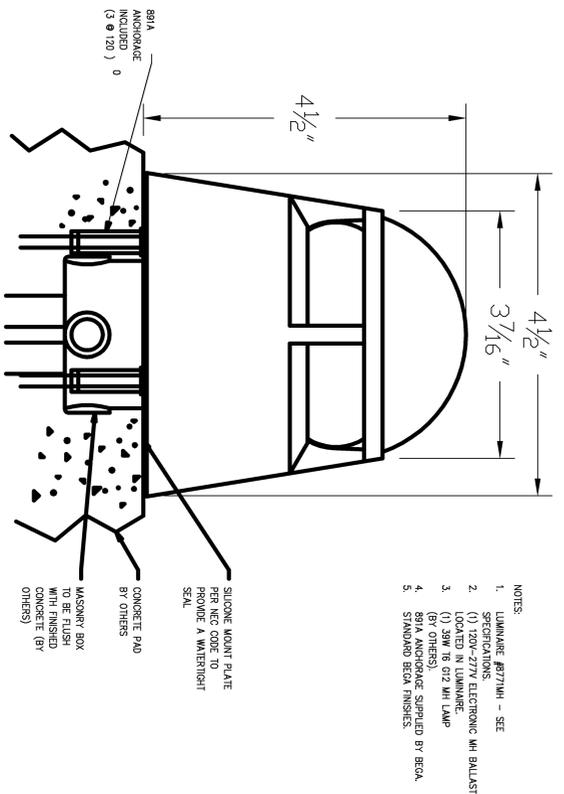
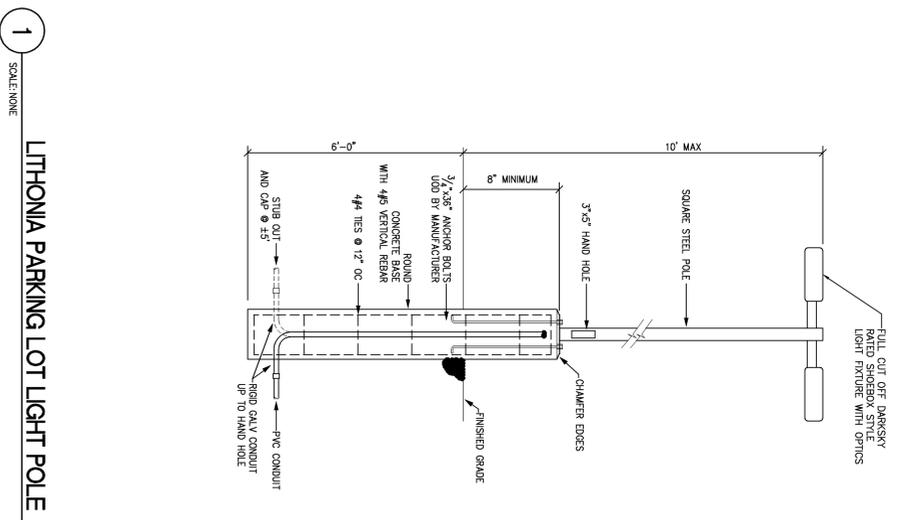
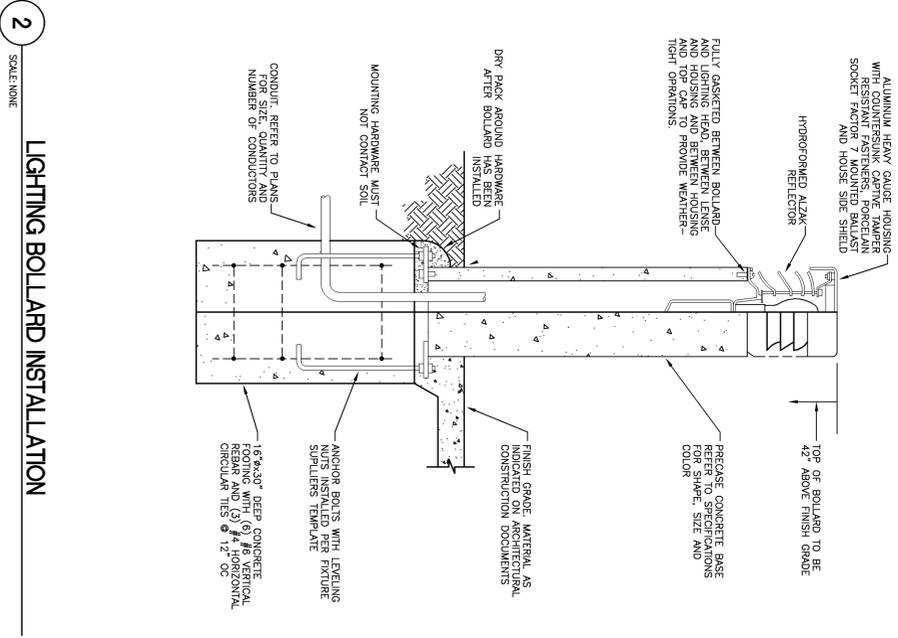


Syska Hennessy Group, Inc.  
800 Corporate Pointe  
Suite 200  
Culver City, Ca 90230  
Tel: 310.312.0200  
Fax: 310.473.7468  
www.syska.com

Sheet No.  
**EL12**

**LIGHTING FIXTURE SCHEDULE**

| DETAIL NUMBER | Catalog Number                              | Description  | Lamp  | Lumens | LLF  | Watts |
|---------------|---|--|---|--------|------|-------|
| 1             | Lithonia - AS11<br>100M SR3 MH @<br>10' AFG | ARCHITECTURAL ARM-<br>MOUNTED CUTOFF<br>LUMINAIRE WITH SR3<br>REFLECTOR, MEETS<br>THE NIGHTTIME<br>FRIENDLY CRITERIA | ONE 100-WATT CLEAR<br>BD-17 METAL HALIDE,<br>HORIZONTAL POSITION. | 9000   | 0.75 | 140   |
| 2             | BEGA-8513MH<br>39W G12 T6 MH                | SHIELDED BOLLARD   | ONE 39-WATT CLEAR<br>METAL HALIDE.                                | 3300   | 0.75 | 39    |
| 3             | BEGA-8771MH<br>CMH                          | FULL CUT OFF<br>LOW LEVEL BOLTED<br>BOLLARD  |   | 2300   | 0.75 | 39    |
| 1             | Lithonia - AS11<br>100M SR3 MH @<br>10' AFG | ARCHITECTURAL ARM-<br>MOUNTED CUTOFF<br>LUMINAIRE WITH SR3<br>REFLECTOR, MEETS<br>THE NIGHTTIME<br>FRIENDLY CRITERIA | TWO 100-WATT CLEAR<br>BD-17 METAL HALIDE,<br>HORIZONTAL POSITION. | 9000   | 0.75 | 280   |



Rasmussen & Associates expressly reserves its common law, copyright and other property rights in these plans. These plans are not to be reproduced, changed or copied in any manner or form nor are they to be assigned to a third party without first obtaining written permission and consent of Rasmussen & Associates. In the event of the unauthorized reuse of these plans by a third party, the third party shall hold Rasmussen & Associates harmless. These drawings, including the designs incorporated herein, are instruments of professional service prepared for use in connection with the project identified herein under the conditions existing on date shown in title block. Any use, in whole or in part, for any other project without written authorization of Rasmussen & Associates shall be at user's sole risk.



PLANTING PLAN  
SCALE 1" = 20'-0"

**PLANT LEGEND**

| TREES | SYMBOL   | QTY. | SIZE             | BOTANICAL NAME/<br>COMMON NAME       | MAXIMUM HT.<br>AT MATURITY |
|-------|----------|------|------------------|--------------------------------------|----------------------------|
|       | (Symbol) | 12   | 24" BOX STANDARD | RHAPHOLEPIS MAJESTIC BEAUTY*         | 10'-18FT.                  |
|       | (Symbol) | 10   | 24" BOX STANDARD | CERES OCCIDENTALIS CALIFORNIA REDBUD | 10'-16FT.                  |
|       | (Symbol) | 10   | 15 GAL           | HETEROMELES ARBUTIFOLIA              | 15FT.                      |
|       | (Symbol) | 14   | 24" BOX STANDARD | ERIOGONIA X COPPERTONE BRONZE LOQUAT | 8-15FT.                    |

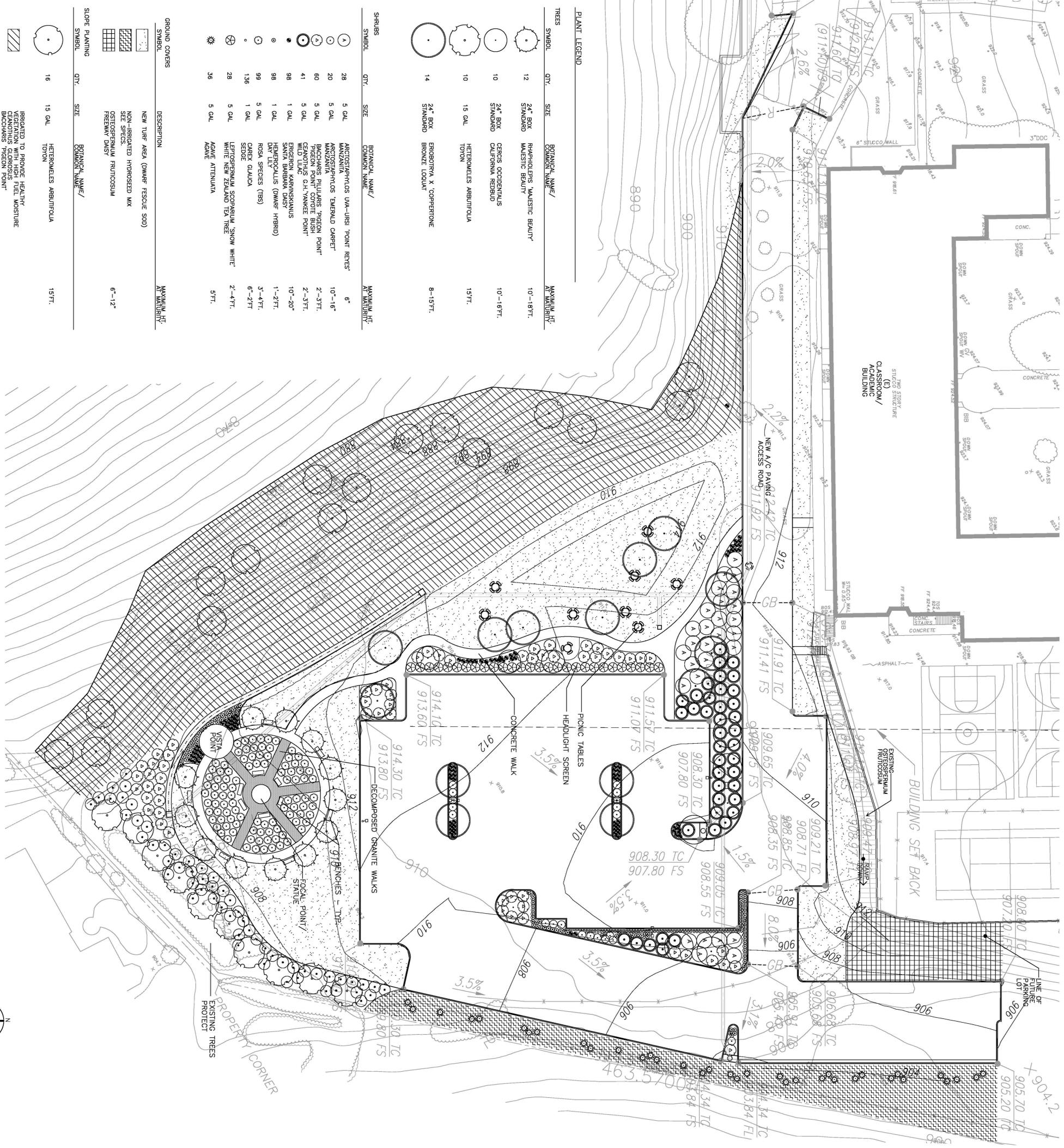
| SHRUBS | SYMBOL   | QTY. | SIZE  | BOTANICAL NAME/<br>COMMON NAME        | MAXIMUM HT.<br>AT MATURITY |
|--------|----------|------|-------|---------------------------------------|----------------------------|
|        | (Symbol) | 28   | 5 GAL | ARGOSTEMMATHOS IVA -URS 'POINT RETES' | 6"                         |
|        | (Symbol) | 20   | 5 GAL | ARGOSTEMMATHOS EMERALD CARPET         | 10'-16"                    |
|        | (Symbol) | 60   | 5 GAL | BACCHARIS PHILLIPS 'PIGEON POINT'     | 2'-3FT.                    |
|        | (Symbol) | 41   | 5 GAL | 'PIGEON POINT' COYOTE BUSH            | 2'-3FT.                    |
|        | (Symbol) | 98   | 1 GAL | CEANOTHUS S.H. YANKEE POINT           | 10'-20"                    |
|        | (Symbol) | 98   | 1 GAL | WILD LILAC                            | 10'-20"                    |
|        | (Symbol) | 98   | 1 GAL | ERIOGONIA X COPPERTONE                | 1'-2FT.                    |
|        | (Symbol) | 98   | 1 GAL | HEMEROCALLIS (UMKART HYBRID)          | 3'-4FT.                    |
|        | (Symbol) | 99   | 5 GAL | ROSA SPECIES (TBS)                    | 6'-8FT.                    |
|        | (Symbol) | 136  | 1 GAL | SEDGE                                 | 6'-8FT.                    |
|        | (Symbol) | 28   | 5 GAL | LEPTOSPERMUM SOPORIFLUM 'SNOW WHITE'  | 2'-4FT.                    |
|        | (Symbol) | 36   | 5 GAL | WHITE NEW ZEALAND TEA TREE            | 5FT.                       |
|        | (Symbol) |      |       | ACADEMIA ATTENUATA                    |                            |

| GROUND COVERS | SYMBOL | DESCRIPTION                       | MAXIMUM HT.<br>AT MATURITY |
|---------------|--------|-----------------------------------|----------------------------|
| (Symbol)      |        | NEW TURF AREA (UMKART FESCUE SOO) |                            |
| (Symbol)      |        | NON-IRRIGATED HYDRPOSEED MIX      |                            |
| (Symbol)      |        | SEE SPECS.                        |                            |
| (Symbol)      |        | OSTEOSPERMUM FRUTICOSUM           | 6"-12"                     |
| (Symbol)      |        | FREEMWAY DASY                     |                            |

| SLOPE PLANTING | SYMBOL | QTY. | SIZE   | BOTANICAL NAME/<br>COMMON NAME | MAXIMUM HT.<br>AT MATURITY |
|----------------|--------|------|--------|--------------------------------|----------------------------|
| (Symbol)       |        | 16   | 15 GAL | HETEROMELES ARBUTIFOLIA        | 15FT.                      |
| (Symbol)       |        |      |        | TOYON                          |                            |



MARYMOUNT COLLEGE  
PROPOSED PARKING LOT IMPROVEMENTS  
30800 PALOS VERDES DRIVE EAST  
RANCHO PALOS VERDES, CALIFORNIA

|             |                                    |
|-------------|------------------------------------|
| Sheet Title | PROPOSED LANDSCAPE FOR PARKING LOT |
| revisions   | R&A No. 962401                     |
|             | Date: 4/04/12                      |
|             | Drawn: MHB                         |
|             | Checked: FU                        |
|             | Consult. No: 12.03                 |

**RASMUSSEN & ASSOCIATES**  
Architecture  
Planning  
Interiors  
248 South Mills Road  
Ventura, California 93003  
(805) 644-7347

**JORDAN, GILBERT & BAIN**  
LANDSCAPE ARCHITECTS, INC.  
3350 LOMA VISTA ROAD, VENTURA CA 93003  
(805) 642-3641 FAX (805) 642-9614  
Jordan, Gilbert & Bain Landscape Architects, Inc. © 2009

# **Attachment C**

## **Public Comment Letters**

### **Marymount California University 6-Month Review of the Expanded Parking Lot Project**

**February 18, 2014  
City Council Meeting**

## PETITION TO THE CITY COUNCIL OF RANCHO PALOS VERDES

FEB 10 2014

We immediately-impacted residents of San Ramon Drive, Tarapaca Drive and Vista del Mar understand that Marymount University's East Parking Lot is presently undergoing the City's 6-month ~~COMMUNITY DEVELOPMENT~~ off-date for resident comments is 5:30 p.m. on February 10, 2014. We residents have had ~~DEPARTMENT~~ to exist with Marymount's East Parking Lot, however, residents have not had time to determine the impact of Marymount's surprising \*new PROJECT GROW COMMUNITY GARDEN, the opening of which commenced February 6, 2014 between the parking lot and San Ramon Homes. Residents request the City Council order reasonable modifications to ease the nuisances caused by Marymount and its parking lot as follows:

- 1) **LIGHTS OBJECTION** – presently on from dusk to 10 PM every single night of the year
  - a) **OVERHEAD LIGHTS:** The parking lot lights are far too bright. The light over spills into resident properties and spoils enjoyment of their evenings. Lights can be seen as far away as San Pedro. **MODIFICATION: The lights should therefore be no brighter than those lights our own City Council Meeting parking lot lights at Hesse Park and no brighter than the parking lot lights at our own Peninsula High School. No lights on the weekend since there is low weekend attendance and its use is therefore not necessary.**
  - b) There are 47 vehicle spaces pointing 94 bright headlights on two separate levels, shining directly into private residents' backyard viewing areas, creating a "disco ball" effect as vehicles arrive and depart. The EIR did not consider vehicle headlights shining directly into neighbor properties and therefore the City Council was unaware of such nuisance when making their decision on the lot. **MODIFICATION: Vehicles should be pointed at Marymount and not at residents' properties. A wall should be erected to curtail this overspill of light. The parking lot lights should be turned off after the last car has left the lot. This should be monitored by Security Officers. The east parking lot does not need to be open on weekends because of low weekend attendance.\***
- 2) **NOISE OBJECTION** – presently gates are open all the time
 

The parking lot noise includes but is not limited to honking horns, revving engines; security devices going off; radios blaring; doors slamming; student noisy social groups.

**MODIFICATION - Gates should be automated for students with parking passes only. Marymount should insist students adhere to code of conduct rules or forfeit their parking lot passes. The east parking lot should be regularly closed on weekends because of low weekend student attendance.**
- 3) **FIRE HAZARD OBJECTION** – smoking, drinking and trash
  - a) **SMOKING** - Although Marymount has a code of conduct which includes no smoking, residents have accumulated evidence in photos and actual items of breach of such conduct, including cigarette butts flicked into the dry, open field; intentional shooting paper airplanes and other combustible trash into the dry open field increasing fire hazard when combined with flicked cigarette butts. **MODIFICATION – Same as Noise Objection modification above including maintaining ample trash receptacles.**
  - b) **DRINKING** - The code of conduct also includes no drinking, however, residents have accumulated evidence in photos and actual items of such breach including beer cans, bottles and alcohol bottles. **MODIFICATION – Same as Noise and Smoking Objections modification above.**
- 4) **WATER HAZARD OBJECTION** – leaking pipes
 

Marymount was notified in mid- November 2013 and again in February, 2014 to repair leaking pipe area at the south east corner of the new parking lot, however, Marymount failed to do so.

**MODIFICATION – Marymount must repair leaking and clogged waterways within fifteen (15) days of notice thereof or the City will make such necessary repair and bill Marymount for such repairs.**

PETITION TO CITY OF RPV impacted neighbors  
 marymount parking EAST LOT

Diane & Keith Smith 2704 San Ramon  
 Bill Hattery 2701 SAN RAMON 2-8-14  
 Heath + Julie Collins 2702 San Ramon  
 Roland and Laura McSherry 2714 San Ramon Dr.  
 Ami Rauer M: 2736 San Ramon  
 Rande Hinchliffe 2736 San Ramon  
 Marc HARRIS 2750 SAN RAMON DR  
 Erin HARRIS 2750 San Ramon Dr.  
 Philip Matyja 2758 San Ramon Dr.  
 Gary Tavetian 2764 San Ramon Dr.  
 Nancy Thompson 2764 San Ramon Dr  
 Joanne Hamilton 2732 SAN RAMON DRIVE, RPV. 90275 -  
 Masreen Jordan 30959 Tarapaca, RPV 90275 -  
 Richard McCallister 30752 Tarapaca Rd RPV CA 90275  
 JMO 30739 TARAPACA RD RPV CA 90275  
 Dini M. Ch 2829 SAN RAMON DR RPV CA 90275  
 M. C. 2829 SAN RAMON DR RPV 90275  
 C. M. 2829 SAN RAMON DR RPV 90275

RECEIVED

FEB 10 2014

COMMUNITY DEVELOPMENT  
 DEPARTMENT

## Ara Mihranian

---

**From:** Duncan Tooley <duncantooley@cox.net>  
**Sent:** Tuesday, February 11, 2014 5:57 PM  
**To:** Ara Mihranian  
**Cc:** Diane Smith; 'Marc Harris'; Eduardo Schonborn; Joel Rojas  
**Subject:** Re: FW: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Ara,  
You met with Mark Harris, myself and the MaryMount Environmental Manager at 2pm on Friday September 6. At that time we were told:

- The area between the parking lot and the chain link fence was to be a buffer used as a nursery for native plants.
- Some fast growing plants were going to be planted along the fence that would totally block the view from my house.
- Marymount would remove the dead trees on my property that are leaning on and over the fence if I marked which limbs to be removed.
- This work would be done in two weeks after the grounds crew was all back from summer vacation.

I marked the limbs the next week. To date none of what was promised has transpired. In fact there is now much different activity going on in this area that was never intended, approved, or open for public comment.

I heartily disapprove of what is transpiring. It seems very contrary to the promises that have been made. There are now bricks stacked in the area. What will these be used for. I hear that there are plans for picnic benches for public access in the corner by my property. This is certainly not acceptable!

Please include these comments in your hearing.

Duncan Tooley,  
2742 San Ramon Drive.

On 2/11/2014 12:03 PM, Diane Smith wrote:

fyi

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Friday, February 07, 2014 3:34 PM  
To: 'Joel Rojas'; 'Ara Mihranian'; 'eduardos@rpv.com'  
Cc: 'jim.knight@rpv.com'; 'brian.campbell@rpv.com';  
'anthony.misetich@rpv.com'; 'susan.brooks@rpv.com'; 'jerry.duhovic@rpv.com';  
'glash@cox.net'; 'anita.reynolds@att.net'; 'James'; 'Diggory1@aol.com';  
'kathyvenn@aol.com'; 'roni@roniramosphoto.com'; 'vickihanger@aol.com'; 'Marc  
Harris'; 'Parvin Jensen'; 'jmaniataki@aol.com'; 'James'; 'Karpov';

'ronmcsherry@hotmail.com'; 'ladydmagg@hotmail.com'; 'utopia4u@cox.net'  
Subject: RE: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF  
TIME TO SUBMIT PUBLIC COMMENT

None of the residents were aware of Marymount's Community Garden Project that is smack dab in the middle between the parking lot and our San Ramon homes. No one was aware of Marymount's intentions and to what extent it would affect us. We were invited by public notice. I photographed the trash and threw it in the trash container and was improperly detained. We residents have already voiced objections to the noise. This new ambitious project by Marymount only compounds the noise and use of the parking lot and our City Council needs to know what is going on here. We residents believed the parking lot would be used for students only - and students with parking passes. Now Marymount put something new in the mix. A new area open to the public right in our San Ramon back yards. It becomes part of public comment Joel. You are an experienced planner. Surely you can appreciate that?

Attached are copies of the photos I just had developed at CVS and scanned.  
Diane

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

From: Joel Rojas [mailto:JoelR@rpv.com]  
Sent: Friday, February 07, 2014 12:51 PM  
To: Diane Smith; Ara Mihranian; Eduardo Schonborn  
Cc: Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; 'Gregory Lash'; Diggoryl@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen';Carolynn Petru  
Subject: RE: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF  
TIME TO SUBMIT PUBLIC COMMENT

Diane

Over the last few weeks, you have sent us numerous emails about your concerns about the parking lot. We have repeatedly told you the same thing, which is that all of your concerns will be investigated by staff, brought to Marymount's attention and presented to the city council at the upcoming 6-month review hearing along with staff recommendations on how to address your concerns. We have never instructed you to go onto the Marymount campus to do your own investigation and take your own photos.

Staff is very aware of your concerns with the parking lot lights, along with the trash, loitering, smoking and noise caused by student use of the lot. Ara has been talking to Marymount about these concerns and ways to mitigate them. All of this will be addressed in the forthcoming staff report on the item that will be provided to the city council and the public on the Thursday before the February 18th City Council meeting. The February 10th deadline is for comments to be addressed in the staff report. Public comments will be accepted all the way up to the February 18th meeting including at the meeting itself. I do not see how an extension of time is warranted as you have been aware since December of the forthcoming 6-month review hearing and you have already submitted about 20 items of correspondence about the parking lot which will be included in the staff report.

Joel

---

From: Diane Smith [radlsmith@cox.net]  
Sent: Friday, February 7, 2014 9:37 AM  
To: Ara Mihranian; Eduardo Schonborn; Joel Rojas  
Cc: Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; 'Gregory Lash'; Diggoryl@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com;

vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen'  
Subject: FW: Ms. Diane Smith/Mr. Ara Mhuranian - REQUEST FOR EXTENSION OF  
TIME TO SUBMIT PUBLIC COMMENT

Dear Ara, Eduardo and Joel,

You told me to take pictures as evidence of our objections to Marymount's East Parking Lot as the parking lot is still in its 6-month review period. Our comments are due February 10, 2014.

We neighbors object to the students smoking and flicking their cigarettes into the open fields and we have lots of photographs and evidence of that - that is why we need a solid barrier between the parking lot and the field so we can deter fires. The photographs do not lie.

We object to the students noise at the new East Parking Lot so we try to get pictures/videos of them bouncing their basketballs (Ara was witness to that but my camera was not strong enough to capture it), and flicking their vehicle lights on and off in "fun" and revving their engines, car alarms going off, groups of kids congregating in the corner next to San Ramon homes, smoking stuff, and drinking - - - how else can you believe us if we can't get pictures?

We do get pictures from our homes where we see the reflection of plastic trash on the hillside but we have to go on the property to take pictures of the beer cans, beer bottles, condom packages (ugh and other) and especially cigarette butts so you will believe us. If Marymount knew we wanted to take pictures of that then they might not allow us on the property. When I was already there on the property picking up trash in November and saw the leakage at the far end closest to the Vista del Mar property I HAD to photograph it so you would believe me that it is indeed leaking. That was in November 2013 and now it is February 2014 and the area of leakage saturation has doubled and thank goodness my neighbor Sara Dokter was there to witness it with me yesterday.

In hindsight it seemed to me that security was on the look-out for neighbors. I took an initial picture of the "Grow Project Kickoff" as I approached the area and there were students (people) walking towards me but the picture was intended to see the area of the kickoff next to neighbors' homes - I couldn't help the people in the way. I took pictures of the dwarf trees they intend to plant and of the galvanized containers showing watering devices and of the boulder seating area. These pictures were necessary for me to show you that having an abusive bright light, noisy and trashy parking lot was not enough to impose on neighbors but that they now invite the underprivileged from San Pedro to participate in growing and harvesting a community garden in the back yards of San Ramon neighbors.

Marymount's security officer driving up to me after I had deposited all that trash in the trash barrel and saying, "are you a resident?". Please read my memo as I prepared it directly from the notes I took the whole time I was there. I was calm, inquisitive as to their names and requested they call Mr. Reeves and they were very nervous, very hostile and, again, luckily my neighbor Sara Dokter was there, at least towards the end, to experience this. It was quite amazing.

Dr. Brophy's attempt to characterize me as going around taking pictures of students is ludicrous and just weak. Dr. Brophy and Marymount don't want to be further exposed as hypocrites - having this GROW PROJECT ridiculous community garden to educate and feed the poor - look at my memo - harvest from a few dwarf fruit trees? I am interested in their upcoming WATERSHED SCHEENING AND PANEL DISCUSSION on March 27 - I suppose they will kick me out of that, especially if I have questions on how much time it takes to repair pipes (or whatever is causing saturation) at their parking lot located at the top of the South Shores Landslide. I am interested in also attending the next Marymount SUSTAINABILITY EXPO on April 22 where they celebrate Earth Day telling people how they can reduce their footprint.

Dr. Brophy spoke at the January 21 City Council meeting boasting of their goodness - even saying how neighbors walk their dogs there. What a bunch of

junk. Dr. Brophy left out the part that their security officers are great at kicking mature neighbors out for walking our dogs there - even the previous Mayor (much younger than us) was kicked out. Marymount security can't seem to kick out the smoker students, drinker students, noisy students and so on. Heck, Marymount security doesn't even know who has the "power" to turn on and off those annoying parking lot lights - - remember when they left the lights on all night? I went to their security asking who was in charge? They told me - maintenance. I went to maintenance and they told me - security. Do you want me to dig up that whole scenario?

I was stopped by Marymount security who was driving in a little security golf cart vehicle right after I had picked up a lot of trash and deposited it up on the second level into a trash receptacle. I was calm and inquisitive and took notes and names and went home and wrote up a memo. I believe our time frame to submit comments to the East Parking Lot should be suspended until we can nail down the true and honest future purpose of this GROW PROJECT Marymount kicked off yesterday at 12:30 pm. We need time to consider the number of vehicles and people that would be added to the campus and the parking lot during the week and weekends, vehicles from Harbor Interfaith clients and their children, handicapped vehicles and so on.

I therefore request an extension of time to submit public comment to a time you feel is appropriate.

Thank you.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

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

From: Michael Brophy [<mailto:MBrophy@marymountcalifornia.edu>]

Sent: Friday, February 07, 2014 8:24 AM

To: Diane Smith; 'Ara Mihranian'; [eduardos@rpv.com](mailto:eduardos@rpv.com); 'Joel Rojas'; [cc@rpv.com](mailto:cc@rpv.com)

Subject: Ms. Diane Smith/Mr. Ara Mihranian

Greetings

Yesterday we had some excitement on campus when Ms. Diane Smith came onto our private property and began taking photographs of our students. I have spent time with our campus safety team and have come to learn that there may be some confusion about whether or not Ms. Smith was invited to do so by city staff member Ara Mihranian. I understand Mr. Mihranian was also on campus taking photos.

Let me keep this simple: I will ask Diane Smith or Ara Mihranian to call me directly at 310-944-2306 if they wish to come onto our campus. This is private property and we have the responsibility to create a safe and peaceful environment for our students and staff. Something happened yesterday that put that in jeopardy, so I only ask that these individuals speak with me directly about any future request to visit campus. Many neighbors use our private campus all the time, but incidents like yesterday are not welcome.

Regards,

Michael



"Stay always in **JOY**, and all things you desire will come to you!" *Law of Attraction*

Alvin Vooley

"Mind Runs Body" Sub-Conscious Mind Trainer and Wellness Coach

**310-832-0830** [CLICK HERE to book an appointment NOW!]

- Learn the all-natural, non-surgical, mind-based **weight loss** system at [ThinkMyselfSLIM.com](http://ThinkMyselfSLIM.com)
- Turn off your **chronic pain** in 60-seconds with the power of your mind at [CancerHypnotist.com/pain](http://CancerHypnotist.com/pain)
- Learn how your thoughts today create **your tomorrow** at [MindMasteryFoundation.org/5-law-of-attraction](http://MindMasteryFoundation.org/5-law-of-attraction)
- Increase your **energy, focus, calm, or joy** at [MindMasteryFoundation.org/1-increase](http://MindMasteryFoundation.org/1-increase)

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, February 11, 2014 1:07 PM  
**To:** 'Jim Reeves'  
**Cc:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Subject:** RE: Follow-up on Thursday's Visit - resident detention and removal  
**Attachments:** Marymount Parking Lot - GROW PROJECT MEMO.docx

Dear Jim,

Finally, today, I see that you have people digging up and hopefully repairing the leak at the south east side of the new parking lot! Thank you for finally attending to this.

In response to your email to me yesterday, on Feb. 6, 2014 just after I visited Marymount's public Project Grow kickoff, three Marymount Security Officers detained me after seeing me take one photograph of trash on Marymount property and depositing that trash into a trash barrel. I was walking from the trash barrel towards the broken pipe saturation area next to Vista del Mar to see if there was any sign of Marymount repairing the leakage when the first of the three security people asked me if I was a resident. He didn't ask me if I had a visitor pass or if I was a guest of Project Grow - no he it seems he was "on the look-out" for residents taking pictures. I told him right away that I was a resident and he responded that I had no right to take pictures on the property. I took notes and asked him his name but he would not give me his name and instead started working his phone. (see attached memo) Mr. Brophy made serious insinuations in his email to me but I will point out, If the security officer was really concerned about student safety for my taking a photo of the "Project Grow" area as it relates to resident homes then he would have detained me when I first arrived!

Jim, you tell me,

"Thank you for your efforts to identify matters in need of attention at the University's new parking area."  
but Jim, your words do not connect with your actions.

You say thank you to me but you kick me out for taking photos of your trash and water leakages.

Your actions do not speak like your words.

You knew darn well that the parking lot is under review and comment until February 18 but the truth of the matter is that you don't want residents PROVING how sloppy and careless you are.

We residents know how treacherous fires can be.

We residents know how treacherous leaking pipes can be.

Your security guards stopped me from identifying matters in need of attention that were neglected and kicked me out. When I asked the security guard to please call Mr. Reeves and tell him Diane Smith would like permission to take photos, the security guard told me that he spoke to you and that you were in San Pedro and would contact me when you got back that afternoon. I asked the security guard if you refused to give me permission to take photos and your security guard was extremely agitated and raised his voice to me telling me, again, that you were in San Pedro and would contact me when you got back that afternoon. Luckily my neighbor Sara Dokter came by and witnessed the latter part of my experience with your security guards.

Regarding student smoking - they are still flicking their cigarettes into the field. I was in the field on Sunday with Greg Lash and pointed out all the flicked cigarette butts in the field. We were both surprised a fire had not ignited. Greg and I picked up all sorts of trash that had been heaved into the field. That is why we ask for a wall - so that Marymount's trash can be restricted to Marymount. I picked up an empty Jack Daniels bottle, beer and soda cans, sandwich boxes, all sorts of snack packages like Cheetos, Doritos, etc., lots of napkins, cigarette boxes, even a medical cannabis prescription plastic container. Right now, there is a big black trash bag on the hill and other stuff that the wind has brought down.

Even though you have two trash containers now it took all my efforts to shame you into putting them there. Now, your maintenance people need to regularly empty the trash containers.

We shouldn't have to ask you to do this.

But then still students intentionally throw trash into the field - I picked up a paper airplane that was shot into the field and showed it to Greg.

I know you have put up signs to warn students that this is a quiet zone, to turn their radios off, and not to jump over neighbor fences to retrieve balls and tell them there is no smoking and all of that but the students don't always do what you tell them to do. Just like Marymount, we residents ask Marymount to fix something and Marymount does not fix it. We ask Marymount to put in trash receptacles but Marymount does not put in trash receptacles. Monkey see -- monkey do. It's not rocket science Jim.

Today I had to go to my grandson's school at Mira Catalina and I saw three groups of students IN FRONT OF MARYMOUNT on the public street, all smoking away like chimneys. Maybe you have discouraged them from smoking out back and they've just moved out front. At least they are not in a fire zone but just look at the street and all those cigarette butts washing into our oceans.

It's a head-shaker.

OK, I have responded to your first paragraph and now I must attend to other matters.

Sincerely,

Diane

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

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

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]

Sent: Monday, February 10, 2014 6:15 PM

To: Diane Smith

Cc: 'Ara Mihanian'; eduardos@rpv.com; 'Joel Rojas'

Subject: Follow-up on Thursday's Visit

Hello Diane,

Thank you for your efforts to identify matters in need of attention at the University's new parking area. We have looked at the irrigation leak on the east side of the lot and are making arrangements to effect a repair. With respect to other issues you have identified, I think you would agree that we've made progress with student smoking on the east side of the parking lot as well as the litter. We will continue to carefully monitor these areas to ensure that they remain clean, safe and do not unreasonably impact our neighbors.

As noted in previous emails, the University is closing this parking area over weekends and during holiday breaks when parking is not needed in this lot. Also, we continue to consider strategies to mitigate the concerns raised by the pole lights in the parking lot and anticipate providing City staff with recommendations for addressing this matter soon.

With respect the garden area, we are working with the neighbors immediately adjacent to the garden in an effort to address any concerns they might have. We are certainly respectful of their desire to maintain the peaceful and private use of their property.

While the University and I have appreciated your feedback about the concerns raised by you and our neighbors about campus operations, I must insist that you contact me directly with any future request to visit the campus. Upon request, I will advise you of an appropriate time when your visit can be accommodated. I appreciate your observance of our request in this matter and would encourage you to communicate with me by email with concerns as they arise.

Sincerely,

Jim Reeves

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

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Tuesday, February 04, 2014 10:55 AM  
To: Jim Reeves  
Cc: 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'  
Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Jim,

Thank you very much for closing the east parking lot and keeping the lights off over the Christmas vacation. I had a house full of guests, the weather was fantastic and we therefore spent just about every evening out back enjoying the view and dark night sky.

I hope things can somehow work out for both Marymount and its backyard neighbors.

Sincerely,

Diane

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

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 27, 2013 1:14 PM  
To: Diane Smith  
Cc: Ara Mihranian; eduardos@rpv.com; Joel Rojas  
Subject: Re: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Hello Diane,

We have closed the lot for the long holiday break with the parking lot lights off over that period. Best wishes for a pleasant Thanksgiving holiday.

Jim Reeves

Sent from my iPhone

On Nov 26, 2013, at 8:51 PM, "Diane Smith" <radlsmith@cox.net<mailto:radlsmith@cox.net>> wrote:

Thank you for the glorious dark nights last Saturday, Sunday and now tonight as the lights are turned off – it is simply wonderful, just as it has been from 1978 until June 29 of this year.

I believe the planning department made an oversight with regards to Marymount's East Parking Lot lighting. RPV's Hess Park Community Center Parking Lot Lights would be appropriate at Marymount's East Parking Lot. I hope you will have time to visit RPV's Hess Park Community Center Parking Lot at night. I hope too that you will have time to return to our home at night to see how bright and invasive the present lighting is on local residents. Any hedge would take enormous care to grow thick and tall enough to block the existing light, assuming it is planted at the maximum height.

Thank you again for turning the lights off when the lot has not been in use Saturday, Sunday and tonight.

Sincerely,  
Diane Smith

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 20, 2013 5:24 PM  
To: Diane Smith; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>  
Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>  
Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Ms. Smith,

Thank you for your time today. I appreciated the opportunity to view the parking area from your perspective. We will continue to review the operational impacts of the lot and work with City staff to develop some possible solutions.

Sincerely,  
Jim Reeves

Jim Reeves  
Sr. Vice President  
Finance & Administration  
Marymount California University  
(310) 303-7330  
<mailto:JReeves@MarymountCalifornia.edu>JReeves@MarymountCalifornia.edu<mailto:JReeves@MarymountCalifornia.edu>  
<image001.jpg>

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

From: Diane Smith [<mailto:radlsmith@cox.net>mailto:radlsmith@cox.net]  
Sent: Wednesday, November 20, 2013 3:42 PM  
To: Jim Reeves; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>  
Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>  
Subject: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Mr. Reeves and Eduardo,

It has been over four months since I invited Marymount to come to my home to see the horrible lights that invade our properties from Marymount's new East Parking Lot. Thank you very much for finally coming to our home and to the Cornelius home to see, first hand, Marymount's new East Parking Lot from our perspectives in daytime. Thank you also Mr. Reeves for noting that Wednesdays are not as busy as other days.

Please return to our homes at night so that you can see for yourself what has been imposed on us, every single night until 10:00 p.m., seven days a week, since the bright annoying lights were first turned on – on June 29, 2013.

If we are not home you are welcome to go through the east side gates of our home.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

Cc: Yvonne Hamilton

---

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

---

---

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

---

---

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

---

---

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

---

---

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

---

---

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

---

MEMO

DATE: February 6, 2014

FROM: Diane L. Smith

SUBJECT: Marymount East Parking Lot – Marymount California University Advertising Brochure - SPRING 2014 promotion of Marymount's Cultural Arts Program's "GROW PROJECT KICKOFF" located immediately behind San Ramon residents and the new Marymount East Parking Lot

Today I met with Greg Lash at 10:00 a.m. to prepare wording of a petition for our neighbors who oppose to Marymount's New East Parking Lot to sign. Resident written comments on Marymount's New East Parking Lot must be turned in to the City before 5:30 p.m. before February 10, 2014.

Afterwards, I walked to Marymount to see what the "GROW PROJECT" located next to Marymount's New East Parking Lot was all about. Marymount advertises: *Our programs are designed for students who truly want to make a difference. Courses emphasize problem solving, communication strategies and a sense of entrepreneurship. With a focus on the future, Marymount California continues to grow. We're expanding our campus, our faculty and our programs all to help our students realize their full academic and professional potential. Grow with us. See your future through our eyes. It looks amazing.*

I walked around by the old Preschool (of which I have fond memories), and then around past the open gates to the East Parking Lot. There were many people, students and one adult, working away, setting up two covered stands with written material for students. The first person I met was a very nice young girl by the name of Judith Jacques-Hines. She asked me if I was just visiting and I said no, that I was a neighbor. Judith he was very nice and welcomed me warmly. She invited me to see what they were doing and planning. She explained that the soil was very bad and so they brought in irrigation piping to several galvanized troughs (that were donated) where they would grow seasonal herbs and other seasonal vegetables. Judith also told me that the whole area was planned to be wheelchair friendly as well. Judith took me to the dwarf fruit trees, about nine of them, include dwarf oranges, that they planned to grow. The plan is to donate their crop to Harbor Interfaith women and children in San Pedro. She had spoken to Sharon at Harbor Interfaith and they were very excited about the project. I asked about how many oranges such a little tree could produce and Judith thought they could get about 30. Judith also told me that Harbor Interfaith women and children would be invited to come and visit and help out or just meditate. Judith pointed out the several meditation and seating boulders at the edge of the area next to the field below that is readily available. She also pointed out another area immediately back of Marc Harris' house and I believe 2758 San Ramon, that would be developed for seating so that people can congregate, have lunch or just rest and enjoy the garden.

It was very windy and trash started flying so I went with Judith to help pick up the trash as it snagged on the chain link fence by San Ramon back yards.

Judith introduced me to Kathleen Talbot, the Sustainability Officer, who was a specialist in Native California plants. Kathleen pointed out the planned Native California garden. Kathleen also pointed out the rocks and said they are there for people to sit and enjoy as a public park.

I was also introduced to Sallie Wu, Director of Peace Center and Interculture. Sallie told me she was Professor, Psychology and has taught at Marymount for 30 years.

Apparently Marymount has been working with the South Coast Chapter of the California Native Plant Society and finally got a grant two weeks ago. It was explained that they plan to have community events here. I picked up some more flying trash and asked them if they had a trash barrel and they did not but then Sallie found a box for me to put it in. I thanked them and went on my way.

I walked straight up towards the Vista del Mar homes and picked up trash, including two cigarette boxes, an empty plastic coffee cup and lid, a potato chip bag and two ketchup packets and I took a picture of more trash in the field. I walked over to the closest trash bin on the upper level of the parking lot and tossed in the trash. I noticed a security guard was driving around the parking lot. I then continued walking over towards the area that was wet and saturated with leaking pipes and the security guard drove up to me and said, "are you a resident?" I said, "yes, I am." He then said, "you are not allowed to take pictures here." I took out my notebook and started writing down what he said and I asked him his name. He would not give me his name and instead got on his phone. I told the security officer I needed to take a picture of the leak because it needed to be fixed and he said he is not part of maintenance. I asked him his name, again but he refused. I asked him why he was refusing to give me his name and he said he was calling his superior. He got off the phone and told me his superior was on his way out to the parking lot. When I said, "are you refusing to give me your name?" then he responded, "Wayne" and I asked if he had a last name and he said, "Young." Finally Wayne Young's superior walked towards me and I asked him his name and he said, "Matt" and gave me his card:



Matt explained to me that this is private property and I was not allowed to take pictures. Matt explained that I needed a guest pass to be on the property and I needed permission to be on the property. I told him I visited the garden project. I asked him if it is Marymount's policy not to allow taking of photographs by anyone on Marymount property unless they have permission. A third security officer (Matt's boss) came walking over to me. I asked the third officer his name and he said "Mike." I asked Mike if Mr. Reeves was on campus and he said he believed Mr. Reeves was there. I then asked him to call Mr. Reeves but he and Matt just stood there. I insisted that he simply call Mr. Reeves and tell him that Diane Smith is here on campus and wants to take pictures. "Just call him to get his permission," I said. They walked away a bit and then came back and said they had spoken to Mr. Reeves but he was in San Pedro and he would be back this afternoon and will contact me when he comes back. I asked Mike if Mr. Reeves gave me permission to take photos and Mike responded that I am not allowed to take pictures on Marymount property without permission from Mr. Reeves and he asked me to leave the premises.

Just then, my neighbor Sara Doktor, drove up!!! I told her that she came in the nick of time because I was going to refuse to leave and let them call the Sheriff's office. I told Sara that the security officers told me I was not allowed to take pictures on Marymount property and that I have to get a permit to be on the property. Sara said, "what?" She told me to get in the car and then Sara asked her own questions, "are you telling me that we cannot take pictures on this property?" Sara said, "We are not allowed to take photos? And the security guard verified, "You need official business to be on our campus." I got in the car and then I asked Sara to stop and take a look at the area with the broken pipe. Sara and I got out of the car and I pointed out the saturated area that still is not fixed. I added, "how can they have a garden project with all sorts of pipes – when they can't fix the pipes they already have?" The security guards were still looking at us so we got in the car.

Sara then drove over to the "GROW PROJECT KICKOFF" area and said she had an appointment but could just swing by. We saw a man standing there using his cell phone. We pulled down the window and asked him if he was Marymount faculty. He said no, that he was just visiting from USC, just a guest. We asked him if he had a permit and he said no. We asked him if he took pictures and he told us not today he didn't because it wasn't very clear out.

I do not know how many people obtained guest passes today – I don't intend to return but I do want to let all residents know welcome we are at Marymount.

## Ara Mihranian

---

**From:** Jim Reeves <JReeves@marymountcalifornia.edu>  
**Sent:** Monday, February 10, 2014 6:15 PM  
**To:** Diane Smith  
**Cc:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Subject:** Follow-up on Thursday's Visit

Hello Diane,

Thank you for your efforts to identify matters in need of attention at the University's new parking area. We have looked at the irrigation leak on the east side of the lot and are making arrangements to effect a repair. With respect to other issues you have identified, I think you would agree that we've made progress with student smoking on the east side of the parking lot as well as the litter. We will continue to carefully monitor these areas to ensure that they remain clean, safe and do not unreasonably impact our neighbors.

As noted in previous emails, the University is closing this parking area over weekends and during holiday breaks when parking is not needed in this lot. Also, we continue to consider strategies to mitigate the concerns raised by the pole lights in the parking lot and anticipate providing City staff with recommendations for addressing this matter soon.

With respect to the garden area, we are working with the neighbors immediately adjacent to the garden in an effort to address any concerns they might have. We are certainly respectful of their desire to maintain the peaceful and private use of their property.

While the University and I have appreciated your feedback about the concerns raised by you and our neighbors about campus operations, I must insist that you contact me directly with any future request to visit the campus. Upon request, I will advise you of an appropriate time when your visit can be accommodated. I appreciate your observance of our request in this matter and would encourage you to communicate with me by email with concerns as they arise.

Sincerely,

Jim Reeves

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

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Tuesday, February 04, 2014 10:55 AM  
To: Jim Reeves

Cc: 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'  
Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Jim,

Thank you very much for closing the east parking lot and keeping the lights off over the Christmas vacation. I had a house full of guests, the weather was fantastic and we therefore spent just about every evening out back enjoying the view and dark night sky.

I hope things can somehow work out for both Marymount and its backyard neighbors.

Sincerely,  
Diane

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

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 27, 2013 1:14 PM  
To: Diane Smith  
Cc: Ara Mihranian; eduardos@rpv.com; Joel Rojas  
Subject: Re: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Hello Diane,

We have closed the lot for the long holiday break with the parking lot lights off over that period. Best wishes for a pleasant Thanksgiving holiday.

Jim Reeves

Sent from my iPhone

On Nov 26, 2013, at 8:51 PM, "Diane Smith" <radlsmith@cox.net<mailto:radlsmith@cox.net>> wrote:

Thank you for the glorious dark nights last Saturday, Sunday and now tonight as the lights are turned off – it is simply wonderful, just as it has been from 1978 until June 29 of this year.

I believe the planning department made an oversight with regards to Marymount's East Parking Lot lighting. RPV's Hess Park Community Center Parking Lot Lights would be appropriate at Marymount's East Parking Lot. I hope you will have time to visit RPV's Hess Park Community Center Parking Lot at night. I hope too that you will have time to return to our home at night to see how bright and invasive the present lighting is on local residents. Any hedge would take enormous care to grow thick and tall enough to block the existing light, assuming it is planted at the maximum height.

Thank you again for turning the lights off when the lot has not been in use Saturday, Sunday and tonight.

Sincerely,  
Diane Smith

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 20, 2013 5:24 PM  
To: Diane Smith; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>  
Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>  
Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Ms. Smith,

Thank you for your time today. I appreciated the opportunity to view the parking area from your perspective. We will continue to review the operational impacts of the lot and work with City staff to develop some possible solutions.

Sincerely,

Jim Reeves

Jim Reeves

Sr. Vice President

Finance & Administration

Marymount California University

(310) 303-7330

<mailto:JReeves@MarymountCalifornia.edu>JReeves@MarymountCalifornia.edu<mailto:JReeves@MarymountCalifornia.edu>

<image001.jpg>

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

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

Sent: Wednesday, November 20, 2013 3:42 PM

To: Jim Reeves; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>

Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>

Subject: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Mr. Reeves and Eduardo,

It has been over four months since I invited Marymount to come to my home to see the horrible lights that invade our properties from Marymount's new East Parking Lot. Thank you very much for finally coming to our home and to the Cornelius home to see, first hand, Marymount's new East Parking Lot from our perspectives in daytime. Thank you also Mr. Reeves for noting that Wednesdays are not as busy as other days.

Please return to our homes at night so that you can see for yourself what has been imposed on us, every single night until 10:00 p.m., seven days a week, since the bright annoying lights were first turned on – on June 29, 2013.

If we are not home you are welcome to go through the east side gates of our home.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

Cc: Yvonne Hamilton

---

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

---

---

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

---

---

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

---

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

---

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

---

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

---

## Ara Mihranian

---

**From:** Gregory Lash <glash@cox.net>  
**Sent:** Monday, February 10, 2014 1:44 PM  
**To:** Ara Mihranian  
**Cc:** radlsmith@cox.net  
**Subject:** Re: Comments for Staff Report + Petition on 6 month MCU Lot Review

Thanks again Ara!

The signatures we have now are those who all can see the Lot from their Property (except me 2829, sorry). We may have more signatures from supporters next week - if so, I will bring to you on the 17th, for Late Correspondance.

Regards, Greg

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

**From:** Ara Mihranian  
**To:** Gregory Lash  
**Cc:** radlsmith@cox.net  
**Sent:** Monday, February 10, 2014 11:59 AM  
**Subject:** RE: Comments for Staff Report + Petition on 6 month MCU Lot Review

Hi Greg,  
I will be here at 5:30 to receive the petition.  
Thanks for the advance notice and for the comment letter.  
Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---



CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

**From:** Gregory Lash [mailto:glash@cox.net]  
**Sent:** Monday, February 10, 2014 11:50 AM  
**To:** Ara Mihranian

**Cc:** radlsmith@cox.net

**Subject:** Comments for Staff Report + Petition on 6 month MCU Lot Review

Hi Ara -

**I sent comments this morning but wanted you to know we will also hand-deliver a Petition with Signatures today, before the Deadline of 5:30p. Wanted to make sure you or someone will be there to receive and/or time-stamp. Will come in late afternoon....**

Thanks for your help,

Greg

## **Ara Mihranian**

---

**From:** Gregory Lash <glash@cox.net>  
**Sent:** Monday, February 10, 2014 11:20 AM  
**To:** Ara Mihranian; Joel Rojas  
**Cc:** Jerry Duhovic; Jim Knight; Susan Brooks; Anthony Misetich; Brian Campbell  
**Subject:** ZON2003-00317 "6 month Review of Expanded Parking Lot Project"

### **Councilmembers and City Staff:**

Looking up from my lower San Ramon Drive Neighbor's backyards, this Lot appears incomplete. With the exception an 8 inch curb, there is nothing between the lot & the "south shores" canyon. If a student driver slips off the brake and onto the accelerator, there is nothing to stop a car from going into the canyon. There must be a safety wall for this purpose. The wall would provide the additional benefit of blocking headlights, ground lights, trash, and sounds from impacting those residents on both sides of the lot.

Perhaps a bigger impact is the nightly illumination from the overhead lights in this lot. These impact the surrounding homes, even when the Lot is not in use. I would like to Council and Staff to look at requiring that these lights be shielded to direct the light down, rather than out. These lights are clearly excessive for the purpose of lighting walking paths, as they light the entire area. Lower wattage bulbs or Amber Lamps would make them less intrusive and save energy usage.

Finally, The Feb 6th "Grow Site" event needs to be addressed. I'm Not sure if this is the appropriate time, or when might be the time, but another encroachment on San Ramon Drive Neighbors in the vicinity of the new Lot is rubbing salt in our wounds. The college has been well aware of the East Lot's impact on residents since last fall, but they go ahead with this Garden anyway. While a garden is a good idea, it needs to be located in a less sensitive area. Residents attending were told more public events are planned for this Garden. If Marymount were truly the good neighbors they claim to be, and this area is will be the site for public events (as they have advertised), ample land exists elsewhere on their campus for this use.

Sincerely,

Gregory Lash  
2829 San Ramon Drive  
RPV

## Ara Mihranian

---

**From:** Marc Harris <marc\_90277@yahoo.com>  
**Sent:** Sunday, February 09, 2014 6:41 PM  
**To:** Ara Mihranian; Eduardo Schonborn  
**Cc:** Jim Reeves; Erin Harris  
**Subject:** New Comments for Eastern Parking Lot  
**Attachments:** Marymount Parking Lot Comments V2.ppt

Hi Ara,

My wife and I had a long conversation about this today. We agree that the GROW classroom is too close. I have revised our comments.

The key deciding factor for me was the halving of the distance that the City council approved as enough space to ensure our privacy. I was there at the meeting.

My wife, Erin, will be at the meeting on the 18th.

Thanks,

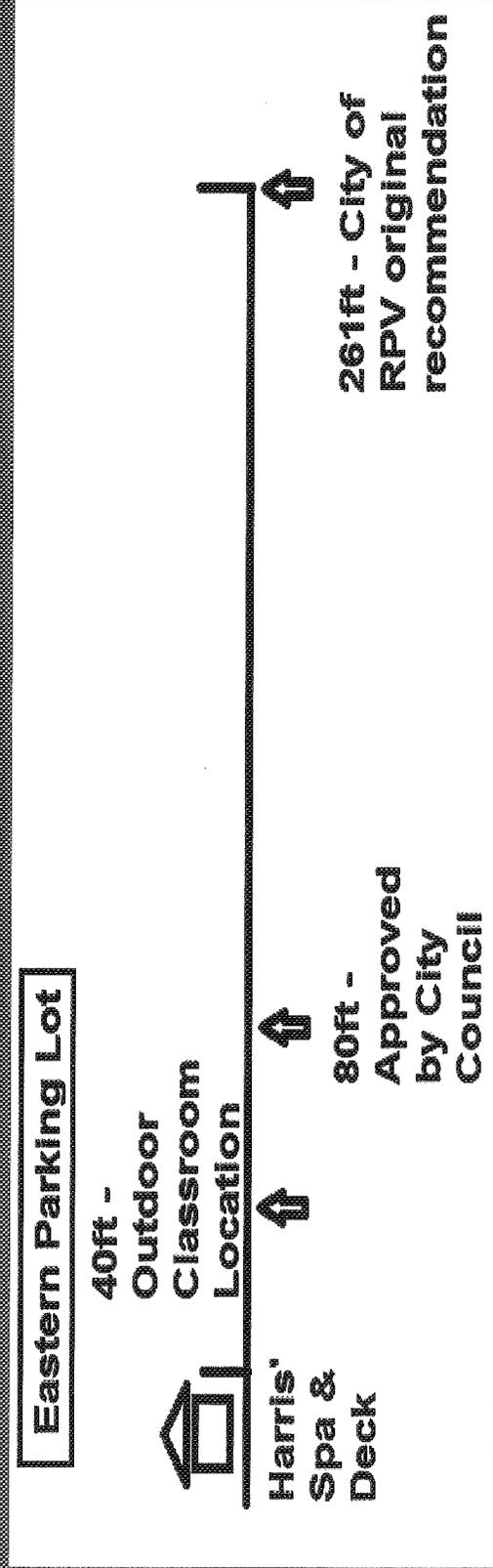
Marc

# Marymount Parking Lot

Comments from  
2750 San Ramon Dr.  
Marc & Erin Harris

## We do not want an outdoor classroom so close to our Spa & Deck

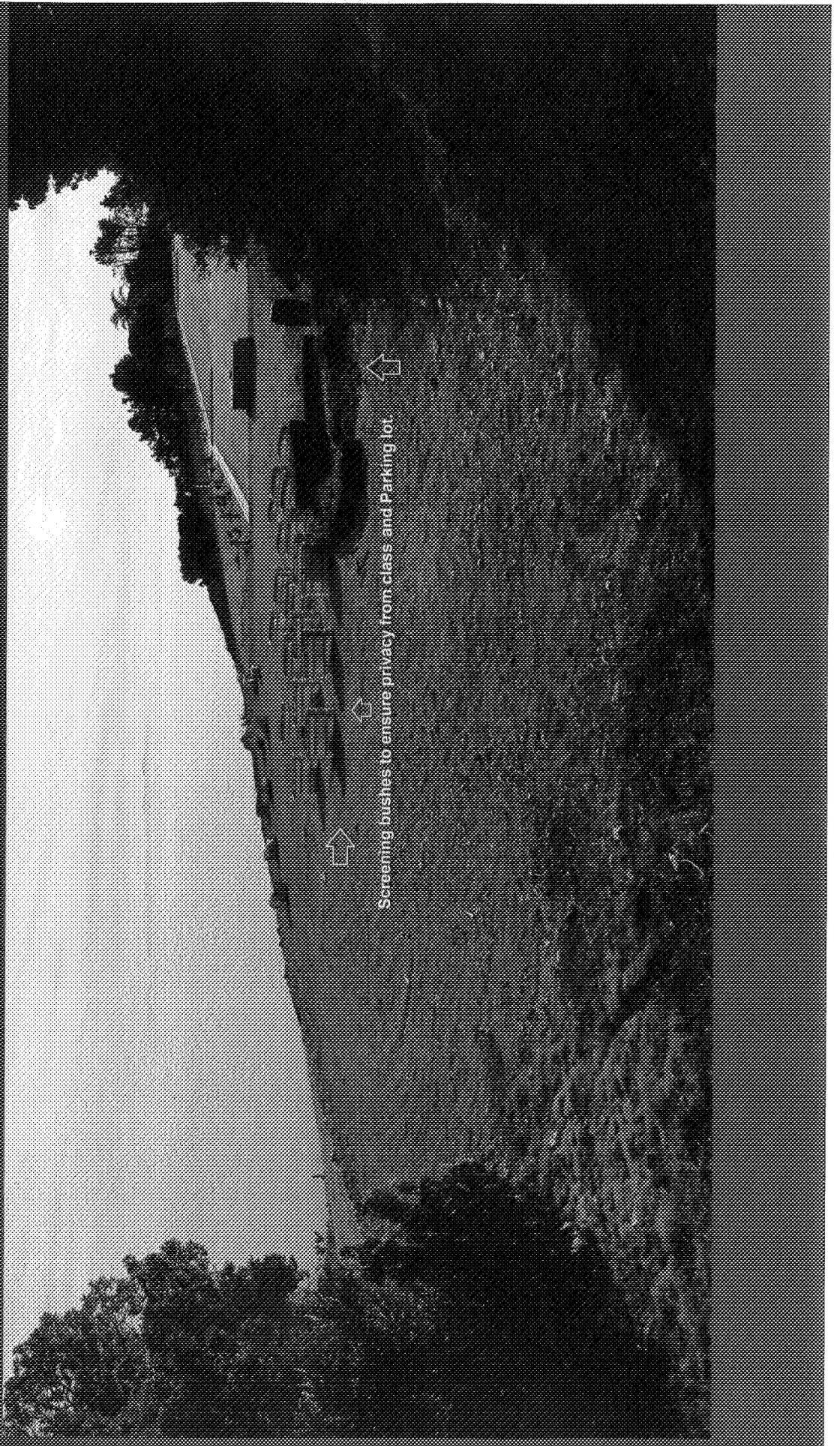
- RPV City recommendation – Parking lot 261ft from the Harris Spa & Deck.
- City Council approved 80ft from our deck because they thought that 80ft provided sufficient privacy. You will see from the following pictures that it is not.
- Marymount now wants an outdoor classroom half the distance closer to our Spa & Deck.
- There has to be a better location choice than 40ft from a neighbors Spa & Deck.



**Any Fence or Hedge on the Ridgeline will block 50% of  
our Ocean View.**



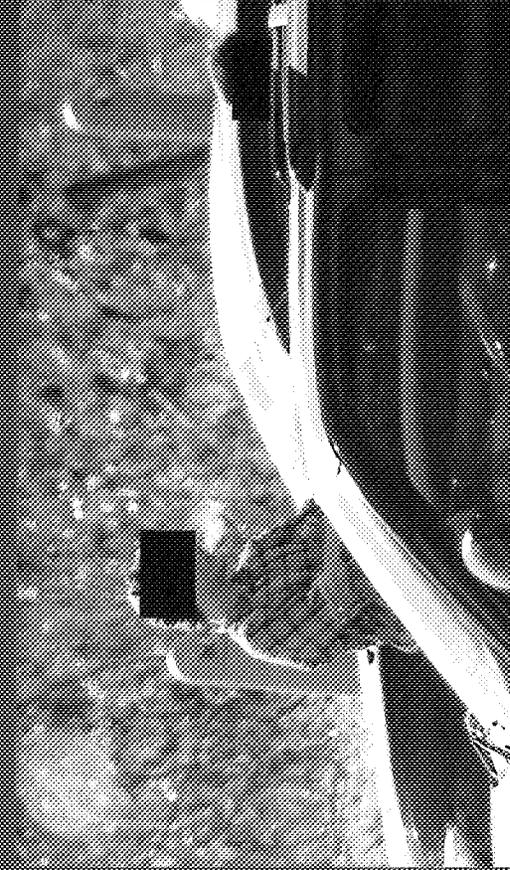
**If the City does not want to enforce the wishes of the City Council to ensure our privacy, a hedge would be needed to screen parking lot and class area**



Screening bushes to ensure privacy from class and Parking lot.

## Other Comments...

- Lighting is not an issue
- Smoking is an issue. If the wind is right, we can smell it.
- Screening vegetation and fences will not correct.



Continued...



Keith & Anita Reynolds  
30745 Tarapaca Road  
Rancho Palos Verdes, CA 90275  
(310) 548-1684

February 5, 2014

RECEIVED  
FEB 07 2014  
COMMUNITY DEVELOPMENT  
DEPARTMENT

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

Re: Nuisance: Marymount University East Parking Lot Lights

Dear Ladies and Gentlemen,

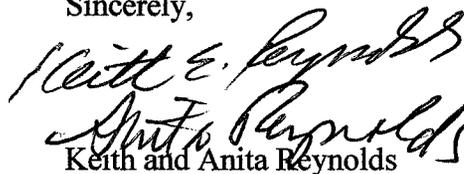
We object to the lights emitting from Marymount University's new East Parking Lot.

The lights shine down to the viewing area from our property and are too bright and incompatible for the semi-rural nature of our community. The lights should be similar to the parking lot lights used by our own City Council meetings at Hesse Park. The Peninsula High School uses similar lighting as Hesse Park which if good enough for high school students should be more than ample for college students.

The parking lot should be reconfigured so that the vehicle lights point at Marymount and not us and our neighbors.

Thank you.

Sincerely,

  
Keith and Anita Reynolds

KR:ds

Richard A. and Diane L. Smith  
2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275  
R: (310) 547-3856 E: [radlsmith@cox.net](mailto:radlsmith@cox.net)  
November 20, 2013

RECEIVED

JAN 29 2014

Ms. Yvonne Hamilton  
2732 San Ramon Drive  
Rancho Palos Verdes, CA 90275

COMMUNITY DEVELOPMENT  
DEPARTMENT

Re: Marymount University New East Parking Lot

Dear Yvonne,

Yesterday I attended the Rancho Palos Verdes City Council Meeting at Hesse Park Community Center and noticed the type of lights used at Hesse Park Community Center seem quite, soft and unobtrusive – somewhat like the lights at the Peninsula High School Parking lot in Rolling Hills Estates. I have previously conveyed to Ara the latter type of lights that I believe would suffice for Marymount. I conveyed this to two of the five councilpersons at the recess. The councilpersons were sincerely sympathetic to our light concerns as well as the trash, and noise. I did not explain your personal concerns over the invasion of privacy you have experienced so you may want to dictate a letter to me and I will type it up for your approval, signature and delivery. If and when you experience another invasion concern this is the number to call to notify/complain:

**Marymount Security number 310 377-5501 (listen to prompt)**

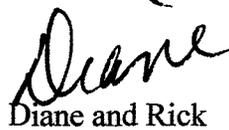
It is my personal opinion that the City Council is sincerely trying to do everything they can to solve this parking lot nuisance for not only the San Ramon neighbors but also Vista del Mar and Tarapaca. It was very difficult for the City Council to imagine what the parking lot lights would look like once installed and what it would actually sound like from our perspectives. Please know that they appreciate our input. I particularly appreciate what an additional stress this has been on you, Yvonne, and under your circumstances your heroic efforts to participate in this process is greatly recognized by all of us.

I am attaching Marc Harris' 11/18/13 email notes of the community representatives meeting with Marymount held Monday, November 18, 2013. Marc's perspective may be different from your perspective of the parking lot and both yours and Marc's may be different from our perspective in that the 10-foot hedge indicated on Marc's power-point program does nothing to discourage light and noise for the downslope San Ramon and Tarapaca residents. It is very important for you to voice your suggestions as to what may help to make you feel more secure living next door to this new parking lot. We downslope residents experience an echo corridor which is exaggerated under certain weather conditions, including fog. Marc noted that Marymount needs to figure out what to do about the smokers and mitigate noise from

loitering students. I don't know what they can do about smokers either – maybe have a sand box for them to aim their flicking butts at? I don't know if you were home last Monday at around 5 o'clock when a student vehicle security alarm went off for such a long time but that noise is awful and seems to happen so often. Marc also noted that there are no weekend classes currently but notes there may be in the future. It is my opinion that the east parking lot should remain closed for weekend use permanently and used as overflow parking for special events only. We residents are burdened enough with lights and noise 7 days a week until 10 pm every single night and it is nerve-wracking. Marc works so he does not notice it like we do. We should at least have equal relief from this nuisance but no less than relief on the weekends for our peaceful weekend entertainment. I will address these and more issues in separate correspondence with the City and will make sure you get a copy.

Thank you so very much Yvonne.

Sincerely,



Diane and Rick

cc: Rancho Palos Verdes City Council  
Ara Mihranian, Deputy Community Development Director ✓ 1/29/14 w/ to Harris notes  
Mr. & Mrs. T. Clarke (Tarapaca)  
Mr. & Mrs. D. Hanger (Vista del Mar)  
San Ramon Drive residents: Harris, Tooley, Cornelius, Dorian, McSherry, Levan,  
Jensen, Doktor, Pratley

ATTENTION PLEASE

MARYMOUNT EAST PARKING LOT LIGHTS

We residents on the south side of San Ramon Drive below Marymount University are greatly bothered by the lights (and other nuisances) at Marymount's new East Parking Lot. We understand several neighbors on Tarapaca also find the lights very annoying. I am also concerned that these particular overhead lights may eventually set a precedent for stadium lights. Marymount is requesting a larger athletic field. Who knows what will result from that!

The City of Rancho Palos Verdes needs to hear from you. The lights are on until 10:00 P.M. every single night, 7 nights a week.

Please let the City know of your feelings regarding these lights by sending an email to City of Rancho Palos Verdes Senior Planner Ara Mihranian  
[AraM@rpv.com](mailto:AraM@rpv.com)

Sincerely,



Diane Smith

(310) 547-3856 [radlsmith@cox.net](mailto:radlsmith@cox.net)

2704 San Ramon Drive, RPV 90275

Nov. 11, 2013

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Saturday, February 08, 2014 1:29 PM  
**To:** Ara Mihranian  
**Subject:** FW: Photographs on Marymount Property

Dear Ara (longer version),

You did tell me that it would be good to take photographs - - - from my own property.

If I recall you did not want me to “zoom in” at the cars from my property because that would not be accurate.

At no time did you or anyone else from the City tell me to trespass on Marymount property or to take photos from Marymount property.

My generalization of taking pictures spilled over to taking pictures to verify my concerns.

Marymount has always been “open” to residents in the past – welcoming residents to walk on the property (without dogs), welcoming residents to attend events and so on. Security officers have seen me take pictures many times and waved at me – they had never said anything to me in the past. I’ve attended about five events and walked many times at Marymount and I know other people take pictures from there all the time. The views are great. Marymount knew the parking lot was within the 6-month resident/city review period and knew residents were taking pictures and had until February 10 to submit all of their comments.

Marymount slipped this PROJECT GROW thing in without telling any of us – their brochure just says NE corner. If this project had gone undocumented and unaddressed by the City then Marymount may have insisted it was operational before finalization of the review period and therefore it might be considered approved.

I do not want residents of Mira Catalina, Vista del Mar, El Prado, Mediterranea, nor any other resident to be treated as I was treated by Marymount security officers so it might be a good idea for the city to set the boundaries and advise residents that they are not permitted to go on Marymount property to evaluate elevations or anything else without first obtaining permission to do so. I’m just making a suggestion Ara.

Again, I’m sorry if my generalized statement caused any trouble for you – it was sincerely meant to be a good thing.

Sincerely,  
Diane

You can forward this to whom it may concern Ara.

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Saturday, February 08, 2014 1:27 PM  
**To:** 'Ara Mihranian'  
**Subject:** Photographs on Marymount Property

Dear Ara,

You did tell me that it would be good to take photographs - - - from my own property.

If I recall you did not want me to “zoom in” at the cars from my property because that would not be accurate.

At no time did you or anyone else from the City tell me to trespass on Marymount property or to take photos from Marymount property.

Sincerely,  
Diane

(You may send this to anyone or everyone.)

## Ara Mihranian

---

**From:** Marc Harris <marc\_90277@yahoo.com>  
**Sent:** Friday, February 07, 2014 5:31 PM  
**To:** Jim Reeves; Ara Mihranian; Erin Harris  
**Cc:** Richard Schult  
**Subject:** Re: Grow Project Feedback

Hi Jim,

Thanks for the quick response and clarification, after 5, on a Friday. You should be on the way home now not responding to my emails.

Anyway, I am thinking that after the screening hedge is in, Erin and I will be OK with the GROW Project plans that you have outlined below.

Have a good weekend.

Marc Harris

**From:** Jim Reeves <JReeves@marymountcalifornia.edu>  
**To:** Marc Harris <marc\_90277@yahoo.com>; Ara Mihranian <aram@rpv.com>; Erin Harris <erinaburns@aol.com>  
**Cc:** Richard Schult <RSchult@marymountcalifornia.edu>  
**Sent:** Friday, February 7, 2014 5:12 PM  
**Subject:** RE: Grow Project Feedback

Hello Marc,

In response to some of the information being floated about the garden and its intended use let me provide some information from the Program Director and Mr. Richard Schult, our Director of Environmental Services who has been in contact with you about this project in the past:

- The GROW Project right now includes 18 raised garden beds and 8 fruit trees. The irrigation controls will be automated soon, so there will be little activity at the site on a daily basis.
- The regular maintenance (i.e. weeding, hand watering, checking for pest or other damage, etc.) will be done by the student GROW Project Coordinator during normal business hours (1 student who will spend ~5 hours a week at the site).
- While the associated operations and programming plans are still in development (much depends on how this first growing season goes), we anticipate there will be two main events for the fall and spring growing seasons: a community planting event, and a community harvest event. These will be lunch-hour events during the business week, and may draw 20-50 people—similar to the GROW kick-off event held yesterday (2/6).
- We will never use amplified sound. As the project grows, we may adopt special projects for student work days (i.e. expanding garden beds). Again, I imagine it would be 1-2 a semester during the lunch-hour with 15-30 students.
- For future phases of the project, we were looking into adding paving stones to provide a walkway from a gateway at the parking lot to the center of the garden, and paving a small work/seating area (~150 square ft.) for when groups are working in the garden. This area is not immediately behind the homes on the north side of the lot, but right beneath the large lemonade berry plant at the center of the site. We have not formalized this plan, and we are seeking feedback before proceeding. The current 'seating area' is in this proposed spot and is a collection of hay bales. Our intention is to create work and seating surfaces for those working in the garden, and is not intended to be used as a general gathering area.

- The University has spoken with you about a screening/ hedge installation that protects against unauthorized access to this area while protecting your privacy and views. As mentioned during our last conversation we will want to develop this plan after consultation with others who might be impacted.

We very much appreciate your patience as this project takes shape and will certainly be in touch to confer about next steps in these deliberations.

Jim Reeves

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

*amazing lives in view*

**MARYMOUNT**  
CALIFORNIA UNIVERSITY

**Please note that as of September 1<sup>st</sup>, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu**

**From:** Marc Harris [mailto:marc\_90277@yahoo.com]  
**Sent:** Thursday, February 06, 2014 7:26 PM  
**To:** Ara Mihranian; Jim Reeves; Erin Harris  
**Subject:** Grow Project Feedback

Hi Ara and Jim,

I just wanted to check on this last email from Diane Smith. My wife and I were not home for this so I don't have any first hand facts.

Apparently one of the folks there stated, "...area immediately back of Marc Harris' house and I believe 2758 San Ramon, that would be developed for seating so that people can congregate, have lunch or just rest and enjoy the garden. "

I just wanted to be on the record as being highly opposed to this if it were true.

If you can comment on this, please let us know if this was erroneous information.

Thanks,

Marc

Sent from Yahoo Mail for iPad

---

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

---



## Ara Mihranian

---

**From:** Joel Rojas  
**Sent:** Friday, February 07, 2014 4:39 PM  
**To:** Diane Smith; Ara Mihranian; Eduardo Schonborn  
**Cc:** Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; glash@cox.net; anita\_reynolds@att.net; 'James'; Diggory1@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen'; jmaniataki@aol.com; 'Karpov'; ronmcsherry@hotmail.com; ladydmagg@hotmail.com; utopia4u@cox.net;Carolynn Petru  
**Subject:** RE: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Diane

We were as surprised as you and other residents about the community garden. We understand the concerns of the neighbors which is why Ara asked permission to attend the community garden event. In that manner he could see it for himself, ask questions and assess its potential impacts on adjacent neighbors all of which will be addressed in the forthcoming staff report to the city council for the February 18th meeting.

Joel

---

**From:** Diane Smith [radlsmith@cox.net]  
**Sent:** Friday, February 7, 2014 3:33 PM  
**To:** Joel Rojas; Ara Mihranian; Eduardo Schonborn  
**Cc:** Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; glash@cox.net; anita\_reynolds@att.net; 'James'; Diggory1@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen'; jmaniataki@aol.com; 'James'; 'Karpov'; ronmcsherry@hotmail.com; ladydmagg@hotmail.com; utopia4u@cox.net  
**Subject:** RE: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

None of the residents were aware of Marymount's Community Garden Project that is smack dab in the middle between the parking lot and our San Ramon homes. No one was aware of Marymount's intentions and to what extent it would affect us. We were invited by public notice. I photographed the trash and threw it in the trash container and was improperly detained.

We residents have already voiced objections to the noise. This new ambitious project by Marymount only compounds the noise and use of the parking lot and our City Council needs to know what is going on here.

We residents believed the parking lot would be used for students only - and students with parking passes. Now Marymount put something new in the mix.

A new area open to the public right in our San Ramon back yards. It becomes part of public comment Joel. You are an experienced planner. Surely you can appreciate that?

Attached are copies of the photos I just had developed at CVS and scanned.

Diane

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

**From:** Joel Rojas [mailto:JoelR@rpv.com]  
**Sent:** Friday, February 07, 2014 12:51 PM  
**To:** Diane Smith; Ara Mihranian; Eduardo Schonborn  
**Cc:** Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; 'Gregory Lash'; Diggory1@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen'; Carolynn Petru  
**Subject:** RE: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Diane

Over the last few weeks, you have sent us numerous emails about your concerns about the parking lot. We have repeatedly told you the same thing, which is that all of your concerns will be investigated by staff, brought to Marymount's attention and presented to the city council at the upcoming 6-month review hearing along with staff recommendations on how to address your concerns. We have never instructed you to go onto the Marymount campus to do your own investigation and take your own photos.

Staff is very aware of your concerns with the parking lot lights, along with the trash, loitering, smoking and noise caused by student use of the lot.

Ara has been talking to Marymount about these concerns and ways to mitigate them. All of this will be addressed in the forthcoming staff report on the item that will be provided to the city council and the public on the Thursday before the February 18th City Council meeting. The February 10th deadline is for comments to be addressed in the staff report. Public comments will be accepted all the way up to the February 18th meeting including at the meeting itself. I do not see how an extension of time is warranted as you have been aware since December of the forthcoming 6-month review hearing and you have already submitted about 20 items of correspondence about the parking lot which will be included in the staff report.

Joel

---

From: Diane Smith [radlsmith@cox.net]

Sent: Friday, February 7, 2014 9:37 AM

To: Ara Mihranian; Eduardo Schonborn; Joel Rojas

Cc: Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; 'Gregory Lash'; Diggory1@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen'

Subject: FW: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Dear Ara, Eduardo and Joel,

You told me to take pictures as evidence of our objections to Marymount's East Parking Lot as the parking lot is still in its 6-month review period.

Our comments are due February 10, 2014.

We neighbors object to the students smoking and flicking their cigarettes into the open fields and we have lots of photographs and evidence of that - that is why we need a solid barrier between the parking lot and the field so we can deter fires. The photographs do not lie.

We object to the students noise at the new East Parking Lot so we try to get pictures/videos of them bouncing their basketballs (Ara was witness to that but my camera was not strong enough to capture it), and flicking their vehicle lights on and off in "fun" and revving their engines, car alarms going off, groups of kids congregating in the corner next to San Ramon homes, smoking stuff, and drinking - - - how else can you believe us if we can't get pictures?

We do get pictures from our homes where we see the reflection of plastic trash on the hillside but we have to go on the property to take pictures of the beer cans, beer bottles, condom packages (ugh and other) and especially cigarette butts so you will believe us. If Marymount knew we wanted to take

pictures of that then they might not allow us on the property. When I was

already there on the property picking up trash in November and saw the leakage at the far end closest to the Vista del Mar property I HAD to photograph it so you would believe me that it is indeed leaking. That was in November 2013 and now it is February 2014 and the area of leakage saturation has doubled and thank goodness my neighbor Sara Dokter was there to witness it with me yesterday.

In hindsight it seemed to me that security was on the look-out for neighbors. I took an initial picture of the "Grow Project Kickoff" as I approached the area and there were students (people) walking towards me but the picture was intended to see the area of the kickoff next to neighbors'

homes - I couldn't help the people in the way. I took pictures of the dwarf trees they intend to plant and of the galvanized containers showing watering devices and of the boulder seating area. These pictures were necessary for me to show you that having an abusive bright light, noisy and trashy parking lot was not enough to impose on neighbors but that they now invite the underprivileged from San Pedro to participate in growing and harvesting a community garden in the back yards of San Ramon neighbors.

Marymount's security officer driving up to me after I had deposited all that trash in the trash barrel and saying, "are you a resident?". Please read my memo as I prepared it directly from the notes I took the whole time I was there. I was calm, inquisitive as to their names and requested they call Mr. Reeves and they were very nervous, very hostile and, again, luckily my neighbor Sara Dokter was there, at least towards the end, to experience this. It was quite amazing. Dr. Brophy's attempt to characterize me as going around taking pictures of students is ludicrous and just weak. Dr. Brophy and Marymount don't want to be further exposed as hypocrites - having this GROW PROJECT ridiculous community garden to educate and feed the poor - look at my memo - harvest from a few dwarf fruit trees? I am interested in their upcoming WATERSHED SCHEENING AND PANEL DISCUSSION on March 27 - I suppose they will kick me out of that, especially if I have questions on how much time it takes to repair pipes (or whatever is causing saturation) at their parking lot located at the top of the South Shores Landslide. I am interested in also attending the next Marymount SUSTAINABILITY EXPO on April 22 where they celebrate Earth Day telling people how they can reduce their footprint. Dr. Brophy spoke at the January 21 City Council meeting boasting of their goodness - even saying how neighbors walk their dogs there. What a bunch of junk. Dr. Brophy left out the part that their security officers are great at kicking mature neighbors out for walking our dogs there - even the previous Mayor (much younger than us) was kicked out. Marymount security can't seem to kick out the smoker students, drinker students, noisy students and so on. Heck, Marymount security doesn't even know who has the "power" to turn on and off those annoying parking lot lights - - remember when they left the lights on all night? I went to their security asking who was in charge? They told me - maintenance. I went to maintenance and they told me - security. Do you want me to dig up that whole scenario?

I was stopped by Marymount security who was driving in a little security golf cart vehicle right after I had picked up a lot of trash and deposited it up on the second level into a trash receptacle. I was calm and inquisitive and took notes and names and went home and wrote up a memo.

I believe our time frame to submit comments to the East Parking Lot should be suspended until we can nail down the true and honest future purpose of this GROW PROJECT Marymount kicked off yesterday at 12:30 pm. We need time to consider the number of vehicles and people that would be added to the campus and the parking lot during the week and weekends, vehicles from Harbor Interfaith clients and their children, handicapped vehicles and so on. I therefore request an extension of time to submit public comment to a time you feel is appropriate.

Thank you.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

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

From: Michael Brophy [mailto:MBrophy@marymountcalifornia.edu]

Sent: Friday, February 07, 2014 8:24 AM

To: Diane Smith; 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'; cc@rpv.com

Subject: Ms. Diane Smith/Mr. Ara Mihranian

Greetings

Yesterday we had some excitement on campus when Ms. Diane Smith came onto our private property and began taking photographs of our students. I have spent time with our campus safety team and have come to learn that there may be some confusion about whether or not Ms. Smith was invited to do so by city staff member Ara Mihranian. I understand Mr. Mihranian was also on campus taking photos.

Let me keep this simple: I will ask Diane Smith or Ara Mihranian to call me directly at 310-944-2306 if they wish to come onto our campus. This is private property and we have the responsibility to create a safe and peaceful environment for our students and staff. Something happened yesterday that put that in jeopardy, so I only ask that these individuals speak with me directly about any future request to visit campus. Many neighbors use our private campus all the time, but incidents like yesterday are not welcome.

Regards,

Michael

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Friday, February 07, 2014 3:34 PM  
**To:** Joel Rojas; Ara Mihranian; Eduardo Schonborn  
**Cc:** Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; glash@cox.net; anita\_reynolds@att.net; 'James'; Diggory1@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen'; jmaniataki@aol.com; 'James'; 'Karpov'; ronmcsherry@hotmail.com; ladydmagg@hotmail.com; utopia4u@cox.net  
**Subject:** RE: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT  
**Attachments:** Marymount East Parking Lot - Photos taken 2-6-14 PROJECT GROW 1.jpg; Marymount East Parking Lot - Photos taken 2-6-14 PROJECT GROW 2.jpg

None of the residents were aware of Marymount's Community Garden Project that is smack dab in the middle between the parking lot and our San Ramon homes. No one was aware of Marymount's intentions and to what extent it would affect us. We were invited by public notice. I photographed the trash and threw it in the trash container and was improperly detained.

We residents have already voiced objections to the noise. This new ambitious project by Marymount only compounds the noise and use of the parking lot and our City Council needs to know what is going on here.

We residents believed the parking lot would be used for students only - and students with parking passes. Now Marymount put something new in the mix.

A new area open to the public right in our San Ramon back yards. It becomes part of public comment Joel. You are an experienced planner. Surely you can appreciate that?

Attached are copies of the photos I just had developed at CVS and scanned.

Diane

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

**From:** Joel Rojas [mailto:JoelR@rpv.com]  
**Sent:** Friday, February 07, 2014 12:51 PM  
**To:** Diane Smith; Ara Mihranian; Eduardo Schonborn  
**Cc:** Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; 'Gregory Lash'; Diggory1@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen';Carolynn Petru  
**Subject:** RE: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Diane

Over the last few weeks, you have sent us numerous emails about your concerns about the parking lot. We have repeatedly told you the same thing, which is that all of your concerns will be investigated by staff, brought to Marymount's attention and presented to the city council at the upcoming 6-month review hearing along with staff recommendations on how to address your concerns. We have never instructed you to go onto the Marymount campus to do your own investigation and take your own photos.

Staff is very aware of your concerns with the parking lot lights, along with the trash, loitering, smoking and noise caused by student use of the lot.

Ara has been talking to Marymount about these concerns and ways to mitigate them. All of this will be addressed in the forthcoming staff report on the item that will be provided to the city council and the public on the Thursday before the February 18th City Council meeting. The February 10th deadline is for comments to be addressed in the staff report. Public comments will be accepted all the way up to the February 18th meeting including at the meeting itself. I do not

see how an extension of time is warranted as you have been aware since December of the forthcoming 6-month review hearing and you have already submitted about 20 items of correspondence about the parking lot which will be included in the staff report.

Joel

---

From: Diane Smith [radlsmith@cox.net]  
Sent: Friday, February 7, 2014 9:37 AM  
To: Ara Mihranian; Eduardo Schonborn; Joel Rojas  
Cc: Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; 'Gregory Lash'; Diggory1@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen'  
Subject: FW: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Dear Ara, Eduardo and Joel,

You told me to take pictures as evidence of our objections to Marymount's East Parking Lot as the parking lot is still in its 6-month review period.

Our comments are due February 10, 2014.

We neighbors object to the students smoking and flicking their cigarettes into the open fields and we have lots of photographs and evidence of that - that is why we need a solid barrier between the parking lot and the field so we can deter fires. The photographs do not lie.

We object to the students noise at the new East Parking Lot so we try to get pictures/videos of them bouncing their basketballs (Ara was witness to that but my camera was not strong enough to capture it), and flicking their vehicle lights on and off in "fun" and revving their engines, car alarms going off, groups of kids congregating in the corner next to San Ramon homes, smoking stuff, and drinking - - - how else can you believe us if we can't get pictures?

We do get pictures from our homes where we see the reflection of plastic trash on the hillside but we have to go on the property to take pictures of the beer cans, beer bottles, condom packages (ugh and other) and especially cigarette butts so you will believe us. If Marymount knew we wanted to take

pictures of that then they might not allow us on the property. When I was already there on the property picking up trash in November and saw the leakage at the far end closest to the Vista del Mar property I HAD to photograph it so you would believe me that it is indeed leaking. That was in November 2013 and now it is February 2014 and the area of leakage saturation has doubled and thank goodness my neighbor Sara Dokter was there to witness it with me yesterday.

In hindsight it seemed to me that security was on the look-out for neighbors. I took an initial picture of the "Grow Project Kickoff" as I approached the area and there were students (people) walking towards me but the picture was intended to see the area of the kickoff next to neighbors'

homes - I couldn't help the people in the way. I took pictures of the dwarf trees they intend to plant and of the galvanized containers showing watering devices and of the boulder seating area. These pictures were necessary for me to show you that having an abusive bright light, noisy and trashy parking lot was not enough to impose on neighbors but that they now invite the underprivileged from San Pedro to participate in growing and harvesting a community garden in the back yards of San Ramon neighbors.

Marymount's security officer driving up to me after I had deposited all that trash in the trash barrel and saying, "are you a resident?". Please read my memo as I prepared it directly from the notes I took the whole time I was there. I was calm, inquisitive as to their names and requested they call Mr. Reeves and they were very nervous, very hostile and, again, luckily my neighbor Sara Dokter was there, at least towards the end, to experience this. It was quite amazing. Dr. Brophy's attempt to characterize me as going around taking pictures of students is ludicrous and just weak. Dr. Brophy and Marymount don't want to be further exposed as hypocrites - having this GROW PROJECT ridiculous community garden to educate and feed the poor - look at my memo - harvest from a few dwarf fruit trees? I am interested in their upcoming WATERSHED SCHEENING AND PANEL DISCUSSION on March 27 - I suppose they will kick me out of that, especially if I have questions on how much time it takes to repair pipes (or whatever is causing saturation) at

their parking lot located at the top of the South Shores Landslide. I am interested in also attending the next Marymount SUSTAINABILITY EXPO on April 22 where they celebrate Earth Day telling people how they can reduce their footprint. Dr. Brophy spoke at the January 21 City Council meeting boasting of their goodness - even saying how neighbors walk their dogs there. What a bunch of junk. Dr. Brophy left out the part that their security officers are great at kicking mature neighbors out for walking our dogs there - even the previous Mayor (much younger than us) was kicked out. Marymount security can't seem to kick out the smoker students, drinker students, noisy students and so on. Heck, Marymount security doesn't even know who has the "power" to turn on and off those annoying parking lot lights - - remember when they left the lights on all night? I went to their security asking who was in charge? They told me - maintenance. I went to maintenance and they told me - security. Do you want me to dig up that whole scenario? I was stopped by Marymount security who was driving in a little security golf cart vehicle right after I had picked up a lot of trash and deposited it up on the second level into a trash receptacle. I was calm and inquisitive and took notes and names and went home and wrote up a memo. I believe our time frame to submit comments to the East Parking Lot should be suspended until we can nail down the true and honest future purpose of this GROW PROJECT Marymount kicked off yesterday at 12:30 pm. We need time to consider the number of vehicles and people that would be added to the campus and the parking lot during the week and weekends, vehicles from Harbor Interfaith clients and their children, handicapped vehicles and so on. I therefore request an extension of time to submit public comment to a time you feel is appropriate.

Thank you.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

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

From: Michael Brophy [mailto:MBrophy@marymountcalifornia.edu]

Sent: Friday, February 07, 2014 8:24 AM

To: Diane Smith; 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'; cc@rpv.com

Subject: Ms. Diane Smith/Mr. Ara Mihranian

Greetings

Yesterday we had some excitement on campus when Ms. Diane Smith came onto our private property and began taking photographs of our students. I have spent time with our campus safety team and have come to learn that there may be some confusion about whether or not Ms. Smith was invited to do so by city staff member Ara Mihranian. I understand Mr. Mihranian was also on campus taking photos.

Let me keep this simple: I will ask Diane Smith or Ara Mihranian to call me directly at 310-944-2306 if they wish to come onto our campus. This is private property and we have the responsibility to create a safe and peaceful environment for our students and staff. Something happened yesterday that put that in jeopardy, so I only ask that these individuals speak with me directly about any future request to visit campus. Many neighbors use our private campus all the time, but incidents like yesterday are not welcome.

Regards,

Michael

---

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

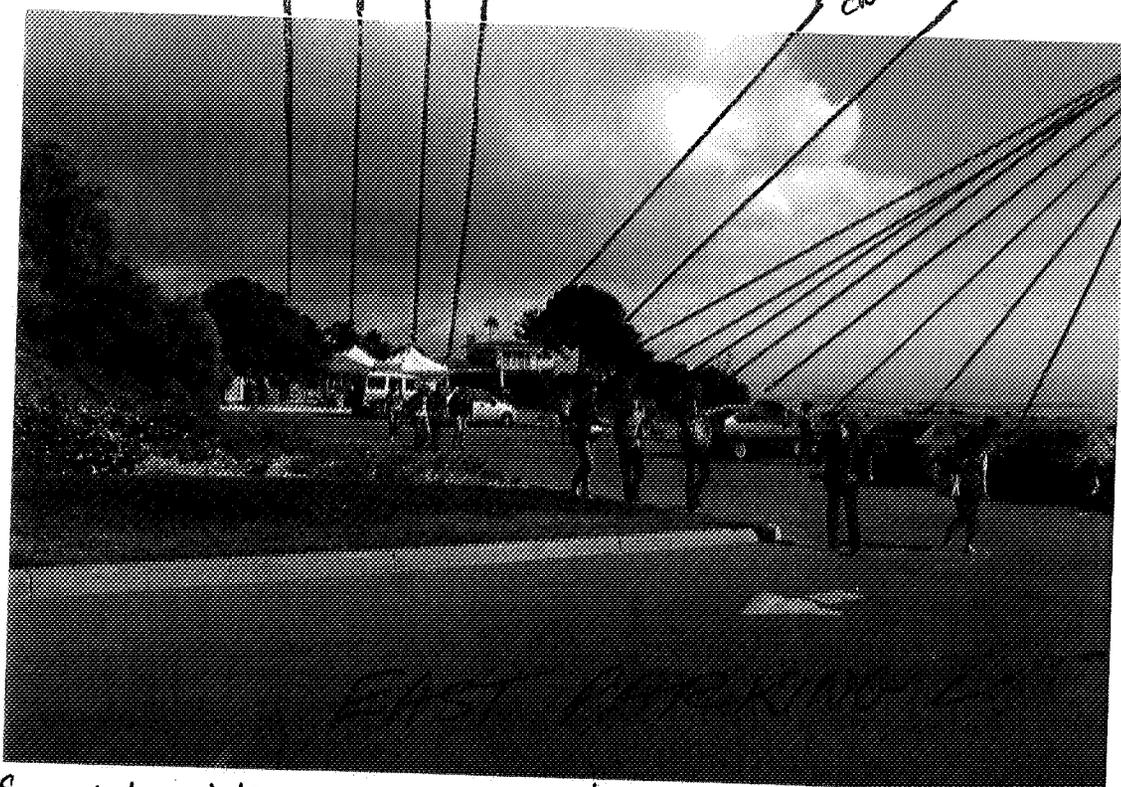
---

Photo taken Feb. 6 noon to show COMMUNITY GARDEN PROJECT IN RELATION TO NEW EAST PARKING LOT AND NEIGHBOR HOMES.

2764  
2758  
2750  
2742

RAMOS / CIBRENEVIUS  
TOWN OF HAMILTON

SHOWS PROXIMITY TO CAR NOISE OUT TO DOWNSLOPE NOISE CORRIDOR



PROJECT BETWEEN HOMES & PARKING LOT

PROJECT RIGHT NEXT TO PARKING LOT

Photo shows RIGHT against / next to SAN RAMON HOMES

(Not sure what tricks are about)



Photo taken Feb-6 noon to show parking lot noise and San Ramon homes beyond with Community Garden Project RIGHT IN THE MIDDLE.



Photo of trash taken Feb. 6 - before being detained by Marymount Security Guard



## Ara Mihranian

---

**From:** Joel Rojas  
**Sent:** Friday, February 07, 2014 12:51 PM  
**To:** Diane Smith; Ara Mihranian; Eduardo Schonborn  
**Cc:** Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; 'Gregory Lash'; Diggory1@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen'; Carolynn Petru  
**Subject:** RE: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Diane

Over the last few weeks, you have sent us numerous emails about your concerns about the parking lot. We have repeatedly told you the same thing, which is that all of your concerns will be investigated by staff, brought to Marymount's attention and presented to the city council at the upcoming 6-month review hearing along with staff recommendations on how to address your concerns. We have never instructed you to go onto the Marymount campus to do your own investigation and take your own photos.

Staff is very aware of your concerns with the parking lot lights, along with the trash, loitering, smoking and noise caused by student use of the lot. Ara has been talking to Marymount about these concerns and ways to mitigate them. All of this will be addressed in the forthcoming staff report on the item that will be provided to the city council and the public on the Thursday before the February 18th City Council meeting. The February 10th deadline is for comments to be addressed in the staff report. Public comments will be accepted all the way up to the February 18th meeting including at the meeting itself. I do not see how an extension of time is warranted as you have been aware since December of the forthcoming 6-month review hearing and you have already submitted about 20 items of correspondence about the parking lot which will be included in the staff report.

Joel

---

**From:** Diane Smith [radlsmith@cox.net]  
**Sent:** Friday, February 7, 2014 9:37 AM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; 'Gregory Lash'; Diggory1@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen'  
**Subject:** FW: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Dear Ara, Eduardo and Joel,

You told me to take pictures as evidence of our objections to Marymount's East Parking Lot as the parking lot is still in its 6-month review period.

Our comments are due February 10, 2014.

We neighbors object to the students smoking and flicking their cigarettes into the open fields and we have lots of photographs and evidence of that - that is why we need a solid barrier between the parking lot and the field so we can deter fires. The photographs do not lie.

We object to the students noise at the new East Parking Lot so we try to get pictures/videos of them bouncing their basketballs (Ara was witness to that but my camera was not strong enough to capture it), and flicking their vehicle lights on and off in "fun" and revving their engines, car alarms going off, groups of kids congregating in the corner next to San Ramon homes, smoking stuff, and drinking - - - how else can you believe us if we can't get pictures?

We do get pictures from our homes where we see the reflection of plastic trash on the hillside but we have to go on the property to take pictures of the beer cans, beer bottles, condom packages (ugh and other) and especially cigarette butts so you will believe us. If Marymount knew we wanted to take pictures of that then they might not allow us on the property. When I was already there on the property picking up trash in November and saw the leakage at the far end closest to the Vista del Mar property I HAD to photograph it so you would believe me that it is indeed leaking. That was in November 2013 and now it is February 2014 and the area of leakage saturation has doubled and thank goodness my neighbor Sara Dokter was there to witness it with me yesterday.

In hindsight it seemed to me that security was on the look-out for neighbors. I took an initial picture of the "Grow Project Kickoff" as I approached the area and there were students (people) walking towards me but the picture was intended to see the area of the kickoff next to neighbors' homes - I couldn't help the people in the way. I took pictures of the dwarf trees they intend to plant and of the galvanized containers showing watering devices and of the boulder seating area. These pictures were necessary for me to show you that having an abusive bright light, noisy and trashy parking lot was not enough to impose on neighbors but that they now invite the underprivileged from San Pedro to participate in growing and harvesting a community garden in the back yards of San Ramon neighbors.

Marymount's security officer driving up to me after I had deposited all that trash in the trash barrel and saying, "are you a resident?". Please read my memo as I prepared it directly from the notes I took the whole time I was there. I was calm, inquisitive as to their names and requested they call Mr. Reeves and they were very nervous, very hostile and, again, luckily my neighbor Sara Dokter was there, at least towards the end, to experience this. It was quite amazing. Dr. Brophy's attempt to characterize me as going around taking pictures of students is ludicrous and just weak. Dr. Brophy and Marymount don't want to be further exposed as hypocrites - having this GROW PROJECT ridiculous community garden to educate and feed the poor - look at my memo - harvest from a few dwarf fruit trees? I am interested in their upcoming WATERSHED SCHEENING AND PANEL DISCUSSION on March 27 - I suppose they will kick me out of that, especially if I have questions on how much time it takes to repair pipes (or whatever is causing saturation) at their parking lot located at the top of the South Shores Landslide. I am interested in also attending the next Marymount SUSTAINABILITY EXPO on April 22 where they celebrate Earth Day telling people how they can reduce their footprint. Dr. Brophy spoke at the January 21 City Council meeting boasting of their goodness - even saying how neighbors walk their dogs there. What a bunch of junk. Dr. Brophy left out the part that their security officers are great at kicking mature neighbors out for walking our dogs there - even the previous Mayor (much younger than us) was kicked out. Marymount security can't seem to kick out the smoker students, drinker students, noisy students and so on. Heck, Marymount security doesn't even know who has the "power" to turn on and off those annoying parking lot lights - - remember when they left the lights on all night? I went to their security asking who was in charge? They told me - maintenance. I went to maintenance and they told me - security. Do you want me to dig up that whole scenario?

I was stopped by Marymount security who was driving in a little security golf cart vehicle right after I had picked up a lot of trash and deposited it up on the second level into a trash receptacle. I was calm and inquisitive and took notes and names and went home and wrote up a memo.

I believe our time frame to submit comments to the East Parking Lot should be suspended until we can nail down the true and honest future purpose of this GROW PROJECT Marymount kicked off yesterday at 12:30 pm. We need time to consider the number of vehicles and people that would be added to the campus and the parking lot during the week and weekends, vehicles from Harbor Interfaith clients and their children, handicapped vehicles and so on.

I therefore request an extension of time to submit public comment to a time you feel is appropriate.

Thank you.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

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

From: Michael Brophy [mailto:MBrophy@marymountcalifornia.edu]

Sent: Friday, February 07, 2014 8:24 AM

To: Diane Smith; 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'; cc@rpv.com

Subject: Ms. Diane Smith/Mr. Ara Mihranian

Greetings

Yesterday we had some excitement on campus when Ms. Diane Smith came onto our private property and began taking photographs of our students. I have spent time with our campus safety team and have come to learn that there may be some confusion about whether or not Ms. Smith was invited to do so by city staff member Ara Mihranian. I understand Mr. Mihranian was also on campus taking photos.

Let me keep this simple: I will ask Diane Smith or Ara Mihranian to call me directly at 310-944-2306 if they wish to come onto our campus. This is private property and we have the responsibility to create a safe and peaceful environment for our students and staff. Something happened yesterday that put that in jeopardy, so I only ask that these individuals speak with me directly about any future request to visit campus. Many neighbors use our private campus all the time, but incidents like yesterday are not welcome.

Regards,

Michael

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Friday, February 07, 2014 10:34 AM  
**To:** Ara Mihranian  
**Cc:** MBrophy@marymountcalifornia.edu; Eduardo Schonborn; Joel Rojas  
**Subject:** RE: Ms. Diane Smith/Mr. Ara Mihranian

Dear Ara,

Thank you so very much for going to Marymount's kick-off project yesterday. I'm sorry about your camera - but you never said anything about the saturated ground Ara. I wanted you to see that. The saturated ground at one end of the parking lot is directly related to the new project at the other end - closest to San Ramon homes. I was invited to Marymount's GROW PROJECT. There was nothing in the brochure about taking pictures but I'm sure that is assumed. I met a USC "guest" who said he took pictures before (without permission - see my memo). I received the brochure and so did a lot of other people in the neighborhood. I saw the brochure at the old San Pedro City Hall when I was there last week. The brochure was also on a public table at the San Pedro Chamber of Commerce and other public places in San Pedro that I visited. Residents should not be singled out to ask for special permission.

I attended and asked all sorts of questions and met very, very nice people.

I took a picture of the whole area next to San Ramon homes.

I took a picture of the 9 dwarf fruit trees, the harvest of which is promised to the poor.

I took a picture of the boulders that are designated as seating areas for congregating students and public. I took a picture of the area to be designated as lunch area, gathering area and so on.

This is of course very important to the parking lot objections - especially noise.

Yvonne Hamilton had wondered what all the clanking she heard was all about.

I took one or two pictures of the trash before I picked it up - and more cigarette butts.

I'll get the pictures developed today.

The new parking lot is very much a part of the GROW PROJECT, Ara.

More trash (they did not have a trash barrel - just a box).

Marymount has set up a garden project with water, pipes and all the scary stuff that Rancho Palos Verdes residents worry about especially when they are located at the top of a well-known landslide.

Marymount has invited the public to participate and reap benefits of the project.

Marymount has been told by you of the leak at the new parking lot in November 2013 and again in February 2014. Do you not see any relationship between the new public garden project between the new parking lot and San Ramon homes - and the new parking lot's leaking pipes near Vista del Mar?

I know we do not speak the same language about light - but this is water.

There's something leaking up there and it is saturating the earth - it has doubled in size since November, 2013. You told Marymount about it but Marymount did nothing.

Now they are adding more pipe, more water and maybe it will leak too?

Maybe they need a better plumber?

The thing is - Marymount already knows San Ramon neighbors are upset about the parking lot lights and noise and invasion of privacy, instability of land, etc. and still they add to the nuisance - to the neighborhood frustration. Why? Does Marymount think that just because most of us are retired, and older that we will collapse? We are not senile. Some dear sweet neighbors do have caregivers now but they want their heirs to enjoy the peace and security of their homes someday too.

This is supposed to be a good, kind religious organization and not an arrogant bully that is downright mean and inconsiderate.

Diane

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

From: Ara Mihranian [mailto:AraM@rpv.com]  
Sent: Friday, February 07, 2014 9:24 AM  
To: Michael Brophy; Diane Smith; Eduardo Schonborn; Joel Rojas; CC  
Cc: Jim Reeves  
Subject: RE: Ms. Diane Smith/Mr. Ara Mihranian

Good morning Dr. Brophy,

I would like to clarify some information regarding yesterday.

As you will see in the attached email, prior to attending yesterday's GROW event, I contacted Jim Reeves requesting permission, which he granted. When I arrived, I was greeted by Kelly and asked permission to take pictures (I also mentioned to Kelly that I forgot the memory stick to my camera and couldn't use it) because some of the neighbors on San Ramon raised concerns to the City regarding this event and potential impacts. In fact, I emailed Jim Reeves some of those comment letters (see attachment) in advance of the event so that he was aware of this latest issue. I was at the event all of ten minutes and ended up taking a few photos of the event with my phone and some additional photos of the recently installed "no smoking" signs in the parking lot.

As for Mrs. Smith, I did not invite her to the event nor did I invite her to trespass onto the Campus. Mrs. Smith contacted me earlier in the week (see attached email thread) informing me of a leaking pipe on campus. I requested she send me the photos she took so that I could pass the information onto Marymount. Lastly, I was not aware that Mrs. Smith was on campus yesterday nor her intent to attend yesterday's event. I exchanged a few emails with Mrs. Smith on Tuesday trying to explain to her that it was my understanding that the GROW event was not a class but rather an extra-curricular club event for the students and the community on sustainable gardens (see attached email thread). I added that if she or her neighbors had concerns with this event, they should bring it up at the February 18th City Council meeting because the event was not prohibited by the Conditions of Approval.

I hope this help email provides some clarification. I respect (and always have) your request to contact you or the campus directly prior to visiting. Having said that, I am scheduled to meet with Jim Reeves this morning at 10am to discuss the upcoming 6-month review of the parking lot. Is that okay?

Ara

Ara Michael Mihranian  
Deputy Director of Community Development \_\_\_\_\_

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com  
www.palosverdes.com/rpv

Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

From: Michael Brophy [mailto:MBrophy@marymountcalifornia.edu]  
Sent: Friday, February 07, 2014 8:24 AM  
To: Diane Smith; Ara Mihranian; Eduardo Schonborn; Joel Rojas; CC  
Subject: Ms. Diane Smith/Mr. Ara Mihranian

Greetings

Yesterday we had some excitement on campus when Ms. Diane Smith came onto our private property and began taking photographs of our students. I have spent time with our campus safety team and have come to learn that there may be some confusion about whether or not Ms. Smith was invited to do so by city staff member Ara Mihranian. I understand Mr. Mihranian was also on campus taking photos.

Let me keep this simple: I will ask Diane Smith or Ara Mihranian to call me directly at 310-944-2306 if they wish to come onto our campus. This is private property and we have the responsibility to create a safe and peaceful environment for our students and staff. Something happened yesterday that put that in jeopardy, so I only ask that these individuals speak with me directly about any future request to visit campus. Many neighbors use our private campus all the time, but incidents like yesterday are not welcome.

Regards,

Michael

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Friday, February 07, 2014 10:04 AM  
**To:** MBrophy@marymountcalifornia.edu  
**Cc:** Ara Mihranian; Eduardo Schonborn; Joel Rojas; Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; glash@cox.net; philip.matuzic@gmail.com; gensar@cox.net; anchanrj@cox.net; racisz@cox.net; idelle@cox.net; 'Marc Harris'; mfrusterj@cox.net; roni@roniramosphoto.com; ronmcsherry@hotmail.com; vickihanger@aol.com  
**Subject:** FW: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT  
**Attachments:** Marymount Parking Lot - GROW PROJECT MEMO.docx

Dear Dr. Brophy,

The one and only time you responded to me was October 2, 2013 and I have not heard from you until today. At the end of your October 2, 2013 response you said:

" I have not heard from any other neighbor about the lot, but I will look into your comments and requests."

That's it. Nothing since from you.

Mr. Jim Reeves then communicated with me.

Yesterday, I calmly, clearly and politely asked, and repeatedly asked your security personnel to please call Mr. Reeves and ask him if he will give Diane Smith permission to be on the premises and take photographs. The head security officer turned away and dialed his phone and was talking. He came back to me and said Mr. Reeves was in San Pedro and would be back this afternoon and would contact me. I asked the security officer, again, and again, if he asked Mr. Reeves if Diane Smith could be on the property and take pictures and the security person repeated again that Mr. Reeves would contact me and demanded that I leave the property.

My memo is attached.

Sincerely,

Diane Smith

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

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

Sent: Friday, February 07, 2014 9:37 AM

To: 'Ara Mihranian'; eduardos@rpv.com'; 'Joel Rojas'

Cc: 'jim.knight@rpv.com'; 'brian.campbell@rpv.com'; 'anthony.misetich@rpv.com'; 'susan.brooks@rpv.com';

'jerry.duhovic@rpv.com'; 'Karpov'; 'James'; 'jmaniataki@aol.com'; 'Gregory Lash'; 'Diggory1@aol.com';

'kathyvenn@aol.com'; 'roni@roniramosphoto.com'; 'vickihanger@aol.com'; 'Marc Harris'; 'Parvin Jensen'

Subject: FW: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Dear Ara, Eduardo and Joel,

You told me to take pictures as evidence of our objections to Marymount's East Parking Lot as the parking lot is still in its 6-month review period.

Our comments are due February 10, 2014.

We neighbors object to the students smoking and flicking their cigarettes into the open fields and we have lots of photographs and evidence of that - that is why we need a solid barrier between the parking lot and the field so we can deter fires. The photographs do not lie.

We object to the students noise at the new East Parking Lot so we try to get pictures/videos of them bouncing their basketballs (Ara was witness to that but my camera was not strong enough to capture it), and flicking their vehicle lights on and off in "fun" and revving their engines, car alarms going off, groups of kids congregating in the corner next to San Ramon homes, smoking stuff, and drinking - - - how else can you believe us if we can't get pictures?

We do get pictures from our homes where we see the reflection of plastic trash on the hillside but we have to go on the property to take pictures of the beer cans, beer bottles, condom packages (ugh and other) and especially cigarette butts so you will believe us. If Marymount knew we wanted to take

pictures of that then they might not allow us on the property. When I was

already there on the property picking up trash in November and saw the leakage at the far end closest to the Vista del Mar property I HAD to photograph it so you would believe me that it is indeed leaking. That was in November 2013 and now it is February 2014 and the area of leakage saturation has doubled and thank goodness my neighbor Sara Dokter was there to witness it with me yesterday.

In hindsight it seemed to me that security was on the look-out for neighbors. I took an initial picture of the "Grow Project Kickoff" as I approached the area and there were students (people) walking towards me but the picture was intended to see the area of the kickoff next to neighbors'

homes - I couldn't help the people in the way. I took pictures of the dwarf trees they intend to plant and of the galvanized containers showing watering devices and of the boulder seating area. These pictures were necessary for me to show you that having an abusive bright light, noisy and trashy parking lot was not enough to impose on neighbors but that they now invite the underprivileged from San Pedro to participate in growing and harvesting a community garden in the back yards of San Ramon neighbors.

Marymount's security officer driving up to me after I had deposited all that trash in the trash barrel and saying, "are you a resident?". Please read my memo as I prepared it directly from the notes I took the whole time I was there. I was calm, inquisitive as to their names and requested they call Mr. Reeves and they were very nervous, very hostile and, again, luckily my neighbor Sara Dokter was there, at least towards the end, to experience this. It was quite amazing. Dr. Brophy's attempt to characterize me as going around taking pictures of students is ludicrous and just weak. Dr. Brophy and Marymount don't want to be further exposed as hypocrites - having this GROW PROJECT ridiculous community garden to educate and feed the poor - look at my memo - harvest from a few dwarf fruit trees? I am interested in their upcoming WATERSHED SCHEENING AND PANEL DISCUSSION on March 27 - I suppose they will kick me out of that, especially if I have questions on how much time it takes to repair pipes (or whatever is causing saturation) at their parking lot located at the top of the South Shores Landslide. I am interested in also attending the next Marymount SUSTAINABILITY EXPO on April 22 where they celebrate Earth Day telling people how they can reduce their footprint.

Dr. Brophy spoke at the January 21 City Council meeting boasting of their goodness - even saying how neighbors walk their dogs there. What a bunch of junk. Dr. Brophy left out the part that their security officers are great at kicking mature neighbors out for walking our dogs there - even the previous Mayor (much younger than us) was kicked out.

Marymount security can't seem to kick out the smoker students, drinker students, noisy students and so on. Heck, Marymount security doesn't even know who has the "power"

to turn on and off those annoying parking lot lights - - remember when they left the lights on all night? I went to their security asking who was in charge? They told me - maintenance. I went to maintenance and they told me - security. Do you want me to dig up that whole scenario?

I was stopped by Marymount security who was driving in a little security golf cart vehicle right after I had picked up a lot of trash and deposited it up on the second level into a trash receptacle. I was calm and inquisitive and took notes and names and went home and wrote up a memo.

I believe our time frame to submit comments to the East Parking Lot should be suspended until we can nail down the true and honest future purpose of this GROW PROJECT Marymount kicked off yesterday at 12:30 pm. We need time to consider the number of vehicles and people that would be added to the campus and the parking lot during the week and weekends, vehicles from Harbor Interfaith clients and their children, handicapped vehicles and so on.

I therefore request an extension of time to submit public comment to a time you feel is appropriate.

Thank you.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

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

From: Michael Brophy [mailto:MBrophy@marymountcalifornia.edu]

Sent: Friday, February 07, 2014 8:24 AM

To: Diane Smith; 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'; cc@rpv.com

Subject: Ms. Diane Smith/Mr. Ara Mihranian

Greetings

Yesterday we had some excitement on campus when Ms. Diane Smith came onto our private property and began taking photographs of our students. I have spent time with our campus safety team and have come to learn that there may be some confusion about whether or not Ms. Smith was invited to do so by city staff member Ara Mihranian. I understand Mr. Mihranian was also on campus taking photos.

Let me keep this simple: I will ask Diane Smith or Ara Mihranian to call me directly at 310-944-2306 if they wish to come onto our campus. This is private property and we have the responsibility to create a safe and peaceful environment for our students and staff. Something happened yesterday that put that in jeopardy, so I only ask that these individuals speak with me directly about any future request to visit campus. Many neighbors use our private campus all the time, but incidents like yesterday are not welcome.

Regards,

Michael

---

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

---

MEMO

DATE: February 6, 2014

FROM: Diane L. Smith

SUBJECT: Marymount East Parking Lot – Marymount California University Advertising Brochure - SPRING 2014 promotion of Marymount's Cultural Arts Program's "GROW PROJECT KICKOFF" located immediately behind San Ramon residents and the new Marymount East Parking Lot

Today I met with Greg Lash at 10:00 a.m. to prepare wording of a petition for our neighbors who oppose to Marymount's New East Parking Lot to sign. Resident written comments on Marymount's New East Parking Lot must be turned in to the City before 5:30 p.m. before February 10, 2014.

Afterwards, I walked to Marymount to see what the "GROW PROJECT" located next to Marymount's New East Parking Lot was all about. Marymount advertises: *Our programs are designed for students who truly want to make a difference. Courses emphasize problem solving, communication strategies and a sense of entrepreneurship. With a focus on the future, Marymount California continues to grow. We're expanding our campus, our faculty and our programs all to help our students realize their full academic and professional potential. Grow with us. See your future through our eyes. It looks amazing.*

I walked around by the old Preschool (of which I have fond memories), and then around past the open gates to the East Parking Lot. There were many people, students and one adult, working away, setting up two covered stands with written material for students. The first person I met was a very nice young girl by the name of Judith Jacques-Hines. She asked me if I was just visiting and I said no, that I was a neighbor. Judith he was very nice and welcomed me warmly. She invited me to see what they were doing and planning. She explained that the soil was very bad and so they brought in irrigation piping to several galvanized troughs (that were donated) where they would grow seasonal herbs and other seasonal vegetables. Judith also told me that the whole area was planned to be wheelchair friendly as well. Judith took me to the dwarf fruit trees, about nine of them, include dwarf oranges, that they planned to grow. The plan is to donate their crop to Harbor Interfaith women and children in San Pedro. She had spoken to Sharon at Harbor Interfaith and they were very excited about the project. I asked about how many oranges such a little tree could produce and Judith thought they could get about 30. Judith also told me that Harbor Interfaith women and children would be invited to come and visit and help out or just meditate. Judith pointed out the several meditation and seating boulders at the edge of the area next to the field below that is readily available. She also pointed out another area immediately back of Marc Harris' house and I believe 2758 San Ramon, that would be developed for seating so that people can congregate, have lunch or just rest and enjoy the garden.

It was very windy and trash started flying so I went with Judith to help pick up the trash as it snagged on the chain link fence by San Ramon back yards.

Judith introduced me to Kathleen Talbot, the Sustainability Officer, who was a specialist in Native California plants. Kathleen pointed out the planned Native California garden. Kathleen also pointed out the rocks and said they are there for people to sit and enjoy as a public park.

I was also introduced to Sallie Wu, Director of Peace Center and Interculture. Sallie told me she was Professor, Psychology and has taught at Marymount for 30 years.

Apparently Marymount has been working with the South Coast Chapter of the California Native Plant Society and finally got a grant two weeks ago. It was explained that they plan to have community events here. I picked up some more flying trash and asked them if they had a trash barrel and they did not but then Sallie found a box for me to put it in. I thanked them and went on my way.

I walked straight up towards the Vista del Mar homes and picked up trash, including two cigarette boxes, an empty plastic coffee cup and lid, a potato chip bag and two ketchup packets and I took a picture of more trash in the field. I walked over to the closest trash bin on the upper level of the parking lot and tossed in the trash. I noticed a security guard was driving around the parking lot. I then continued walking over towards the area that was wet and saturated with leaking pipes and the security guard drove up to me and said, "are you a resident?" I said, "yes, I am." He then said, "you are not allowed to take pictures here." I took out my notebook and started writing down what he said and I asked him his name. He would not give me his name and instead got on his phone. I told the security officer I needed to take a picture of the leak because it needed to be fixed and he said he is not part of maintenance. I asked him his name, again but he refused. I asked him why he was refusing to give me his name and he said he was calling his superior. He got off the phone and told me his superior was on his way out to the parking lot. When I said, "are you refusing to give me your name?" then he responded, "Wayne" and I asked if he had a last name and he said, "Young." Finally Wayne Young's superior walked towards me and I asked him his name and he said, "Matt" and gave me his card:



Matt explained to me that this is private property and I was not allowed to take pictures. Matt explained that I needed a guest pass to be on the property and I needed permission to be on the property. I told him I visited the garden project. I asked him if it is Marymount's policy not to allow taking of photographs by anyone on Marymount property unless they have permission. A third security officer (Matt's boss) came walking over to me. I asked the third officer his name and he said "Mike." I asked Mike if Mr. Reeves was on campus and he said he believed Mr. Reeves was there. I then asked him to call Mr. Reeves but he and Matt just stood there. I insisted that he simply call Mr. Reeves and tell him that Diane Smith is here on campus and wants to take pictures. "Just call him to get his permission," I said. They walked away a bit and then came back and said they had spoken to Mr. Reeves but he was in San Pedro and he would be back this afternoon and will contact me when he comes back. I asked Mike if Mr. Reeves gave me permission to take photos and Mike responded that I am not allowed to take pictures on Marymount property without permission from Mr. Reeves and he asked me to leave the premises.

Just then, my neighbor Sara Doktor, drove up!!! I told her that she came in the nick of time because I was going to refuse to leave and let them call the Sheriff's office. I told Sara that the security officers told me I was not allowed to take pictures on Marymount property and that I have to get a permit to be on the property. Sara said, "what?" She told me to get in the car and then Sara asked her own questions, "are you telling me that we cannot take pictures on this property?" Sara said, "We are not allowed to take photos? And the security guard verified, "You need official business to be on our campus." I got in the car and then I asked Sara to stop and take a look at the area with the broken pipe. Sara and I got out of the car and I pointed out the saturated area that still is not fixed. I added, "how can they have a garden project with all sorts of pipes – when they can't fix the pipes they already have?" The security guards were still looking at us so we got in the car.

Sara then drove over to the "GROW PROJECT KICKOFF" area and said she had an appointment but could just swing by. We saw a man standing there using his cell phone. We pulled down the window and asked him if he was Marymount faculty. He said no, that he was just visiting from USC, just a guest. We asked him if he had a permit and he said no. We asked him if he took pictures and he told us not today he didn't because it wasn't very clear out.

I do not know how many people obtained guest passes today – I don't intend to return but I do want to let all residents know welcome we are at Marymount.

## Ara Mihranian

---

**From:** Michael Brophy <MBrophy@marymountcalifornia.edu>  
**Sent:** Friday, February 07, 2014 9:41 AM  
**To:** Ara Mihranian  
**Cc:** Jim Reeves  
**Subject:** RE: Ms. Diane Smith/Mr. Ara Mihranian

Ara

Thanks for the update. Please go ahead with your meeting with Jim.

Regards,

Michael

---

**From:** Ara Mihranian [AraM@rpv.com]  
**Sent:** Friday, February 07, 2014 9:24 AM  
**To:** Michael Brophy; Diane Smith; Eduardo Schonborn; Joel Rojas; CC  
**Cc:** Jim Reeves  
**Subject:** RE: Ms. Diane Smith/Mr. Ara Mihranian

Good morning Dr. Brophy,

I would like to clarify some information regarding yesterday.

As you will see in the attached email, prior to attending yesterday's GROW event, I contacted Jim Reeves requesting permission, which he granted. When I arrived, I was greeted by Kelly and asked permission to take pictures (I also mentioned to Kelly that I forgot the memory stick to my camera and couldn't use it) because some of the neighbors on San Ramon raised concerns to the City regarding this event and potential impacts. In fact, I emailed Jim Reeves some of those comment letters (see attachment) in advance of the event so that he was aware of this latest issue. I was at the event all of ten minutes and ended up taking a few photos of the event with my phone and some additional photos of the recently installed "no smoking" signs in the parking lot.

As for Mrs. Smith, I did not invite her to the event nor did I invite her to trespass onto the Campus. Mrs. Smith contacted me earlier in the week (see attached email thread) informing me of a leaking pipe on campus. I requested she send me the photos she took so that I could pass the information onto Marymount. Lastly, I was not aware that Mrs. Smith was on campus yesterday nor her intent to attend yesterday's event. I exchanged a few emails with Mrs. Smith on Tuesday trying to explain to her that it was my understanding that the GROW event was not a class but rather an extra-curricular club event for the students and the community on sustainable gardens (see attached email thread). I added that if she or her neighbors had concerns with this event, they should bring it up at the February 18th City Council meeting because the event was not prohibited by the Conditions of Approval.

I hope this help email provides some clarification. I respect (and always have) your request to contact you or the campus directly prior to visiting. Having said that, I am scheduled to meet with Jim Reeves this morning at 10am to discuss the upcoming 6-month review of the parking lot. Is that okay?

Ara

Ara Michael Mihranian  
Deputy Director of Community Development \_\_\_\_\_

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com  
www.palosverdes.com/rpv

Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

From: Michael Brophy [mailto:MBrophy@marymountcalifornia.edu]  
Sent: Friday, February 07, 2014 8:24 AM  
To: Diane Smith; Ara Mihranian; Eduardo Schonborn; Joel Rojas; CC  
Subject: Ms. Diane Smith/Mr. Ara Mihranian

Greetings

Yesterday we had some excitement on campus when Ms. Diane Smith came onto our private property and began taking photographs of our students. I have spent time with our campus safety team and have come to learn that there may be some confusion about whether or not Ms. Smith was invited to do so by city staff member Ara Mihranian. I understand Mr. Mihranian was also on campus taking photos.

Let me keep this simple: I will ask Diane Smith or Ara Mihranian to call me directly at 310-944-2306 if they wish to come onto our campus. This is private property and we have the responsibility to create a safe and peaceful environment for our students and staff. Something happened yesterday that put that in jeopardy, so I only ask that these individuals speak with me directly about any future request to visit campus. Many neighbors use our private campus all the time, but incidents like yesterday are not welcome.

Regards,

Michael

---

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

---

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Friday, February 07, 2014 9:37 AM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; 'Gregory Lash'; Diggory1@aol.com; kathyvenn@aol.com; roni@roniramosphoto.com; vickihanger@aol.com; 'Marc Harris'; 'Parvin Jensen'  
**Subject:** FW: Ms. Diane Smith/Mr. Ara Mihranian - REQUEST FOR EXTENSION OF TIME TO SUBMIT PUBLIC COMMENT

Dear Ara, Eduardo and Joel,

You told me to take pictures as evidence of our objections to Marymount's East Parking Lot as the parking lot is still in its 6-month review period.

Our comments are due February 10, 2014.

We neighbors object to the students smoking and flicking their cigarettes into the open fields and we have lots of photographs and evidence of that - that is why we need a solid barrier between the parking lot and the field so we can deter fires. The photographs do not lie.

We object to the students noise at the new East Parking Lot so we try to get pictures/videos of them bouncing their basketballs (Ara was witness to that but my camera was not strong enough to capture it), and flicking their vehicle lights on and off in "fun" and revving their engines, car alarms going off, groups of kids congregating in the corner next to San Ramon homes, smoking stuff, and drinking - - - how else can you believe us if we can't get pictures?

We do get pictures from our homes where we see the reflection of plastic trash on the hillside but we have to go on the property to take pictures of the beer cans, beer bottles, condom packages (ugh and other) and especially cigarette butts so you will believe us. If Marymount knew we wanted to take

pictures of that then they might not allow us on the property. When I was already there on the property picking up trash in November and saw the leakage at the far end closest to the Vista del Mar property I HAD to photograph it so you would believe me that it is indeed leaking. That was in November 2013 and now it is February 2014 and the area of leakage saturation has doubled and thank goodness my neighbor Sara Dokter was there to witness it with me yesterday.

In hindsight it seemed to me that security was on the look-out for neighbors. I took an initial picture of the "Grow Project Kickoff" as I approached the area and there were students (people) walking towards me but the picture was intended to see the area of the kickoff next to neighbors'

homes - I couldn't help the people in the way. I took pictures of the dwarf trees they intend to plant and of the galvanized containers showing watering devices and of the boulder seating area. These pictures were necessary for me to show you that having an abusive bright light, noisy and trashy parking lot was not enough to impose on neighbors but that they now invite the underprivileged from San Pedro to participate in growing and harvesting a community garden in the back yards of San Ramon neighbors.

Marymount's security officer driving up to me after I had deposited all that trash in the trash barrel and saying, "are you a resident?". Please read my memo as I prepared it directly from the notes I took the whole time I was there. I was calm, inquisitive as to their names and requested they call Mr. Reeves and they were very nervous, very hostile and, again, luckily my neighbor Sara Dokter was there, at least towards the end, to experience this. It was quite amazing. Dr. Brophy's attempt to characterize me as going around taking pictures of students is ludicrous and just weak. Dr. Brophy and Marymount don't want to be further exposed as hypocrites - having this GROW PROJECT ridiculous community garden to educate and feed the poor - look at my memo - harvest from a few dwarf fruit trees? I am interested in their upcoming WATERSHED SCHEENING AND PANEL DISCUSSION on March 27 - I suppose they will kick me out of that, especially if I have questions on how much time it takes to repair pipes (or whatever is causing saturation) at their parking lot located at the top of the South Shores Landslide. I am interested in also attending the next Marymount SUSTAINABILITY EXPO on April 22 where they celebrate Earth Day telling people how they can reduce their footprint.

Dr. Brophy spoke at the January 21 City Council meeting boasting of their goodness - even saying how neighbors walk their dogs there. What a bunch of junk. Dr. Brophy left out the part that their security officers are great at kicking mature neighbors out for walking our dogs there - even the previous Mayor (much younger than us) was kicked out. Marymount security can't seem to kick out the smoker students, drinker students, noisy students and so on. Heck, Marymount security doesn't even know who has the "power" to turn on and off those annoying parking lot lights - - remember when they left the lights on all night? I went to their security asking who was in charge? They told me - maintenance. I went to maintenance and they told me - security. Do you want me to dig up that whole scenario? I was stopped by Marymount security who was driving in a little security golf cart vehicle right after I had picked up a lot of trash and deposited it up on the second level into a trash receptacle. I was calm and inquisitive and took notes and names and went home and wrote up a memo. I believe our time frame to submit comments to the East Parking Lot should be suspended until we can nail down the true and honest future purpose of this GROW PROJECT Marymount kicked off yesterday at 12:30 pm. We need time to consider the number of vehicles and people that would be added to the campus and the parking lot during the week and weekends, vehicles from Harbor Interfaith clients and their children, handicapped vehicles and so on. I therefore request an extension of time to submit public comment to a time you feel is appropriate.

Thank you.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

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

From: Michael Brophy [mailto:MBrophy@marymountcalifornia.edu]

Sent: Friday, February 07, 2014 8:24 AM

To: Diane Smith; 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'; cc@rpv.com

Subject: Ms. Diane Smith/Mr. Ara Mihranian

Greetings

Yesterday we had some excitement on campus when Ms. Diane Smith came onto our private property and began taking photographs of our students. I have spent time with our campus safety team and have come to learn that there may be some confusion about whether or not Ms. Smith was invited to do so by city staff member Ara Mihranian. I understand Mr. Mihranian was also on campus taking photos.

Let me keep this simple: I will ask Diane Smith or Ara Mihranian to call me directly at 310-944-2306 if they wish to come onto our campus. This is private property and we have the responsibility to create a safe and peaceful environment for our students and staff. Something happened yesterday that put that in jeopardy, so I only ask that these individuals speak with me directly about any future request to visit campus. Many neighbors use our private campus all the time, but incidents like yesterday are not welcome.

Regards,

Michael



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Thursday, February 06, 2014 2:28 PM  
**To:** gensar@cox.net  
**Cc:** Ara Mihranian; Eduardo Schonborn; Joel Rojas; Carolyn Lehr; Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; vickihanger@aol.com; anitaslovingpetservices@gmail.com; racisz@cox.net; idelle@cox.net; gummyg@cox.net; 'Gregory Lash'; joey.sparks@me.com  
**Subject:** Marymount East Parking Lot - GROW PROJECT KICKOFF - Objection: NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES  
**Attachments:** Marymount Parking Lot - GROW PROJECT MEMO.docx

Dear Sara,

Finally I finished my MEMO of today's experience at Marymount University's GROW PROJECT KICKOFF and my getting KICKED OUT!

Please let me know if I have conveyed anything incorrect that I quote you as saying or if you would like me to include anything I may have left out.

I am sending it "as is" right now because I have to start on the petition.

Thanks again,

Diane

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

MEMO

DATE: February 6, 2014

FROM: Diane L. Smith

SUBJECT: Marymount East Parking Lot – Marymount California University Advertising Brochure - SPRING 2014 promotion of Marymount's Cultural Arts Program's "GROW PROJECT KICKOFF" located immediately behind San Ramon residents and the new Marymount East Parking Lot

Today I met with Greg Lash at 10:00 a.m. to prepare wording of a petition for our neighbors who oppose to Marymount's New East Parking Lot to sign. Resident written comments on Marymount's New East Parking Lot must be turned in to the City before 5:30 p.m. before February 10, 2014.

Afterwards, I walked to Marymount to see what the "GROW PROJECT" located next to Marymount's New East Parking Lot was all about. Marymount advertises: *Our programs are designed for students who truly want to make a difference. Courses emphasize problem solving, communication strategies and a sense of entrepreneurship. With a focus on the future, Marymount California continues to grow. We're expanding our campus, our faculty and our programs all to help our students realize their full academic and professional potential. Grow with us. See your future through our eyes. It looks amazing.*

I walked around by the old Preschool (of which I have fond memories), and then around past the open gates to the East Parking Lot. There were many people, students and one adult, working away, setting up two covered stands with written material for students. The first person I met was a very nice young girl by the name of Judith Jacques-Hines. She asked me if I was just visiting and I said no, that I was a neighbor. Judith he was very nice and welcomed me warmly. She invited me to see what they were doing and planning. She explained that the soil was very bad and so they brought in irrigation piping to several galvanized troughs (that were donated) where they would grow seasonal herbs and other seasonal vegetables. Judith also told me that the whole area was planned to be wheelchair friendly as well. Judith took me to the dwarf fruit trees, about nine of them, include dwarf oranges, that they planned to grow. The plan is to donate their crop to Harbor Interfaith women and children in San Pedro. She had spoken to Sharon at Harbor Interfaith and they were very excited about the project. I asked about how many oranges such a little tree could produce and Judith thought they could get about 30. Judith also told me that Harbor Interfaith women and children would be invited to come and visit and help out or just meditate. Judith pointed out the several meditation and seating boulders at the edge of the area next to the field below that is readily available. She also pointed out another area immediately back of Marc Harris' house and I believe 2758 San Ramon, that would be developed for seating so that people can congregate, have lunch or just rest and enjoy the garden.

It was very windy and trash started flying so I went with Judith to help pick up the trash as it snagged on the chain link fence by San Ramon back yards.

Judith introduced me to Kathleen Talbot, the Sustainability Officer, who was a specialist in Native California plants. Kathleen pointed out the planned Native California garden. Kathleen also pointed out the rocks and said they are there for people to sit and enjoy as a public park.

I was also introduced to Sallie Wu, Director of Peace Center and Interculture. Sallie told me she was Professor, Psychology and has taught at Marymount for 30 years.

Apparently Marymount has been working with the South Coast Chapter of the California Native Plant Society and finally got a grant two weeks ago. It was explained that they plan to have community events here. I picked up some more flying trash and asked them if they had a trash barrel and they did not but then Sallie found a box for me to put it in. I thanked them and went on my way.

I walked straight up towards the Vista del Mar homes and picked up trash, including two cigarette boxes, an empty plastic coffee cup and lid, a potato chip bag and two ketchup packets and I took a picture of more trash in the field. I walked over to the closest trash bin on the upper level of the parking lot and tossed in the trash. I noticed a security guard was driving around the parking lot. I then continued walking over towards the area that was wet and saturated with leaking pipes and the security guard drove up to me and said, "are you a resident?" I said, "yes, I am." He then said, "you are not allowed to take pictures here." I took out my notebook and started writing down what he said and I asked him his name. He would not give me his name and instead got on his phone. I told the security officer I needed to take a picture of the leak because it needed to be fixed and he said he is not part of maintenance. I asked him his name, again but he refused. I asked him why he was refusing to give me his name and he said he was calling his superior. He got off the phone and told me his superior was on his way out to the parking lot. When I said, "are you refusing to give me your name?" then he responded, "Wayne" and I asked if he had a last name and he said, "Young." Finally Wayne Young's superior walked towards me and I asked him his name and he said, "Matt" and gave me his card:



Matt explained to me that this is private property and I was not allowed to take pictures. Matt explained that I needed a guest pass to be on the property and I needed permission to be on the property. I told him I visited the garden project. I asked him if it is Marymount's policy not to allow taking of photographs by anyone on Marymount property unless they have permission. A third security officer (Matt's boss came walking over to me. I asked the third officer his name and he said "Mike." I asked Mike if Mr. Reeves was on campus and he said he believed Mr. Reeves was there. I then asked him to call Mr. Reeves but he and Matt just stood there. I insisted that he simply call Mr. Reeves and tell him that Diane Smith is here on campus and wants to take pictures. "Just call him to get his permission," I said. They walked away a bit and then came back and said they had spoken to Mr. Reeves but he was in San Pedro and he would be back this afternoon and will contact me when he comes back. I asked Mike if Mr. Reeves gave me permission to take photos and Mike responded that I am not allowed to take pictures on Marymount property without permission from Mr. Reeves and he asked me to leave the premises. .

Just then, my neighbor Sara Doktor, drove up!!! I told her that she came in the nick of time because I was going to refuse to leave and let them call the Sheriff's office. I told Sara that the security officers told me I was not allowed to take pictures on Marymount property and that I have to get a permit to be on the property. Sara said, "what?" She told me to get in the car and then Sara asked her own questions, "are you telling me that we cannot take pictures on this property?" Sara said, "We are not allowed to take photos? And the security guard verified, "You need official business to be on our campus." I got in the car and then I asked Sara to stop and take a look at the area with the broken pipe. Sara and I got out of the car and I pointed out the saturated area that still is not fixed. I added, "how can they have a garden project with all sorts of pipes – when they can't fix the pipes they already have?" The security guards were still looking at us so we got in the car.

Sara then drove over to the "GROW PROJECT KICKOFF" area and said she had an appointment but could just swing by. We saw a man standing there using his cell phone. We pulled down the window and asked him if he was Marymount faculty. He said no, that he was just visiting from USC, just a guest. We asked him if he had a permit and he said no. We asked him if he took pictures and he told us not today he didn't because it wasn't very clear out.

I do not know how many people obtained guest passes today – I don't intend to return but I do want to let all residents know welcome we are at Marymount.

**Ara Mihranian**

---

**From:** Gregory Lash <glash@cox.net>  
**Sent:** Thursday, February 06, 2014 1:24 PM  
**To:** Ara Mihranian  
**Subject:** Comments for 18Feb 14 CC Hearing Staff Report on MCU East Parking Lot

Hi Ara - Thank you for the info you have been giving us on this issue.

I like to ask what is possible in regards to lessening the impacts of this lot on SRD neighbors. From what I can gather, in the past the City has required owners to lower wattage, install "Shields" to direct the light down (rather than out), sound walls, thick hedges, etc. Are any/all of these things possible in this instance.

Best Regards,

Gregory Lash  
2829 San Ramon Drive

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Thursday, February 06, 2014 1:04 PM  
**To:** gensar@cox.net  
**Cc:** Ara Mihranian; Eduardo Schonborn; Joel Rojas; Carolyn Lehr; Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Karpov'; 'James'; jmaniataki@aol.com; vickihanger@aol.com; anitaslovingpetservices@gmail.com; racisz@cox.net; idelle@cox.net; gummyg@cox.net; 'Gregory Lash'; joey.sparks@me.com  
**Subject:** Marymount East Parking Lot - GROW PROJECT KICKOFF today at 12:30

Dear Sara,

Thank you so much for "saving" me just now from the three Marymount Security officers who demanded that I leave the property at once.

I told you I was going to stay and let the Sheriff's office come and physically remove me but you told me that Rick would be furious so I reluctantly got in your car. Thinking about it as we left the campus I am glad I did not make "the stand" as you said, "we're too old for this."

I'm starting to prepare my memo on this amazing experience with, "*A Marymount Security Officer drove up to me and asked me if I was a resident and I replied that I was. He told me that I was not allowed to take photographs on Marymount property. I asked what his name was and he would not tell me and instead called his superior who then came . . . and gave me his card. I told him that we residents have until February 10 to get our written comments in to the City Council and we need evidence. . . .He called a third security officer . . . The third security officer called Mr. Reeves who was in San Pedro . . . said Mr. Reeves would contact me when he came back . . . Mr. Reeves would not give permission for me to take photos. and will forward a copy to you in due course. So glad you were there to "verify" at least the end of it!!!*"

All the best,  
Diane

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

## Ara Mihranian

---

**From:** Jim Reeves <JReeves@marymountcalifornia.edu>  
**Sent:** Thursday, February 06, 2014 12:46 PM  
**To:** Ara Mihranian  
**Cc:** Michael Macmenamie; Matthew Broderick  
**Subject:** Re: Campus Garden

Ara,  
That would be fine.  
Jim

Sent from my iPhone

On Feb 6, 2014, at 11:30 AM, "Ara Mihranian" <AraM@rpv.com<mailto:AraM@rpv.com>> wrote:

Hi Jim,  
Would it be ok if I briefly attended the campus garden event at 12:30 today?  
Ara

Ara Michael Mihranian  
Deputy Director of Community Development \_\_\_\_\_

<image001.png>  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com<mailto:aram@rpv.com>  
www.palosverdes.com/rpv<http://www.palosverdes.com/rpv>

P Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Richard Schult <RSchult@marymountcalifornia.edu>  
**Sent:** Wednesday, February 05, 2014 1:22 PM  
**To:** Ara Mihranian; Jim Reeves  
**Subject:** RE: Marymount East Parking Lot - Leaky Drain Pipe  
**Attachments:** image001.png

Hello Ara,

We are troubleshooting a couple leaks in the parking lot. The leak identified by the pictures is a little odd since water irrigation water is apparently draining through a section of underground conduit. Any how we are troubleshooting and will repair as soon as we locate the source.

Sent via the Samsung Galaxy Note® 3, an AT&T 4G LTE smartphone

----- Original message -----

**From:** Ara Mihranian  
**Date:** 02/05/2014 2:03 PM (GMT-07:00)  
**To:** Jim Reeves ,Richard Schult  
**Subject:** FW: Marymount East Parking Lot - Leaky Drain Pipe

FYI...

Ara Michael Mihranian  
Deputy Director of Community Development \_\_\_\_\_

[cid:image001.png@01CF2270.F02EE380]  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com  
www.palosverdes.com/rpv

P Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, February 05, 2014 12:51 PM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount East Parking Lot - Leaky Drain Pipe

Attached Photos taken Feb. 3, 2014 and Photos taken November 18, 2013.

From: Ara Mihranian [mailto:AraM@rpv.com]  
Sent: Monday, February 03, 2014 3:46 PM  
To: Diane Smith; Eduardo Schonborn; Joel Rojas  
Subject: RE: Marymount East Parking Lot - Leaky Drain Pipe

Diane,  
Send me the photos.  
In the interim, I am forwarding this email to Jim Reeves and Richard Schulte.

Thank you!  
Ara

Ara Michael Mihranian  
Deputy Director of Community Development \_\_\_\_\_

[cid:image001.png@01CF2270.F02EE380]  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com<mailto:aram@rpv.com>  
www.palosverdes.com/rpv<http://www.palosverdes.com/rpv>

P Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Monday, February 03, 2014 3:40 PM  
To: Ara Mihranian; Eduardo Schonborn; Joel Rojas  
Subject: Marymount East Parking Lot - Leaky Drain Pipe

Dear Ara,  
I am going through my past emails where I told you about the pipes leaking up at Marymount. I just came back from a walk with my friend Kinu and she agreed that this is not only leaking but it has been leaking for a long time. It is the unit at the corner of the east parking lot closest to the Vista Del Mar home. Also, there was hardly any rain yesterday and the water is backed up on top of the round-about at the very top of the east parking lot. I'm going up there now to take photocopies and then I'll find the email where I told you long ago that it was leaking. I think you told me that you brought it to Marymount's attention and they said they would fix it. It needs to be fixed and monitored as it is at the top of the South Shores Landslide.  
Diane

---

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

---

---



Photos taken MON. FEB 3, 2014  
note expanded saturation area



Photos of water leakage taken 11/18/13  
LEAKING WATER



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, February 05, 2014 7:33 AM  
**To:** Ara Mihranian  
**Cc:** Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; 'Gregory Lash'; marc\_90277@yahoo.com; roni@roniramosphoto.com; utopia4u@cox.net; ronmcsherry@hotmail.com; psjense@aol.com; gensar@cox.net; mfrusteri@cox.net  
**Subject:** Tomorrow - Feb. 6 at 12:30 pm - Marymount GROW PROJECT KICKOFF next to San Ramon residents

Ara, yesterday you wrote:

"Folks,

It is my understanding, although I need to verify this with Marymount, that the garden planned for the location between the parking lot and the Harris and Tooley residences is a community garden. Formal classes are not being held in this location but rather what I guess is an extra curricular activity. Similar to a horticulture or native garden club. Notwithstanding, the council adopted conditions of approval does not prohibit landscaping this area or using it as a community garden. In fact, the council approved facilities expansion project originally called for additional parking spaces in this general location that did not get built under phase 1.

So, if the neighbors want to restrict the use of this area by Marymount, these concerns should be raised at the February 18th city council meeting so that such conditions could be considered by the council. I will include your comment letters in the city council staff report as well as discuss it.

Ara"

Ara, we "folks" are in the process of voicing objections to Marymount's new East Parking lot for NOISE as well as other nuisances.

The Council has not heard all the noise objections yet because the hearing will take place on February 18 and the Feb. 10 written period is open.

Marymount has acres of land - lots and lots of land that is no where near houses. Why – tell me why is Marymount conducting an extra-curricular activity garden club right against our back yards, adding to the noise of the parking lot that has not yet been finalized?

If you want to get technical about it Ara then tell us – is the parking lot for student parking or is it for the general public with trucks and all sorts of outside vehicle traffic to tend to their garden adventure.

I LOVE GARDENING, I love views, I loved Marymount's preschool and chickenhouse yard and I've been a good neighbor – picking up their trash for years and years and pulling weeds and even picking up dog droppings in the grassy area in the entranceway and in between the sidewalk and road.

But this is mean – mean of Marymount to use the parking lot as a gateway to an extra curricular activity right in the back yards of San Ramon residents. They could have their club next to the maintenance buildings and lots of other places – terracing in front of their classrooms beyond the parking.

Do you understand what I am trying to convey?

Diane

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, February 04, 2014 10:42 PM  
**To:** Ara Mihranian  
**Cc:** Joel Rojas; Eduardo Schonborn; Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; marc\_90277@yahoo.com; 'Roni Ramos'; utopia4u@cox.net; 'James'; jmaniataki@aol.com; mfrusteri@cox.net; gensar@cox.net; philip.matuzic@gmail.com; bcantin@cox.net; kathyvenn@aol.com; ronmcsberry@hotmail.com; 'Karpov'; 'Gregory Lash'; vickihanger@aol.com  
**Subject:** RE: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Why didn't you tell me this back in November when I brought it to your attention?

What about the parking – what about the public parking in the parking lot to get to the public garden plots next to our homes– what about that? Isn't that a violation of the CUP?

The parking lot is still within the 6-month review and Marymount doesn't care – they just barge ahead with classes and public encroachment across the lot to plant a garden next to San Ramon Homes at the top of the South Shores Landslide? This is advertised as a free CLASS – “Come learn ... and help plant the first grow crop!! Real cute. How can you allow this.

This is mean and vindictive of Marymount and you know it.

I brought that leakage to your attention when you came to my house – I had taken a picture of the leak when I was taking pictures of the trash – the second time I picked up all the trash and cigarette butts and beer cans from Marymount – so that was back in November.

Obviously Marymount didn't correct the leak because it is saturated.

How can you allow this to go on.

Diane

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Tuesday, February 04, 2014 10:16 PM  
**To:** Diane Smith  
**Cc:** Joel Rojas; Eduardo Schonborn; Jim Knight; Brian Campbell; Anthony Misetich; Susan Brooks; Jerry Duhovic; marc\_90277@yahoo.com; Roni Ramos; utopia4u@cox.net; James; jmaniataki@aol.com; mfrusteri@cox.net; gensar@cox.net; philip.matuzic@gmail.com; bcantin@cox.net; kathyvenn@aol.com; ronmcsberry@hotmail.com; Karpov; Gregory Lash  
**Subject:** Re: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Diane,

What I am trying to convey to you and the others is that the city cannot prevent this activity from occurring because it is not specifically prohibited in the conditions of approval. If the city stopped this activity Marymount would ask on what grounds. But if the council added a condition at its February 18th meeting prohibiting the use of the area the city can stop this activity in the future.

As for the leakage you reported to me in the past and more recently, both of your messages were forwarded to Marymount to correct.

In regards to garden activity planned for Thursday, the planting is occurring in the containers currently being stored in the area. There should be not water draining into the south shore landslide. If need be I will be at this event on Thursday to document the activity.

Ara

Sent from my iPad

On Feb 4, 2014, at 10:01 PM, "Diane Smith" <[radlsmith@cox.net](mailto:radlsmith@cox.net)> wrote:

WHAT? Telling us to take it up with City Council February 18 when Marymount has invited the public to join them in their "GROW PROJECT KICKOFF" this Thursday February 6 at 12:30 pm between our homes and the new parking lot? "Come learn about Marymount's new campus garden and help plant the first GROW crop!" ?????? Where is the public supposed to park? I thought the parking lot was for overflow students? What are you doing???

I brought this to your attention over two months ago.

You've got saturation/leakage up at the opposite corner next to the Vista del Mar property and now you're allowing Marymount to soak the top of the South Shores Landslide.

This just makes me sick Ara.

I am just fuming.

Diane

---

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

**Sent:** Tuesday, February 04, 2014 9:44 PM

**To:** Gregory Lash

**Cc:** Diane Smith; Marc Harris; [roni@roniramosphoto.com](mailto:roni@roniramosphoto.com); [utopia4u@cox.net](mailto:utopia4u@cox.net); James; [jmaniataki@aol.com](mailto:jmaniataki@aol.com); [psjense@aol.com](mailto:psjense@aol.com); [mfrusteri@cox.net](mailto:mfrusteri@cox.net); [gensar@cox.net](mailto:gensar@cox.net); [philip.matuzic@gmail.com](mailto:philip.matuzic@gmail.com); [bcantin@cox.net](mailto:bcantin@cox.net); [kathyvenn@aol.com](mailto:kathyvenn@aol.com); [ronmcsberry@hotmail.com](mailto:ronmcsberry@hotmail.com); Eduardo Schonborn; Joel Rojas

**Subject:** Re: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Folks,

It is my understanding, although I need to verify this with Marymount, that the garden planned for the location between the parking lot and the Harris and Tooley residences is a community garden. Formal classes are not being held in this location but rather what I guess is an extra curricular activity. Similar to a horticulture or native garden club. Notwithstanding, the council adopted conditions of approval does not prohibit landscaping this area or using it as a community garden. In fact, the council approved facilities expansion project originally called for additional parking spaces in this general location that did not get built under phase 1.

So, if the neighbors want to restrict the use of this area by Marymount, these concerns should be raised at the February 18th city council meeting so that such conditions could be considered by the council. I will include your comment letters in the city council staff report as well as discuss it.

Ara

Sent from my iPad

On Feb 4, 2014, at 9:32 PM, "Gregory Lash" <[glash@cox.net](mailto:glash@cox.net)> wrote:

I would like to ask Ara & Eduardo what is the trigger for requiring a "Special Use Permit?" When the school uses amplified sound, it must first get one, as they are projecting sounds beyond their boundaries. Wouldn't this be similar?

Thanks in advance,  
Gregory Lash

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

**From:** Diane Smith

**To:** 'Marc Harris' ; roni@roniramosphoto.com ; utopia4u@cox.net ; 'James' ; jmaniataki@aol.com ; psiense@aol.com ; mfrusteri@cox.net ; gensar@cox.net ; philip.matuzic@gmail.com ; bcantin@cox.net ; kathyvenn@aol.com ; 'Gregory Lash' ; ronmcsberry@hotmail.com

**Cc:** 'Ara Mihranian' ; eduardos@rpv.com ; 'Joel Rojas'

**Sent:** Tuesday, February 04, 2014 4:52 PM

**Subject:** FW: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Is anyone as angry as I am with Marymount inviting the public to join them in planting a garden in between the east parking lot – noisy enough – and San Ramon homes?

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

---

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

**Sent:** Tuesday, February 04, 2014 4:45 PM

**To:** 'Ara Mihranian'

**Subject:** FW: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

HOW DARE THEY? Right in the Cornelius, Hamilton, Harris back yards!

Marymount already has scheduled a "Grow Project Kickoff" for Thursday, February 6 at 12:30 pm – at the NE Corner of Campus.

The advertisement says, "Come learn about Marymount's new campus garden and help plant the first GROW crop!!!

WHAT IS GOING ON ARA???

This is just infuriating.

Diane

---

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

**Sent:** Monday, February 03, 2014 4:23 PM

**To:** 'Ara Mihranian'

**Subject:** RE: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

The summary would be "NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES."

The "open space" to which you refer is adjacent the fire access easement between the Tooley and Cornelius homes.

The man I spoke to said they planned to plant fruit trees as well as California vegetation.

I'm all for planting native vegetation in open space but fruit trees require water and regular maintenance – otherwise you invite RATS and other vermin. The smart-ass remark from the student, "tell them we'll give them some fruit " is an example of what residents have to deal with.

Yes, there are nice students but, as in anything, it is the rotten apple that spoils the bunch.

Marymount has all sorts of land on which they can conduct horticulture classes – why do it next to San Ramon back yards where people may be working from home or trying to read a book in their back yards? How can we residents enjoy the peace and quiet of our homes when there are instructors and students with clanging of shovels and students horsing around – on top of parking lot nuisances of slamming car doors, security devices going off, radios, shouting, basketballs, cars revving engines, loud exhaust pipes, motorcycles. (get the picture?)

---

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

**Sent:** Monday, February 03, 2014 3:45 PM

**To:** Diane Smith

**Subject:** RE: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Would your summary of this objection be the use of the open space area by students for classes (similar to the subject line).

**Ara Michael Mihranian**

Deputy Director of Community Development

---

<image001.png>

30940 Hawthorne Blvd.

Rancho Palos Verdes, CA 90275

310-544-5228 (telephone)

310-544-5293 (fax)

[aram@rpv.com](mailto:aram@rpv.com)

[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

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

**Sent:** Monday, February 03, 2014 3:34 PM

**To:** Ara Mihranian

**Subject:** FW: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

I hope you do not forget to include this objection in the Marymount east parking lot comments.

---

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

**Sent:** Wednesday, November 20, 2013 1:22 PM

**To:** 'Ara Mihranian'; '[eduardos@rpv.com](mailto:eduardos@rpv.com)'; 'Joel Rojas'

**Cc:** '[MBrophy@marymountpv.edu](mailto:MBrophy@marymountpv.edu)'; 'Marc Harris'; '[vickihanger@aol.com](mailto:vickihanger@aol.com)'; 'LOIS Karp'

**Subject: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES**

Dear Ara, Eduardo and Joel,

I may not have emphasized this earlier but we do not want Marymount conducting classes behind San Ramon homes. I am not speaking for Marc Harris and Mr. & Mrs. Tooley, but I am speaking for myself and others immediately affected. Attached are photographs of several students digging, talking, making clatter and although the words sound very sweet – that they are planting California vegetation and fruit trees – the true nature of the students came out when one of them shouted to the teacher to tell them we'll give them some fruit. The teacher did not reprimand the student or at least tell them to be more respectful – he just told me to contact the city, which I did. I have not had a response from the City nor Marymount regarding my request that there be no classes conducted next to resident homes – both on San Ramon and on Vista Del Mar. Because of the noise corridors we level and downslope residents can often hear every word that is said from the hilltop.

Although Laura McSherry wrote and spoke about her concerns over light and noise, no one came to her home to conduct light simulations or noise simulations. The McSherry home is within the 500 foot region and her written and oral concerns were simply ignored and left out of the EIR process. I do not know where sound and light simulations were conducted from Vista Del Mar.

Marc Harris may not feel the way we do because he works – but most of us are retired and home all day and have to listen to the noise day in and day out. Please do not allow classes to be conducted next to San Ramon nor Vista Del Mar homes.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

## Ara Mihranian

---

**From:** Roni Tomlin <ramos09@verizon.net>  
**Sent:** Tuesday, February 04, 2014 9:33 PM  
**To:** Ara Mihranian  
**Cc:** Diane Smith  
**Subject:** Marymount East Parking lot problems

To whom it may concern:

"I am the owner of 2736 San Ramon Drive and I oppose Marymount's East Parking lot bright lights and noise and do not want classes conducted back of my property." I have seen students smoking back there , a major fire hazard!!!

Roni Ramos Tomlin  
Randee Hinchliffe

## Ara Mihranian

---

**From:** Gregory Lash <glash@cox.net>  
**Sent:** Tuesday, February 04, 2014 9:33 PM  
**To:** Diane Smith; 'Marc Harris'; roni@roniramosphoto.com; utopia4u@cox.net; 'James'; jmaniataki@aol.com; psjense@aol.com; mfrusteri@cox.net; gensar@cox.net; philip.matuzic@gmail.com; bcantin@cox.net; kathyvenn@aol.com; ronmcscherry@hotmail.com  
**Cc:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Subject:** Re: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

I would like to ask Ara & Eduardo what is the trigger for requiring a "Special Use Permit?" When the school uses amplified sound, it must first get one, as they are projecting sounds beyond their boundaries. Wouldn't this be similar?

Thanks in advance,  
Gregory Lash

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

**From:** Diane Smith  
**To:** 'Marc Harris'; roni@roniramosphoto.com; utopia4u@cox.net; 'James'; jmaniataki@aol.com; psjense@aol.com; mfrusteri@cox.net; gensar@cox.net; philip.matuzic@gmail.com; bcantin@cox.net; kathyvenn@aol.com; 'Gregory Lash'; ronmcscherry@hotmail.com  
**Cc:** 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'  
**Sent:** Tuesday, February 04, 2014 4:52 PM  
**Subject:** FW: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Is anyone as angry as I am with Marymount inviting the public to join them in planting a garden in between the east parking lot – noisy enough – and San Ramon homes?

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

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Tuesday, February 04, 2014 4:45 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

HOW DARE THEY? Right in the Cornelius, Hamilton, Harris back yards!  
Marymount already has scheduled a "Grow Project Kickoff" for Thursday, February 6 at 12:30 pm – at the NE Corner of Campus.

The advertisement says, "Come learn about Marymount's new campus garden and help plant the first GROW crop!!!  
WHAT IS GOING ON ARA???  
This is just infuriating.  
Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Monday, February 03, 2014 4:23 PM  
**To:** 'Ara Mihranian'  
**Subject:** RE: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

The summary would be "NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES."

The "open space" to which you refer is adjacent the fire access easement between the Tooley and Cornelius homes.

The man I spoke to said they planned to plant fruit trees as well as California vegetation.

I'm all for planting native vegetation in open space but fruit trees require water and regular maintenance – otherwise you invite RATS and other vermin. The smart-ass remark from the student, "tell them we'll give them some fruit " is an example of what residents have to deal with.

Yes, there are nice students but, as in anything, it is the rotten apple that spoils the bunch.

Marymount has all sorts of land on which they can conduct horticulture classes – why do it next to San Ramon back yards where people may be working from home or trying to read a book in their back yards? How can we residents enjoy the peace and quiet of our homes when there are instructors and students with clanging of shovels and students horsing around – on top of parking lot nuisances of slamming car doors, security devices going off, radios, shouting, basketballs, cars revving engines, loud exhaust pipes, motorcycles. (get the picture?)

---

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

**Sent:** Monday, February 03, 2014 3:45 PM

**To:** Diane Smith

**Subject:** RE: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Would your summary of this objection be the use of the open space area by students for classes (similar to the subject line).

**Ara Michael Mihranian**

Deputy Director of Community Development



CITY OF RANCHO PALOS VERDES

30940 Hawthorne Blvd.

Rancho Palos Verdes, CA 90275

310-544-5228 (telephone)

310-544-5293 (fax)

[aram@rpv.com](mailto:aram@rpv.com)

[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

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

**Sent:** Monday, February 03, 2014 3:34 PM

**To:** Ara Mihranian

**Subject:** FW: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

I hope you do not forget to include this objection in the Marymount east parking lot comments.

---

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

**Sent:** Wednesday, November 20, 2013 1:22 PM

**To:** 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'

Cc: 'MBrophy@marymountpv.edu'; 'Marc Harris'; 'vickihanger@aol.com'; 'LOIS Karp'

Subject: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Dear Ara, Eduardo and Joel,

I may not have emphasized this earlier but we do not want Marymount conducting classes behind San Ramon homes. I am not speaking for Marc Harris and Mr. & Mrs. Tooley, but I am speaking for myself and others immediately affected. Attached are photographs of several students digging, talking, making clatter and although the words sound very sweet – that they are planting California vegetation and fruit trees – the true nature of the students came out when one of them shouted to the teacher to tell them we'll give them some fruit. The teacher did not reprimand the student or at least tell them to be more respectful – he just told me to contact the city, which I did. I have not had a response from the City nor Marymount regarding my request that there be no classes conducted next to resident homes – both on San Ramon and on Vista Del Mar. Because of the noise corridors we level and downslope residents can often hear every word that is said from the hilltop.

Although Laura McSherry wrote and spoke about her concerns over light and noise, no one came to her home to conduct light simulations or noise simulations. The McSherry home is within the 500 foot region and her written and oral concerns were simply ignored and left out of the EIR process. I do not know where sound and light simulations were conducted from Vista Del Mar.

Marc Harris may not feel the way we do because he works – but most of us are retired and home all day and have to listen to the noise day in and day out. Please do not allow classes to be conducted next to San Ramon nor Vista Del Mar homes.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

## Ara Mihranian

---

**From:** Parvin Jensen <psjense@aol.com>  
**Sent:** Tuesday, February 04, 2014 9:24 PM  
**To:** Ara Mihranian  
**Cc:** Diane Smith  
**Subject:** We oppose Marymount plan!

We oppose Marymount conducting the "GROW PROJECT" in our backyards next to the unapproved East Parking Lot. We are a quiet residential neighborhood and Marymount has plenty of open space away from resident homes. Please put a stop to this immediately as they have invited the public to join them this Thursday February 6 for their "kickoff"

Sincerely,  
Parvin Jensen

310-308-7903

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, February 04, 2014 8:55 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES  
**Attachments:** Marymount Parking lot - Classes conducted next to neighbors 1 o.jpg; Marymount Parking lot - Classes conducted next to neighbor home.jpg

Here is my request way back on November 20, 2013 to put a stop to this class. Now Marymount not only is conducting a class but they are advertising and inviting the general public to join in on their kick off!

I am just stunned at this Ara.

Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, November 20, 2013 1:22 PM  
**To:** 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'  
**Cc:** 'MBrophy@marymountpv.edu'; 'Marc Harris'; 'vickihanger@aol.com'; 'LOIS Karp'  
**Subject:** Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Dear Ara, Eduardo and Joel,

I may not have emphasized this earlier but we do not want Marymount conducting classes behind San Ramon homes. I am not speaking for Marc Harris and Mr. & Mrs. Tooley, but I am speaking for myself and others immediately affected. Attached are photographs of several students digging, talking, making clatter and although the words sound very sweet – that they are planting California vegetation and fruit trees – the true nature of the students came out when one of them shouted to the teacher to tell them we'll give them some fruit. The teacher did not reprimand the student or at least tell them to be more respectful – he just told me to contact the city, which I did. I have not had a response from the City nor Marymount regarding my request that there be no classes conducted next to resident homes – both on San Ramon and on Vista Del Mar. Because of the noise corridors we level and downslope residents can often hear every word that is said from the hilltop.

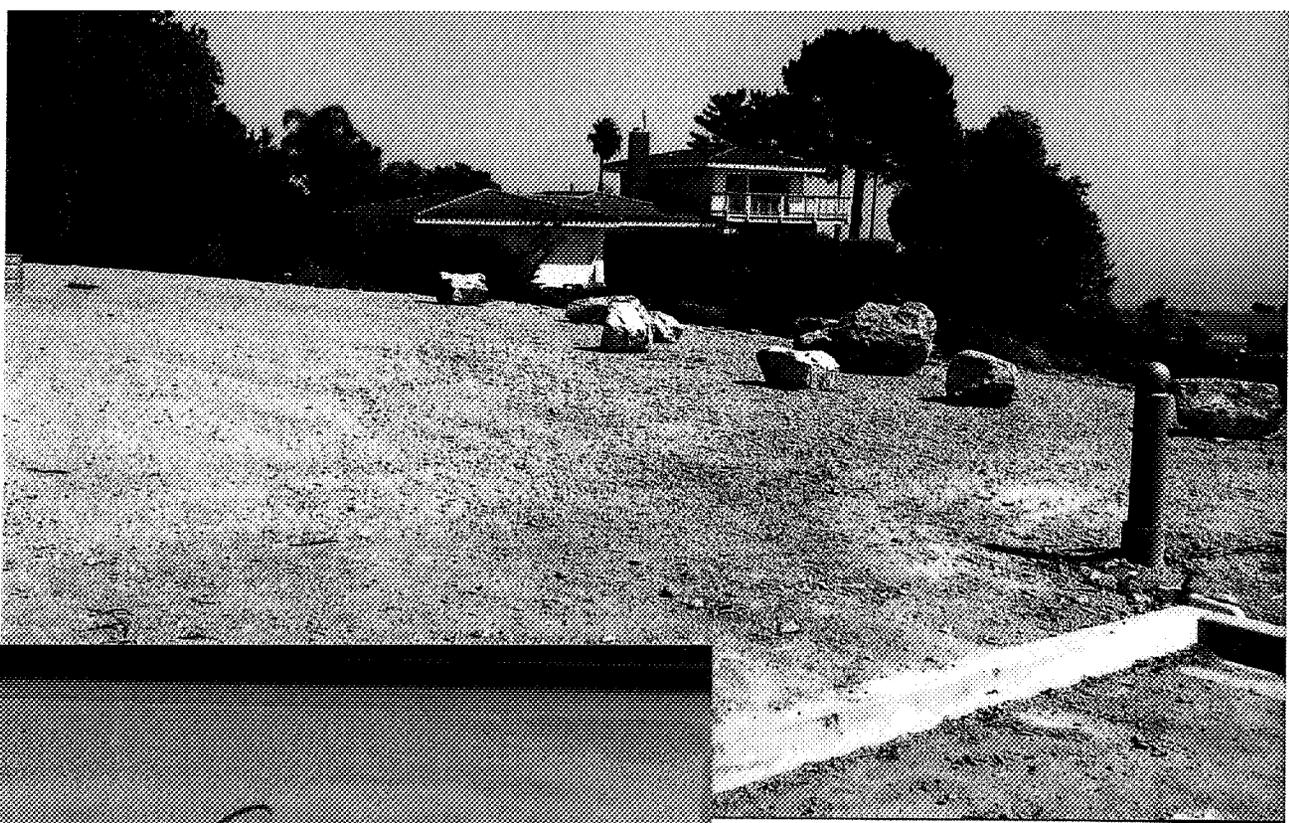
Although Laura McSherry wrote and spoke about her concerns over light and noise, no one came to her home to conduct light simulations or noise simulations. The McSherry home is within the 500 foot region and her written and oral concerns were simply ignored and left out of the EIR process. I do not know where sound and light simulations were conducted from Vista Del Mar.

Marc Harris may not feel the way we do because he works – but most of us are retired and home all day and have to listen to the noise day in and day out. Please do not allow classes to be conducted next to San Ramon nor Vista Del Mar homes.

Sincerely,

Diane Smith

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



Coming Soon

MCH   
GROW  
Project

A GARDEN for Restorative Outreach  
and Wellness

Please contact KATHLEEN TALBOT in the Office of  
Sustainability if you have questions.



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, February 04, 2014 8:25 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount Neighborhood Advisory Committee Meeting Notes  
**Attachments:** Marymount Eastern Parking Lot Suggestions.ppt

Here are the notes from Marc Harris' meeting that I referred to as "attached" in my letter to Yvonne Hamilton that I gave to you at our meeting. As you can see there is no mention of conducting classes beyond the parking lot between the lot and the Cornelius home.

It is outrageous that Marymount would just forge ahead and invite the public to "Come learn about Marymount's new campus garden and help plant the first GROW crop!"

Diane

**From:** Marc Harris [mailto:marc\_90277@yahoo.com]  
**Sent:** Monday, November 18, 2013 8:00 PM  
**To:** mfaustini@cox.net; kathyvenn@aol.com; suedanb@ox.net; ronmcsherry@hotmail.com; MeDiggory1@aol.com; utopia4u@cox.net; glash@cox.net; gensar@cox.net; john.feyk@cox.net; maryff@cox.net; radlsmith@cox.net; Duncan Tooley; Erin Harris; gunnarco@aol.com; philip.matuzic@gmail.com  
**Subject:** Marymount Neighborhood Advisory Committee Meeting Notes

Notes from tonight's meeting...

Eduardo (City) is taking over the Marymount Project from Ara.

Jim Reeves is sitting in for Dr Brophy.

Eastern Parking Lot

- Hours – 7am – 6pm (When the programming is in place)
- Students may leave as late as 10pm because of classes.
- Both arms go up at 7am and down at 6pm. Exit is automatic.
- Weekend is supposed to be closed.
- **They are working on vegetation screening (Possible Low wall) for light pollution and sound for San Ramon and Tarapaca. (Drip Irrigation going in right now)**
- Will revisit smoking area designated at MM. Patrolling to enforce smoke free campus.
- Ordered Trash Bins.

To contact Security – Main Number 310 377-5501 and listen to the prompt for Security.

**6 month review for the Eastern Parking Lot tentatively scheduled for Feb 4 2014 City Council Meeting.**

**Get your comments to the City well before this date.**

Classes 8am – before 10pm

No weekend classes currently. May in the future.

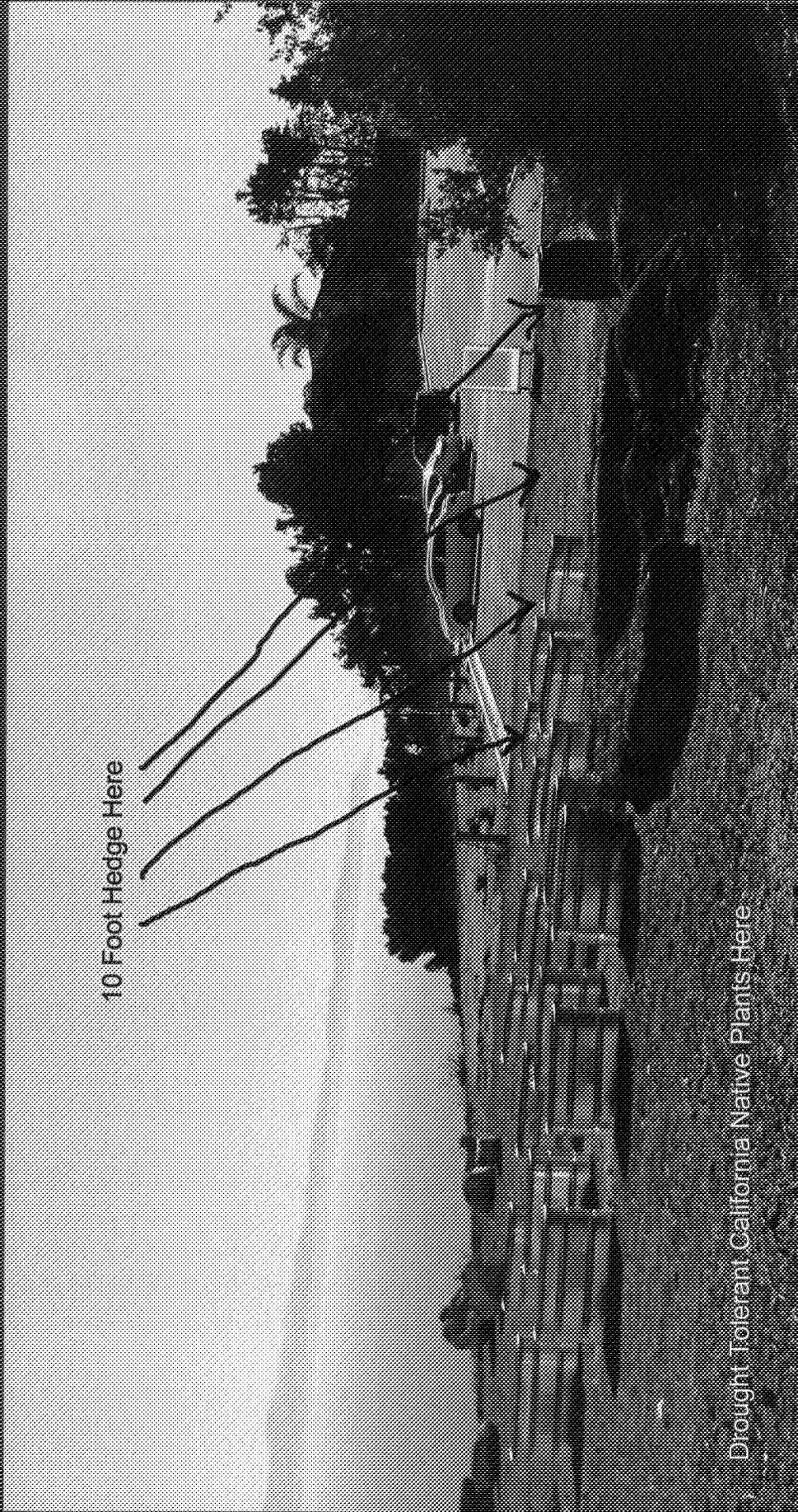
Construction Phases. Still working on Phase I (Athletic Field)

I have attached the powerpoint that I am submitting (Work in progress) ...

# Marymount Eastern Parking Lot Suggestions

Marc & Erin Harris  
2750 San Ramon Dr

# Screening and Open Space



10 Foot Hedge Here

Drought Tolerant California Native Plants Here

# Open Space Alternatives

- Native California groundcover

# Smoking, Noise, etc...

- Smoke free campus. It is happening in the Eastern parking lot. Need to figure this out.
- Mitigate noise from loitering students in the parking lot.

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, February 04, 2014 7:59 PM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES  
**Attachments:** Marymount Parking lot - Class scheduled for Feb 6 GROW PROJECT .jpg

This open and defiant – just like the grading they started in 1989.  
Attached is their brochure.

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Tuesday, February 04, 2014 4:52 PM  
**To:** Diane Smith  
**Subject:** RE: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

I will look into this.

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Tuesday, February 04, 2014 4:45 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

HOW DARE THEY? Right in the Cornelius, Hamilton, Harris back yards!  
Marymount already has scheduled a "Grow Project Kickoff" for Thursday, February 6 at 12:30 pm – at the NE Corner of Campus.  
The advertisement says, "Come learn about Marymount's new campus garden and help plant the first GROW crop!!!

WHAT IS GOING ON ARA???

This is just infuriating.

Diane

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

**Sent:** Monday, February 03, 2014 4:23 PM

**To:** 'Ara Mihranian'

**Subject:** RE: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

The summary would be "NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES."

The "open space" to which you refer is adjacent the fire access easement between the Tooley and Cornelius homes.

The man I spoke to said they planned to plant fruit trees as well as California vegetation.

I'm all for planting native vegetation in open space but fruit trees require water and regular maintenance – otherwise you invite RATS and other vermin. The smart-ass remark from the student, "tell them we'll give them some fruit " is an example of what residents have to deal with.

Yes, there are nice students but, as in anything, it is the rotten apple that spoils the bunch.

Marymount has all sorts of land on which they can conduct horticulture classes – why do it next to San Ramon back yards where people may be working from home or trying to read a book in their back yards? How can we residents enjoy the peace and quiet of our homes when there are instructors and students with clanging of shovels and students horsing around – on top of parking lot nuisances of slamming car doors, security devices going off, radios, shouting, basketballs, cars revving engines, loud exhaust pipes, motorcycles. (get the picture?)

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

**Sent:** Monday, February 03, 2014 3:45 PM

**To:** Diane Smith

**Subject:** RE: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Would your summary of this objection be the use of the open space area by students for classes (similar to the subject line).

**Ara Michael Mihranian**

Deputy Director of Community Development

---



CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

**Sent:** Monday, February 03, 2014 3:34 PM

**To:** Ara Mihranian

**Subject:** FW: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

I hope you do not forget to include this objection in the Marymount east parking lot comments.

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

**Sent:** Wednesday, November 20, 2013 1:22 PM

**To:** 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'

**Cc:** 'MBrophy@marymountpv.edu'; 'Marc Harris'; 'vickihanger@aol.com'; 'LOIS Karp'

**Subject:** Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Dear Ara, Eduardo and Joel,

I may not have emphasized this earlier but we do not want Marymount conducting classes behind San Ramon homes. I am not speaking for Marc Harris and Mr. & Mrs. Tooley, but I am speaking for myself and others immediately affected. Attached are photographs of several students digging, talking, making clatter and although the words sound very sweet – that they are planting California vegetation and fruit trees – the true nature of the students came out when one of them shouted to the teacher to tell them we'll give them some fruit. The teacher did not reprimand the student or at least tell them to be more respectful – he just told me to contact the city, which I did. I have not had a response from the City nor Marymount regarding my request that there be no classes conducted next to resident homes – both on San Ramon and on Vista Del Mar. Because of the noise corridors we level and downslope residents can often hear every word that is said from the hilltop.

Although Laura McSherry wrote and spoke about her concerns over light and noise, no one came to her home to conduct light simulations or noise simulations. The McSherry home is within the 500 foot region and her written and oral concerns were simply ignored and left out of the EIR process. I do not know where sound and light simulations were conducted from Vista Del Mar.

Marc Harris may not feel the way we do because he works – but most of us are retired and home all day and have to listen to the noise day in and day out. Please do not allow classes to be conducted next to San Ramon nor Vista Del Mar homes.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

## SUSTAINABILITY

### GROW PROJECT KICKOFF

Thursday, February 6, 12:30 p.m. • Free  
Oceanview Campus • GROW Site (NE corner of Campus)  
30800 Palos Verdes Drive E., Rancho Palos Verdes

Come learn about Marymount's new campus garden and help plant the first GROW crop!



## SUSTAINABILITY

### WATERSHED SCREENING AND PANEL DISCUSSION

Thursday, March 27, 6-8:30 p.m. • Free  
Cabrillo Marine Aquarium • John M. Olguin Auditorium  
3720 Stephen M. White Dr., San Pedro

Attend a screening of the award-winning film *Watershed*. Following the film, local water experts from the LA Waterkeeper and OC Coastkeeper organizations will participate in a panel discussion about water reliability and quality.

## SUSTAINABILITY

### SUSTAINABILITY EXPO

Tuesday, April 22, Noon-1:30 p.m. • Free  
Oceanview Campus • Chapel Circle  
30800 Palos Verdes Drive E.,  
Rancho Palos Verdes

Celebrate Earth Day by visiting with campus groups, local vendors, nonprofit organizations and utility providers, and find out how you can reduce your footprint, serve your community and live a more sustainable life.



## P.E.A.C.E. CENTER "Promoting Peace, Educational and Cross-Cultural Exploration" FIFTH ANNIVERSARY CELEBRATION

Tuesday, April 8, 7-9 p.m. • Free  
Oceanview Campus • The Commons and P.E.A.C.E. Center  
30800 Palos Verdes Drive E., Rancho Palos Verdes

Join Marymount and the local community for interdisciplinary presentations about peace and intercultural understanding. Celebrate the Fifth Anniversary of the founding of the Center by Professor Sally Lee Wu and her Intercultural Psychology class. Presentations are in the Commons followed by a reception in the Center.



## MISSION LECTURE AND RECEPTION

### "BEAUTY AND JUSTICE: LATINO THEOLOGY EXPRESSED AS LATINO ARTS"

Thursday, April 3, 4 p.m., Artist's Reception: R.A. Lopez Studio • 372 W. Sixth Street, San Pedro  
Thursday, April 3, 5:30 p.m., Lecture: Grand Annex • 434 W. Sixth Street, San Pedro

Can the human yearnings for justice and beauty be brought together through the arts? Can beauty help us find and then build justice? Speaker Cecilia Gonzalez-Andrieu, Ph.D., associate professor of theology at Loyola Marymount University, is a leading scholar in the developing field of theological aesthetics.

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, February 04, 2014 12:27 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** 'Karpov'; 'James'; 'Gregory Lash'; jmaniataki@aol.com; 'Marc Harris'  
**Subject:** Marymount East Parking Lot and proposed Athletic Field - Marymount History - 1989  
**Attachments:** Marymount MND - 1989 San Ramon Objection to Grading etc.jpg

Dear City Planners,

We go back a long way don't we?

I just came across this long ago letter from 2742 San Ramon Drive resident Barbara Covey (now deceased) to San Ramon neighbors regarding Marymount grading operations and neighborhood petition against volleyball courts because of loss of privacy, loss of property value, loss of view, noise, stability of land and increased trespassing.

I just thought I'd add this to show the long history of San Ramon resident objections to nuisance of Marymount operations.

Marymount continues to grow and grow and now a 4-year University with THREE CAMPUSES and growing more.

Our neighborhood homes have not changed – not grown much – we still want our peace and semi-rural environment and we still oppose Marymount's invasion of our privacy, of our peace, our safety and stability.

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

2742 San Ramon Drive  
Rancho Palos Verdes  
California 90274  
23 May 1989

Dear San Ramon neighbors,

Five minutes ago I got off the phone, having heard the following from Joel Rojas of the planning department in Rancho Palos Verdes city hall:

- ...Marymount College commenced grading in the area behind the Covey house, on college-owned land, in early May, without a permit.
- ...When the city heard that the college was grading this land without a permit, it ordered the operation to cease.
- ...The college has been given an application which they are to fill out and submit to Rancho Palos Verdes Planning and Environmental Services.
- ...When this application is turned in, "the Director will make a determination as to whether a conditional use permit is needed." (I think I've quoted Joel Rojas exactly.)

This is my first experience with city hall lingo, but my understanding is that "the director"\* can, if he decides a conditional use permit is NOT needed, issue a grading permit without neighborhood input. However, Joel Rojas was clear that if the director determines that a conditional permit IS needed, neighborhood input will be invited by the city.

Since twenty five of us signed a petition that said we didn't want volleyball courts because of loss of privacy, loss of property value, loss of view, noise, stability of land, and increased trespassing, I thought you should know what I heard from Planner Joel Ross.

I asked him what I could do, to make sure the director decided that a conditional use permit was needed? Joel Rojas said he couldn't tell until he saw the application for a grading permit from Marymount College.

Yours truly,

*Barbara Covey*  
Barbara Covey

\*I asked who the director was and he said it was Mr. Robert Benard.

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, February 04, 2014 10:55 AM  
**To:** 'Jim Reeves'  
**Cc:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Subject:** RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Jim,

Thank you very much for closing the east parking lot and keeping the lights off over the Christmas vacation. I had a house full of guests, the weather was fantastic and we therefore spent just about every evening out back enjoying the view and dark night sky.

I hope things can somehow work out for both Marymount and its backyard neighbors.

Sincerely,  
Diane

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

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 27, 2013 1:14 PM  
To: Diane Smith  
Cc: Ara Mihranian; eduardos@rpv.com; Joel Rojas  
Subject: Re: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Hello Diane,

We have closed the lot for the long holiday break with the parking lot lights off over that period. Best wishes for a pleasant Thanksgiving holiday.

Jim Reeves

Sent from my iPhone

On Nov 26, 2013, at 8:51 PM, "Diane Smith" <radlsmith@cox.net<mailto:radlsmith@cox.net>> wrote:

Thank you for the glorious dark nights last Saturday, Sunday and now tonight as the lights are turned off – it is simply wonderful, just as it has been from 1978 until June 29 of this year.

I believe the planning department made an oversight with regards to Marymount's East Parking Lot lighting. RPV's Hess Park Community Center Parking Lot Lights would be appropriate at Marymount's East Parking Lot. I hope you will have time to visit RPV's Hess Park Community Center Parking Lot at night. I hope too that you will have time to return to our home at night to see how bright and invasive the present lighting is on local residents. Any hedge would take enormous care to grow thick and tall enough to block the existing light, assuming it is planted at the maximum height.

Thank you again for turning the lights off when the lot has not been in use Saturday, Sunday and tonight.

Sincerely,  
Diane Smith

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 20, 2013 5:24 PM  
To: Diane Smith; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>  
Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>

Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Ms. Smith,

Thank you for your time today. I appreciated the opportunity to view the parking area from your perspective. We will continue to review the operational impacts of the lot and work with City staff to develop some possible solutions.

Sincerely,  
Jim Reeves

Jim Reeves

Sr. Vice President

Finance & Administration

Marymount California University

(310) 303-7330

<mailto:JReeves@MarymountCalifornia.edu>JReeves@MarymountCalifornia.edu<mailto:JReeves@MarymountCalifornia.edu>

<image001.jpg>

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

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

Sent: Wednesday, November 20, 2013 3:42 PM

To: Jim Reeves; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>

Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>

Subject: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Mr. Reeves and Eduardo,

It has been over four months since I invited Marymount to come to my home to see the horrible lights that invade our properties from Marymount's new East Parking Lot. Thank you very much for finally coming to our home and to the Cornelius home to see, first hand, Marymount's new East Parking Lot from our perspectives in daytime. Thank you also Mr. Reeves for noting that Wednesdays are not as busy as other days.

Please return to our homes at night so that you can see for yourself what has been imposed on us, every single night until 10:00 p.m., seven days a week, since the bright annoying lights were first turned on – on June 29, 2013.

If we are not home you are welcome to go through the east side gates of our home.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

Cc: Yvonne Hamilton

---

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

---

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

---

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, February 04, 2014 8:43 AM  
**To:** Ara Mihranian  
**Cc:** 'Gregory Lash'; jmaniataki@aol.com; joey.sparks@me.com; 'James'; 'Karpov'  
**Subject:** FW: Marymount East Parking Lot - Mitigation - Hedge  
**Attachments:** Marymount Parking lot - Mitigation-Hedge - Existing dead hedge .jpg; Marymount Parking lot - Mitigation-Hedge - view from PVE parkin.jpg

Please don't forget to put this in. I think it is very important because, as I said below, if Marymount does not take care of its FRONT parking lot then what makes you think they would keep up vegetation in their new east back parking lot? That's why I wanted to see the list showing the number of times Marymount has violated its Conditional Use Permits. Flagrant violations of the rules are indications of respect.

Marymount was supposed to abide by the City Council's imposition of hours of operation of the new east parking lot and Marymount knew neighbors were watching closely during this 6-month "trial" period and yet Marymount flagrantly violated the rules and allowed cars and lights to remain on all through the night.

Residents complained but nothing appeared to be done about it – just words but no actions – no penalty - not even a copy of a letter chastising Marymount for violating the rules.

Marymount imposes rules on its students but Marymount disobeys rules imposed on it.

What a farse.

Now Marymount wants to build an athletic field.

Diane

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Monday, November 04, 2013 4:33 PM  
**To:** 'Ara Mihranian'  
**Subject:** Marymount East Parking Lot - Mitigation - Hedge

Dear Ara,

When you came to my house, you spoke to me about working with you on this matter. You spoke about possibly having Marymount put in a high hedge to block out the light that we see.

It is obvious that a hedge will not work.

Today I took several pictures of the "hedge" existing in front of Marymount's FRONT parking lot on P.V.Drive East.

The hedge is mostly dead from lack of care.

The parking lot is set up so the cars park towards the street and therefore towards neighbors across the street – on Crest Road and in the Mira Catalina tract. I'm sure many of these cars leave at night and therefore their headlights would shine directly into the back yards of at least two homes. I have attached a picture taken from the southwest end of the front parking lot looking at the back yard entertainment areas of two homes in the Mira Catalina tract.

The second picture shows that Marymount has never taken care of those hedges – they are barely alive.

If that is how Marymount takes care of its FRONT yard then what makes you think they would keep up vegetation in the new back parking lot?

Sincerely,  
Diane Smith

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, February 04, 2014 8:29 AM  
**To:** 'Gregory Lash'; Ara Mihranian; Eduardo Schonborn; Joel Rojas; BrophyMBrophy@marymountpv.edu  
**Cc:** 'Karpov'; 'James'; idelle@cox.net; jmaniataki@aol.com; vickihanger@aol.com  
**Subject:** RE: Marymount East Parking Lot - 14 cars parked on Palos Verdes Drive East  
**Attachments:** Marymount - 1990 PV News article.jpg; Marymount - good neighbor host.jpg

I too would have liked to respond to Mr. Brophy – about his comment on dog walking. Mr. Brophy ended his speech about Marymount allowing residents to walk their dogs on campus. That's malarkey. I was kicked out by security for walking my yellow Labrador retriever to the East Parking Lot the first time I went there. Years ago, Marymount allowed me to take my old horses through Marymount but a lot has changed.

But it's not too late to point out this out to Dr. Brophy and that's why I am adding him to this correspondence. Our neighborhood population has remained the same, or even less what with our kids off to college and on their own, but Marymount has grown, and overgrown and is still growing with plans for more and more students. The City is very definite on how much residents can add on to their homes and even how high their trees can grow. Marymount should be informed by the City how much they are entitled to grow in light of our City's General Plan. The arguments by residents have not changed since the attached April 21, 1990 Palos Verdes News headline . . . but Marymount vehicles indicate Marymount has grown and exceeded the City's enrollment cap. Both residents and Marymount need equal treatment here.

The City told me I could have horses in my backyard unless residents complained of the nuisance.

I had horses for over 20 years. Marymount's Sister Elizabeth invited me to ride through Marymount campus whenever I wanted (although I seldom did) and I hosted Marymount visitors and gave rides to them when I was younger (see attached). No one complained.

I've picked up Marymount's trash for over 35 years because I am proud of our neighborhood and want to keep it clean and nice. Marymount invited residents to attend their film events and a few other events and so you might say it softened Marymount's nuisance of noise, trash and paying fines for parking on our own street. Marymount invited me to use their front parking lot for my guests at my husband's retirement party (although it turned out we didn't need to). We've tried to get along. But this East Parking Lot has gone too far. Marymount is exploding with growth now on THREE CAMPUSES that are swirling around our fragile roads and disrupting our quiet community.

I have been a good neighbor but now I am complaining.

Diane Smith

---

**From:** Gregory Lash [mailto:glash@cox.net]  
**Sent:** Monday, February 03, 2014 10:22 PM  
**To:** Diane Smith; 'Ara Mihranian'; eduardos@rpv.com; 'Joel Rojas'  
**Cc:** 'Karpov'; 'James'; idelle@cox.net; jmaniataki@aol.com; vickihanger@aol.com  
**Subject:** Re: Marymount East Parking Lot - 14 cars parked on Palos Verdes Drive East

**Diane/Eduardo -**

**Students parking on PVE (and San Ramon Drive) has been a constant since I have lived in the area (2001). I am three doors south of PVE on San Ramon and I see this daily. I used to take dated photos, but realized know one could deny that it was happening. The number of cars varies, and there are less now that the East Lot is open, but there is student street parking on any day school is in session. At the Council Hearing on 21Jan, Dr**

Brophy stated "there were open spaces on Campus." I wished I could have completed that sentence with " there are also cars on PVE to fill those spaces."

Gregory Lash

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

**From:** [Diane Smith](#)

**To:** '[Ara Mihranian](#)'; [eduardos@rpv.com](mailto:eduardos@rpv.com); '[Joel Rojas](#)'

**Cc:** '[Karpov](#)'; '[James](#)'; [idelle@cox.net](mailto:idelle@cox.net); [jmaniataki@aol.com](mailto:jmaniataki@aol.com); '[Gregory Lash](#)'; [vickihanger@aol.com](mailto:vickihanger@aol.com)

**Sent:** Monday, February 03, 2014 4:09 PM

**Subject:** Marymount East Parking Lot - 14 cars parked on Palos Verdes Drive East

At around 2 o'clock today I went for a walk with my friend to Marymount's East Parking Lot. (That's when we observed the saturated ground.) My friend also noticed there were not many cars in the east parking lot today. When we left, we counted 14 cars on the street – on Palos Verdes Drive East. So kids are still preferring to park on Palos Verdes Drive East rather than the new east parking lot. (We forgot to look up Crest Road to see if any cars were parked there – I'll watch that tomorrow).

It seems to me, when it came to the point that over 90 cars were observed parking on Palos Verdes Drive East and up Crest Road that the City should have verified enrollment!! Has Marymount violated its conditional use enrollment cap?

Diane

## PALOS

## Peninsula

900 Silver Spur Rd., Rolling Hills Estates 90274

Vol. LIII No. 32

Our 53rd Year

Saturday, April 11, 1981

## RPV Council Places Cap on

By ANNE LA JEUNESSE  
*News Staff Writer*

The Rancho Palos Verdes City Council on Tuesday unanimously sustained conditions placed on Marymount Palos Verdes College by the Planning Commission when the college requested permission to expand its facilities.

Marymount College officials had appealed the Planning Commission's decision to the City Council because school officials objected to a condition establishing an enrollment cap on the school. The school's campus population has increased to approximately 750 students from an original 250 pupils attending the college when it opened in the mid 1970s.

The enrollment cap was widely supported by residents living near the campus who complained that increasing numbers of students resulted in a rise in traffic, noise and parking congestion on Palos Verdes Drive East and on nearby neighborhood streets.

In addition to establishing the enrollment cap, the City Council added a condition that within six months the college shall submit to the city a ride sharing plan that would partially eliminate traffic congestion near the school, a plan that would coincide with regulations established by the Air Quality Management Department.

The school's conditional use permit was revised by the Planning Commission because the

school requested permission for a 7,084-square-foot expansion of its existing student lounge/snack bar, and construction of a new 7,178-square-foot student services building.

Residents, concerned about the problems caused by the burgeoning student body, were pleased with the inclusion of an enrollment cap, and approximately 150 Marymount Palos Verdes College neighbors signed a petition requesting the enrollment be limited to 750 full-time equivalent students.

Resident Don Winston said that since he has lived near the school he has seen the student body nearly triple, plaguing the surrounding neighborhoods with increased traffic, speeding, noise pollution, parking problems and impaired privacy.

Kimberly Candido, who lives across the street from the campus, supported the enrollment cap, saying, "Marymount has grown inordinately and is getting to the maximum amount Palos Verdes Drive East can handle; it is at the maximum size the community can support."

Other conditions imposed on the school include providing a plan for a minimum of 53 additional off-street parking spaces prior to approval of any building permits for proposed construction which removes any existing off-street parking, and a revised or new grading permit be submitted

for construction of any new parking area with an accompanying geologic report.

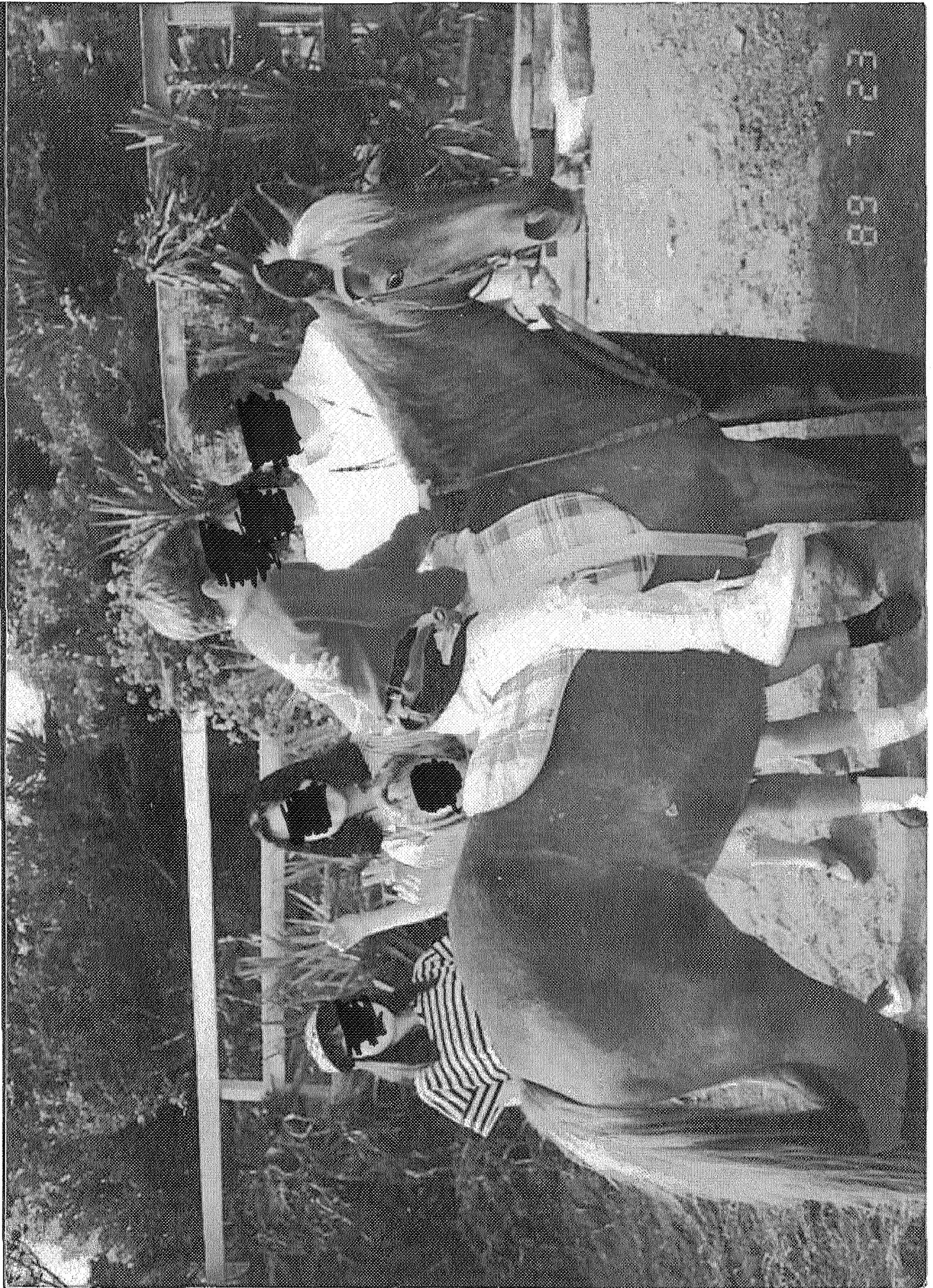
Prior to receiving any grading or building permits, the school will also be required to submit a lighting plan. All campus lighting, including new and existing construction and parking areas, shall be shielded using a standard and lights approved by the city's director of Environmental Services. Additionally, any light fixture in excess of 10 feet tall will require special approval by the Planning Commission.

The school will also have to submit to the city a landscaping plan for an area previously graded for volleyball courts showing foliage which will not infringe on neighborhood views.

Any use of amplified sound for outdoor campus activities will require a special use permit, and such activities should be located as far from surrounding residential areas as possible.

The Planning Commission also stipulated that any commercial use of the campus, including subleasing, shall require an amendment to the CUP.

The commission also stated that an emergency contact telephone number for a campus official shall be provided for after hours use to all nearby homeowner associations and the city, and that the school will be required to place adequate trash receptacles along Palos Verdes Drive East.



Item #1 Attachment F-178

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, February 03, 2014 4:40 PM  
**To:** Ara Mihranian; Joel Rojas; Eduardo Schonborn  
**Subject:** Marymount East Parking Lot Lighting

It seems to me that the City's outdoor lighting questions by the Planning Commission should be resolved before considering the lights of this new parking lot. Outdoor lighting rules should consider the direction that vehicle headlights would be shining – and they should not shine into residents property.

Again, Marymount's new east parking lot lights belong in a shopping mall that attracts people.

The lights now are polluting the night skies and are a terrible nuisance to downslope residents and can be seen all the way to San Pedro.

Parking lot lights in Rancho Palos Verdes should be low quiet lights – like the lights used in our own City Council meeting place at Hesse Park - - same as the Peninsula High School lights. If they are good enough for high school students they should be good enough for college students.

The EIR did not consider 94 vehicle headlights shining in our back yards and quivering around and around until 10:00 pm.

This is an unacceptable nuisance and horrible planning.

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, February 03, 2014 4:30 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - Illumination

I hope this email gets into the City Council Packets. I believe you told me that all of our email correspondence would be sent to the City Council members.

Thanks,  
Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, October 09, 2013 5:14 PM  
**To:** 'aram@rpv.com'  
**Subject:** Marymount East Parking Lot - Illumination

Dear Ara,

Thank you for trying to help me understand the "light language" pertaining to Marymount's new East Parking Lot.

I am not educated and experienced in light language and know only what light bothers me.

The light generated by Marymount's new parking lot is a great nuisance to me and to other affected residents so far that I have spoken to.

Marymount's East parking lot has parking spaces for 47 vehicles that face in my direction.

The parking spaces are on a slope.

Each vehicle shoots out 180 degrees of light from their headlights at night. The cumulative effect of these headlights, going on and off at different times and for different lengths of times, together with the illumination from the overhead lights when students leave the parking lot reminds me of a disco ball. The lights go on and off and sometimes linger with chit-chatters. This illumination can be clearly seen from as far away as Bogdanovich park. The new parking lot looks like a beacon – a lighthouse or in my case, a disco light and has greatly changed my peaceful semi-rural property to a Golden Cove-type bustling environment, every day, every evening, 7 days a week.

I have reviewed the light plans submitted with the EIR and I pointed out to you that the plans are inaccurate because they show zeros off of the property. I am sure the City Council did not realize the effect of this illuminated parking lot or they never would have signed off on the EIR.

You and I went in circles over the definition of light as you insisted the lights project down onto the parking lot and are contained on the parking lot and that I do not see the light. You explained, "Of course you can see the parking lot illuminated but you are not seeing the light source nor is the light source emitting onto your property."

I repeated this quote to you and you agreed it was accurate.

I do not believe this illumination and the other nuisances I have previously identified comply with the City of Rancho Palos Verdes' low-density semi-rural atmosphere and its General Plan. It is hard for a lay person to imagine what effect lights look like on paper but it is very easy to see what they look like from our properties. The lights were turned on, on or about June 29, 2013, and I immediately informed Marymount that the lights are unacceptable. School was not in session so we were not able to access the full effect of these lights and illumination until after the students arrived. The overhead lights should be removed entirely.

There is no reason to have such illumination in that remote parking lot where there are no gangs, no "bad" neighborhood (7 of the 10 San Ramon neighbor households are Senior Citizens) and the only danger Marymount students may face would be from themselves. The ground lights should suffice to get the students to their vehicles and Marymount might consider security cameras to capture any illegal activity. The existing sound wall between Marymount's tennis courts and San Ramon residents' back yards, should be continued around to the Vista Del Mar sound wall. This would not only help shield the light but also to deter/capture the trash both blown and intentionally

thrown into the field, help buffer the annoying noise, discourage student loitering, drinking and excessive smoking close to the fire-susceptible open fields.

I will continue to come to the City offices to review the binders containing history of the EIR.

Again, thank you for your time today.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, February 03, 2014 4:23 PM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

The summary would be "NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES."

The "open space" to which you refer is adjacent the fire access easement between the Tooley and Cornelius homes. The man I spoke to said they planned to plant fruit trees as well as California vegetation.

I'm all for planting native vegetation in open space but fruit trees require water and regular maintenance – otherwise you invite RATS and other vermin. The smart-ass remark from the student, "tell them we'll give them some fruit " is an example of what residents have to deal with.

Yes, there are nice students but, as in anything, it is the rotten apple that spoils the bunch.

Marymount has all sorts of land on which they can conduct horticulture classes – why do it next to San Ramon back yards where people may be working from home or trying to read a book in their back yards? How can we residents enjoy the peace and quiet of our homes when there are instructors and students with clanging of shovels and students horsing around – on top of parking lot nuisances of slamming car doors, security devices going off, radios, shouting, basketballs, cars revving engines, loud exhaust pipes, motorcycles. (get the picture?)

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Monday, February 03, 2014 3:45 PM  
**To:** Diane Smith  
**Subject:** RE: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Would your summary of this objection be the use of the open space area by students for classes (similar to the subject line).

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

 CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Monday, February 03, 2014 3:34 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

I hope you do not forget to include this objection in the Marymount east parking lot comments.

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, November 20, 2013 1:22 PM  
**To:** 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'  
**Cc:** 'MBrophy@marymountpv.edu'; 'Marc Harris'; 'vickihanger@aol.com'; 'LOIS Karp'  
**Subject:** Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Dear Ara, Eduardo and Joel,

I may not have emphasized this earlier but we do not want Marymount conducting classes behind San Ramon homes. I am not speaking for Marc Harris and Mr. & Mrs. Tooley, but I am speaking for myself and others immediately affected. Attached are photographs of several students digging, talking, making clatter and although the words sound very sweet – that they are planting California vegetation and fruit trees – the true nature of the students came out when one of them shouted to the teacher to tell them we'll give them some fruit. The teacher did not reprimand the student or at least tell them to be more respectful – he just told me to contact the city, which I did. I have not had a response from the City nor Marymount regarding my request that there be no classes conducted next to resident homes – both on San Ramon and on Vista Del Mar. Because of the noise corridors we level and downslope residents can often hear every word that is said from the hilltop.

Although Laura McSherry wrote and spoke about her concerns over light and noise, no one came to her home to conduct light simulations or noise simulations. The McSherry home is within the 500 foot region and her written and oral concerns were simply ignored and left out of the EIR process. I do not know where sound and light simulations were conducted from Vista Del Mar.

Marc Harris may not feel the way we do because he works – but most of us are retired and home all day and have to listen to the noise day in and day out. Please do not allow classes to be conducted next to San Ramon nor Vista Del Mar homes.

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

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, February 03, 2014 4:10 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** 'Karpov'; 'James'; idelle@cox.net; jmaniataki@aol.com; 'Gregory Lash'; vickihanger@aol.com  
**Subject:** Marymount East Parking Lot - 14 cars parked on Palos Verdes Drive East

At around 2 o'clock today I went for a walk with my friend to Marymount's East Parking Lot. (That's when we observed the saturated ground.) My friend also noticed there were not many cars in the east parking lot today. When we left, we counted 14 cars on the street – on Palos Verdes Drive East. So kids are still preferring to park on Palos Verdes Drive East rather than the new east parking lot. (We forgot to look up Crest Road to see if any cars were parked there – I'll watch that tomorrow).

It seems to me, when it came to the point that over 90 cars were observed parking on Palos Verdes Drive East and up Crest Road that the City should have verified enrollment!! Has Marymount violated its conditional use enrollment cap?  
Diane

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, February 03, 2014 4:02 PM  
**To:** Ara Mihranian  
**Cc:** Eduardo Schonborn; Joel Rojas; vickihanger@aol.com  
**Subject:** RE: Marymount East Parking Lot - Leaky Drain Pipe

I just got back – took pictures. Also, I met a Marymount person in a green gardener truck, Caesar, who told me he is not a maintenance person – that maintenance only works in the morning. He told me he would take pictures. I followed him and he did take pictures. I told him how the ground was saturated for months and even more saturated now. He took pictures and was speaking to someone as I left.

I hope the source of this leak is discovered and repaired as soon as possible as it is right in the line of fire of Vista del Mar!

I took a picture of the water in the one section of the round-about (or whatever you call it). That area is on top of the graded land but doesn't seem to pose a problem. It is interesting though – how much is just sitting there after so little rainfall.

Diane

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Monday, February 03, 2014 3:46 PM  
**To:** Diane Smith; Eduardo Schonborn; Joel Rojas  
**Subject:** RE: Marymount East Parking Lot - Leaky Drain Pipe

Diane,  
Send me the photos.  
In the interim, I am forwarding this email to Jim Reeves and Richard Schulte.

Thank you!  
Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Monday, February 03, 2014 3:40 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Subject:** Marymount East Parking Lot - Leaky Drain Pipe

Dear Ara,

I am going through my past emails where I told you about the pipes leaking up at Marymount. I just came back from a walk with my friend Kinu and she agreed that this is not only leaking but it has been leaking for a long time. It is the unit at the corner of the east parking lot closest to the Vista Del Mar home. Also, there was hardly any rain yesterday and the water is backed up on top of the round-about at the very top of the east parking lot. I'm going up there now to take photocopies and then I'll find the email where I told you long ago that it was leaking. I think you told me that you brought it to Marymount's attention and they said they would fix it. It needs to be fixed and monitored as it is at the top of the South Shores Landslide.

Diane

## Ara Mihranian

---

**From:** Jim Reeves <JReeves@marymountcalifornia.edu>  
**Sent:** Monday, February 03, 2014 3:52 PM  
**To:** Ara Mihranian; Richard Schult  
**Subject:** RE: Marymount East Parking Lot - Leaky Drain Pipe

Hello Ara,  
I'm not familiar with a broken pipe in this area but will take a look.  
Jim

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

*amazing lives in view*

**MARYMOUNT**  
CALIFORNIA UNIVERSITY

Please note that as of September 1<sup>st</sup>, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Monday, February 03, 2014 3:47 PM  
**To:** Jim Reeves; Richard Schult  
**Subject:** FW: Marymount East Parking Lot - Leaky Drain Pipe

Jim and Richard,  
Please see the email message below from Diane Smith regarding a broken pipe.  
Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Monday, February 03, 2014 3:40 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Subject:** Marymount East Parking Lot - Leaky Drain Pipe

Dear Ara,

I am going through my past emails where I told you about the pipes leaking up at Marymount. I just came back from a walk with my friend Kinu and she agreed that this is not only leaking but it has been leaking for a long time. It is the unit at the corner of the east parking lot closest to the Vista Del Mar home. Also, there was hardly any rain yesterday and the water is backed up on top of the round-about at the very top of the east parking lot. I'm going up there now to take photocopies and then I'll find the email where I told you long ago that it was leaking. I think you told me that you brought it to Marymount's attention and they said they would fix it. It needs to be fixed and monitored as it is at the top of the South Shores Landslide.

Diane

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radsmith@cox.net>  
**Sent:** Monday, February 03, 2014 3:40 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Subject:** Marymount East Parking Lot - Leaky Drain Pipe

Dear Ara,

I am going through my past emails where I told you about the pipes leaking up at Marymount. I just came back from a walk with my friend Kinu and she agreed that this is not only leaking but it has been leaking for a long time. It is the unit at the corner of the east parking lot closest to the Vista Del Mar home. Also, there was hardly any rain yesterday and the water is backed up on top of the round-about at the very top of the east parking lot. I'm going up there now to take photocopies and then I'll find the email where I told you long ago that it was leaking. I think you told me that you brought it to Marymount's attention and they said they would fix it. It needs to be fixed and monitored as it is at the top of the South Shores Landslide.

Diane

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, February 03, 2014 3:34 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES  
**Attachments:** Marymount Parking lot - Classes conducted next to neighbors 1 o.jpg; Marymount Parking lot - Classes conducted next to neighbor home.jpg

I hope you do not forget to include this objection in the Marymount east parking lot comments.

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, November 20, 2013 1:22 PM  
**To:** 'Ara Mihranian'; 'eduardos@rpv.com'; 'Joel Rojas'  
**Cc:** 'MBrophy@marymountpv.edu'; 'Marc Harris'; 'vickihanger@aol.com'; 'LOIS Karp'  
**Subject:** Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES

Dear Ara, Eduardo and Joel,

I may not have emphasized this earlier but we do not want Marymount conducting classes behind San Ramon homes. I am not speaking for Marc Harris and Mr. & Mrs. Tooley, but I am speaking for myself and others immediately affected. Attached are photographs of several students digging, talking, making clatter and although the words sound very sweet – that they are planting California vegetation and fruit trees – the true nature of the students came out when one of them shouted to the teacher to tell them we'll give them some fruit. The teacher did not reprimand the student or at least tell them to be more respectful – he just told me to contact the city, which I did. I have not had a response from the City nor Marymount regarding my request that there be no classes conducted next to resident homes – both on San Ramon and on Vista Del Mar. Because of the noise corridors we level and downslope residents can often hear every word that is said from the hilltop.

Although Laura McSherry wrote and spoke about her concerns over light and noise, no one came to her home to conduct light simulations or noise simulations. The McSherry home is within the 500 foot region and her written and oral concerns were simply ignored and left out of the EIR process. I do not know where sound and light simulations were conducted from Vista Del Mar.

Marc Harris may not feel the way we do because he works – but most of us are retired and home all day and have to listen to the noise day in and day out. Please do not allow classes to be conducted next to San Ramon nor Vista Del Mar homes.

Sincerely,

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

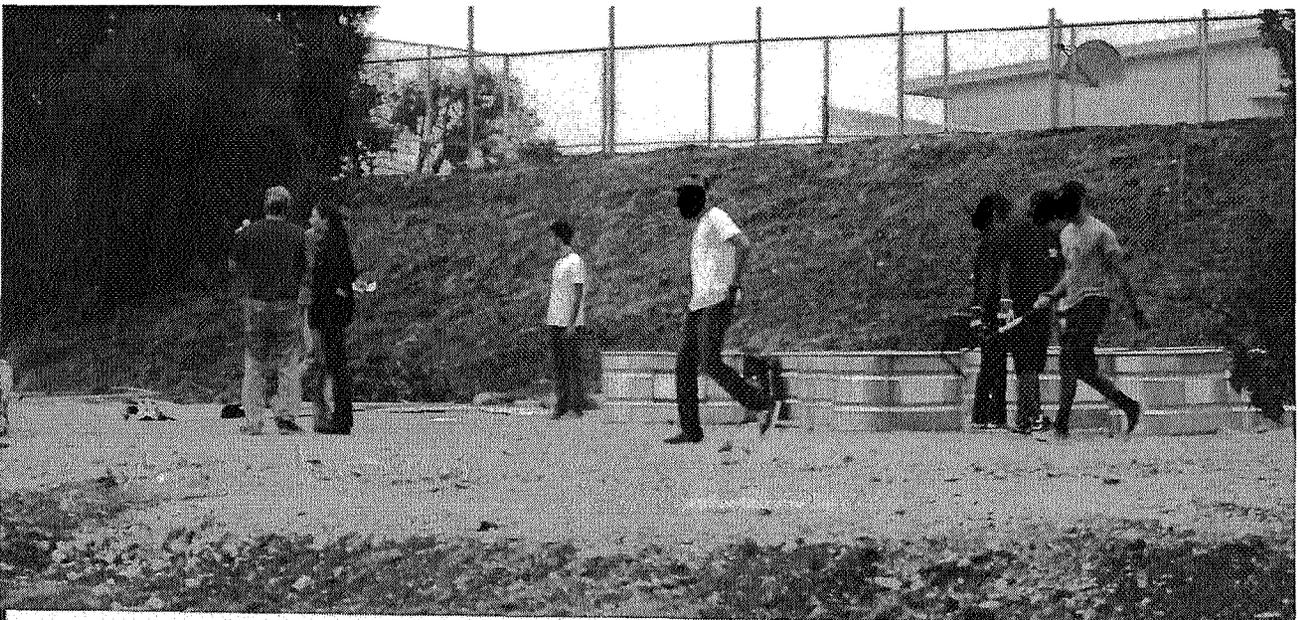


Coming Soon

MCU   
grow  
Project

a GARDEN for Restoration Outreach  
and Wellness

Please contact KATHLEEN TALBOT in the Office of  
Sustainability if you have questions.



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, January 22, 2014 3:37 PM  
**To:** Joel Rojas; Ara Mihranian; Eduardo Schonborn  
**Subject:** RE: Marymount California University

OK OK – I am just feeling sick and very insecure about our city, our city management, our city advisors and consultants – and I am not alone! All this rushing and changing words and misrepresentations – doubletalk.

The City Council seemed perplexed too – they had great questions and comments.

Rincon's traffic study person is very lovely and well spoken person but she did not make sense.

We have to see what Rincon told us in October and pull teeth to get Rincon to tell us what they really changed in November – and get our comments in by Friday.

The east parking lot with those bright lights are now requested for the new larger athletic field that is to be sunken down - - with lights, sure, pathway lights - even though the field is only operational daytime. It doesn't make sense. It all seems very sneaky to the dear surrounding neighborhood.

Did you hear Councilman Mizetich speak of his dear friend's passing?

Well our neighbors, the McSherrys, are dear people too. Mr. McSherry feeds the cats at the 9<sup>th</sup> fairway of Harbor Golf Course, every Tuesday morning, and cares for strays in the neighborhood. Mrs. McSherry opined in writing and person, against the lights and noise, and they were in the 500' region, but no one cared to test from their home. Of course, even if they did test, the EIR noise testing was also absurd.

This is all such a bunch of slop that it is embarrassing.

Sincerely,

Frustrated resident Diane Smith

---

**From:** Joel Rojas [mailto:JoelR@rpv.com]  
**Sent:** Wednesday, January 22, 2014 2:45 PM  
**To:** Diane Smith  
**Cc:** Ara Mihranian; Eduardo Schonborn  
**Subject:** RE: Marymount California University

Diane

Ara has been working on this issue in advance of the February 18<sup>th</sup> City Council meeting when the Council will review and discuss parking lot issues. Thus, I have copied Ara on this so he can get back to you about this.

Joel

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, January 22, 2014 2:42 PM  
**To:** Joel Rojas  
**Subject:** FW: Marymount California University

Dear Joel,

I never did hear back on this Joel – Marymount kept the lights on all night in the new East parking lot and there were several cars parked in the lot all night - one of the reasons I wanted to see the list of violations of Marymount's CUPs. The Security people did not have access to the lights and referred me to maintenance. Maintenance didn't know what I was talking about and referred me to Security. Marymount typically does not do what they say they'll do – even

now when they might be considered "on probation." Where is the "good faith?" How do you expect Marymount to respect putting the nets up and taking them down when not in use.

I'm also attaching a recent picture of students smoking in front of the school (former preschool) taken from my car on January 9, 2014.

Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Monday, November 11, 2013 9:19 AM  
**To:** 'Joel Rojas'  
**Subject:** RE: Marymount California University

Thanks.

---

**From:** Joel Rojas [mailto:JoelR@rpv.com]  
**Sent:** Monday, November 11, 2013 8:42 AM  
**To:** Diane Smith; Ara Mihranian  
**Subject:** RE: Marymount California University

Ms. Smith

Ara will speak to Marymount as Marymount needs to care.

Joel

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Monday, November 11, 2013 6:41 AM  
**To:** Joel Rojas; Ara Mihranian  
**Subject:** FW: Marymount California University

This parking lot does not work. Marymount doesn't care. The nasty bright annoying lights were on past midnight Friday night and no one gives a damn.

I am so mad.

---

**From:** Matthew Broderick [mailto:MBroderick@marymountcalifornia.edu]  
**Sent:** Sunday, November 10, 2013 11:21 PM  
**To:** Radlsmith@cox.net  
**Cc:** Michael Macmenamie; Jim Reeves  
**Subject:** Marymount California University

Hello Mrs. Smith, I walked into the office and saw your note that had been left by one of the weekend Officers and wanted to get back to you. As for your question regarding cars in the lot: MCU sent student and staff representatives to the Central Rap in San Louis Obispo, they returned sometime after 1am. As for the lights being on it was for the safety of our returning community members. Thank you for your concern and your time.

***Captain Matthew P. Broderick***  
*Operations Coordinator / Parking Manager*  
*Campus Safety & Security Department*

*amazing lives in view*

**MARYMOUNT**  
CALIFORNIA UNIVERSITY

*30800 Palos Verdes Drive East  
Rancho Palos Verdes, Ca 90275  
OS-231 / M-F / 9am to 5pm  
Office: (310) 303-7266*

"If your actions inspire others to dream more , learn more and become more, you are a leader."

This e-mail contains CONFIDENTIAL information intended only for the use of the addressee(s) named above. If you are not the intended recipient of this e-mail, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify us by telephone at (310) 303-7266 or forward the e-mail message to us at [Mbroderick@MarymountCalifornia.edu](mailto:Mbroderick@MarymountCalifornia.edu) and advise us that you have deleted it. Thank you.

---

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

---

## Ara Mihranian

---

**From:** Gregory Lash <glash@cox.net>  
**Sent:** Tuesday, January 21, 2014 5:52 PM  
**To:** Joel Rojas  
**Cc:** radlsmith@cox.net; Ara Mihranian; Eduardo Schonborn; Leza Mikhail  
**Subject:** Re: Planning Commission Consideration of Outdoor Lighting Guidelines

Thank You Joel - appreciate the update the update.

I got the impression from your earlier writing that your Staff was using more stringent standards than the Code. This is good to know. As the City continues to grow, this will be needed.

Best Regards, Greg

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

**From:** Joel Rojas  
**To:** Gregory Lash  
**Cc:** radlsmith@cox.net ; Ara Mihranian ; Eduardo Schonborn ; Leza Mikhail  
**Sent:** Tuesday, January 21, 2014 8:28 AM  
**Subject:** RE: Planning Commission Consideration of Outdoor Lighting Guidelines

Mr. Lash

The outdoor lighting issue that the Planning Commission has been working on is an attempt to get the City's exterior lighting code requirements more in sync with the exterior lighting review that has been put into practice by Staff. Specifically, the intent is to have acceptable lighting standards and specifications upfront to minimize the need to make applicants modify or adjust lighting after it is installed. Regardless of the status of the Planning Commissions exterior lighting review, the City intends to impose strict conditions on any exterior lighting approved through the revised Athletic Field proposal.

Joel Rojas

---

**From:** Gregory Lash [mailto:glash@cox.net]  
**Sent:** Monday, January 20, 2014 10:45 PM  
**To:** Joel Rojas; Eduardo Schonborn  
**Cc:** PlanningCommission; radlsmith@cox.net  
**Subject:** Planning Commission Consideration of Outdoor Lighting Guidelines

Joel/Eduardo -

I was a copy party to your response to Diane Smith regarding the new East Parking Lot Lighting & your pursuit of an update to the City's outdoor lighting policy via the Planning Commission. I think this is a good idea and appreciate your doing this. I would ask that you "fast track" this when possible in view of the MCU request for their revised Athletic Field. They will no doubt request path & safety lighting around this field, and I would hope that new Outdoor Lighting Guidelines would be in place before the college begins construction. This is an area that is very close to my home, totally dark now. I fear that the East Parking Lot Lighting scheme, which I feel is clearly excessive, will set a precedent for their future expansion.

Best Regards,

Gregory Lash  
2829 San Ramon Drive

## Ara Mihranian

---

**From:** Marc Harris <marc\_90277@yahoo.com>  
**Sent:** Tuesday, January 21, 2014 5:29 PM  
**To:** Jim Reeves  
**Cc:** Ara Mihranian  
**Subject:** Fw: Comments for the Marymount Parking Lot  
**Attachments:** Marymount Parking Lot Comments.ppt

Hi Jim,

Forgot to copy you. Richard has a copy already.

Marc

----- Forwarded Message -----

**From:** Marc Harris <marc\_90277@yahoo.com>  
**To:** Ara Mihranian <aram@rpv.com>  
**Cc:** Erin Harris <ErinABurns@aol.com>; Duncan Tooley <dtooley1@cox.net>  
**Sent:** Sunday, January 19, 2014 12:37 PM  
**Subject:** Comments for the Marymount Parking Lot

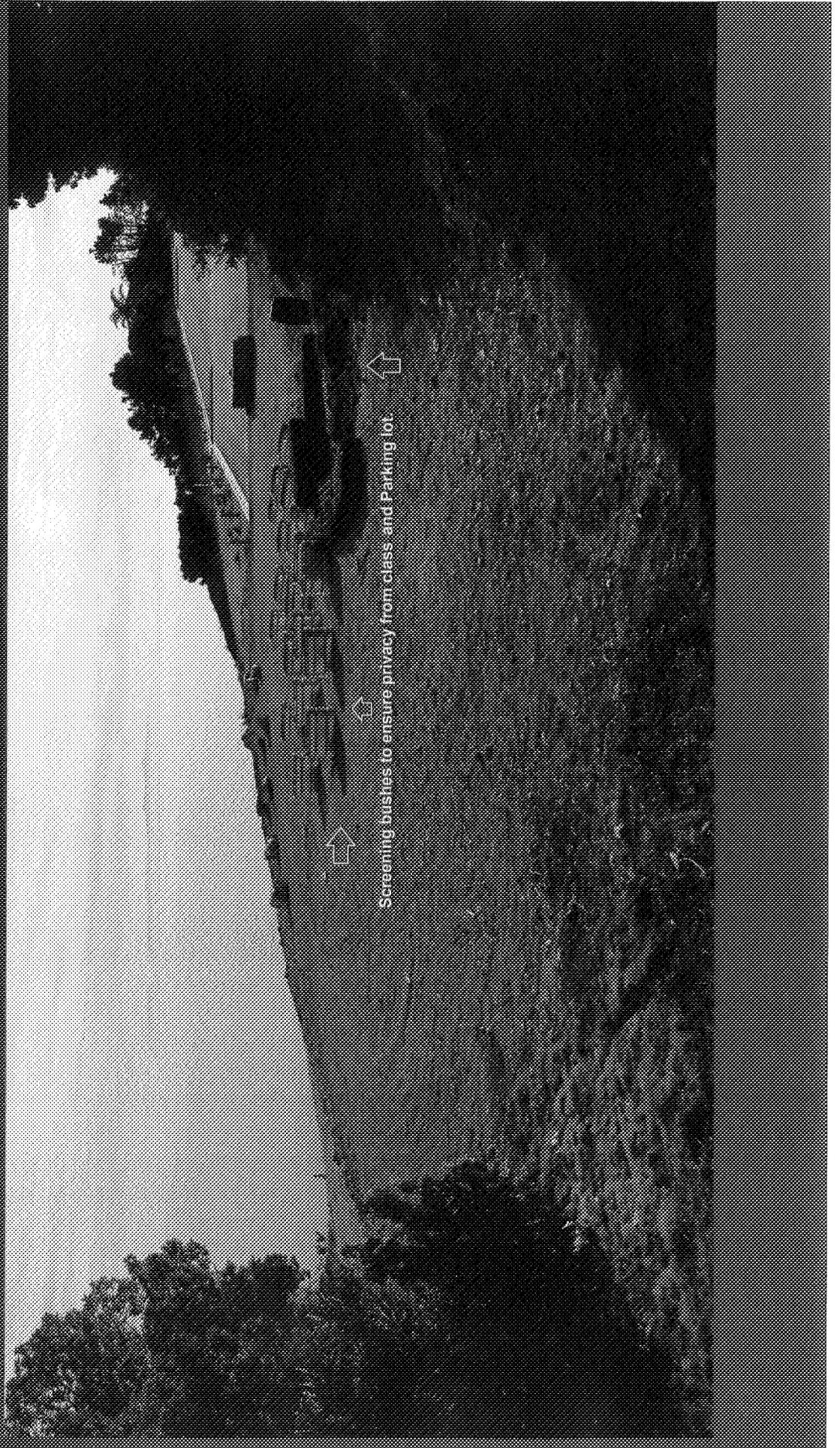
# Marymount Parking Lot

Comments from  
2750 San Ramon Dr.  
Marc & Erin Harris

**Any Fence or Hedge on the Ridgeline will block 50% of  
our Ocean View.**



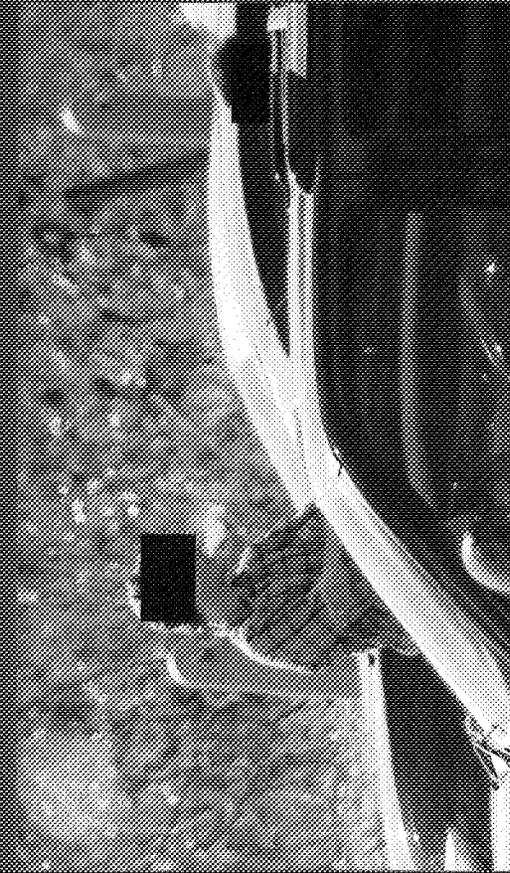
# Hedge Needed to Screen Parking Lot and Class Area



Screening bushes to ensure privacy from class and parking lot.

## Other Comments...

- Lighting is not an issue
- Smoking is an issue. If the wind is right, we can smell it. Screening vegetation and fences will not correct.



## Ara Mihranian

---

**From:** Jim Reeves <JReeves@marymountcalifornia.edu>  
**Sent:** Tuesday, January 21, 2014 3:33 PM  
**To:** Marc Harris; Ara Mihranian; Michael Macmenamie  
**Cc:** Erin Harris  
**Subject:** RE: Gathering and Smoking 1/21/2014..

Thanks, Marc. We'll have security step up their enforcement in this area. Jim

Jim Reeves

Sr. Vice President

Finance & Administration

Marymount California University

(310) 303-7330

JReeves@MarymountCalifornia.edu

*amazing lives in view*

**MARYMOUNT**  
CALIFORNIA UNIVERSITY

Please note that as of September 1<sup>st</sup>, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

---

**From:** Marc Harris [mailto:marc\_90277@yahoo.com]  
**Sent:** Tuesday, January 21, 2014 3:30 PM  
**To:** Jim Reeves; Ara Mihranian; Michael Macmenamie  
**Cc:** Erin Harris  
**Subject:** Gathering and Smoking 1/21/2014..

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Thursday, January 09, 2014 8:15 AM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount East Parking Lot

By the way, yesterday evening I spoke at the City Council meeting on non-agenda items category. Here is my speech:

My name is Diane Smith and I have lived at 2704 San Ramon Drive, RPV for over 35 years. At the November 19, 2013 City Council meeting our former Mayor Susan Brooks discussed looking into the installation of cameras at ingress/egress points to the Peninsula cities of Rancho Palos Verdes, Rolling Hills Estates, Rolling Hills and Palos Verdes Estates. I think it is a great idea and hope representatives from each city can commence discussions soon with Lomita Sheriffs and Palos Verdes Estates police. We residents of the Peninsula are increasingly concerned over crime and growth and the dilution of our common interests to preserve open space, preserve our views and hold on to our semi-rural atmosphere. We are becoming more and more dependent on each other to maintain our quality of life. We residents of the Peninsula cherish our views and have paid a considerable amount of money to preserve and restore views and protect our peaceful night lights.

I would like to bring your attention to our Planning Commission's October 25, 2011 request to the Planning Department on how exterior lighting for proposed non-residential development projects are reviewed by staff. A three-person sub-committee was appointed to compare Rancho Palos Verdes lighting with seven outside of our area (including Malibu, Laguna, Newport, Hidden Hills, Aliso Viejo, San Juan Capistrano and Calabasas). I believe it makes sense to first and foremost coordinate our exterior lighting requirements with our sister cities of Rolling Hills Estates, Rolling Hills and Palos Verdes Estates. Only one sub-committee member reported his recommendations for our lighting code and that was on April 18, 2012 and he chose Calabasas as having the best approach. Nothing has been done since and we now have serious outdoor lighting projects coming up.

I therefore request that the City Council direct consideration of all outdoor lighting be suspended until our City has included our neighbors and sister cities of Rolling Hills Estates, Rolling Hills and Palos Verdes Estates in their long overdue response to our Planning Commission.

When you leave the meeting here tonight, please look at the soft lights that we have in our own City Council parking lot here at Hesse Park and consider the soft lights used at the Peninsula High School for high school students. The School District has fought in court to maintain the quiet evening nights for its neighbors. We four sister cities should all work together to maintain the peace and serenity of our beautiful Peninsula. Thank you.

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Thursday, January 09, 2014 2:05 AM  
**To:** Diane Smith  
**Cc:** Joel Rojas  
**Subject:** Re: Marymount East Parking Lot

Hi Diane and happy new year.  
I hope you had a great holiday with your family.

I want to let you know that I am meeting with Marymount and marc Harris next Friday (I am out of the office this week).

Also, just to get the word out to you and the neighbors, the city council 6-month review of the parking has been rescheduled to February 18th. Mark your calendar and save the date. This is an important meeting for you to attend. Lastly, a public notice Announcing this city council meeting will be mailed within the next few weeks, along with a listserve announcement.

If anything comes up, send me an email as I am checking email intermittently this week.

Regards,  
Ara

Sent from my iPad

On Jan 8, 2014, at 11:00 PM, "Diane Smith" <[radlsmith@cox.net](mailto:radlsmith@cox.net)> wrote:

I hope you had an enjoyable holiday Ara.  
Diane

---

**From:** Ara Mihranian [<mailto:AraM@rpv.com>]  
**Sent:** Friday, December 13, 2013 8:16 AM  
**To:** Diane Smith  
**Cc:** Joel Rojas  
**Subject:** RE: Marymount East Parking Lot

Good morning Diane,  
You must have read my mind because I was going to reach out to you today to see how things are at Marymount (from your perspective).  
Last week, Marymount proposed to install a chain link fence with landscaping around it. Marymount's proposal raised concerns with Marc Harris and the City, so I requested a meeting to discuss the proposal (especially since it didn't quite match with what I have been suggesting to Marymount to mitigate the issues raised by you and the neighborhood).  
I haven't heard back from Marymount and will send a follow-up email today.  
I will keep you posted Diane.  
Have a GREAT weekend.  
Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

<image001.png>  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Friday, December 13, 2013 8:08 AM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot

Anything "new"?

---

**From:** Ara Mihranian [<mailto:AraM@rpv.com>]  
**Sent:** Monday, December 02, 2013 4:02 PM  
**To:** Diane Smith  
**Subject:** RE: Marymount East Parking Lot

Hi Diane,  
I hope you had an enjoyable thanksgiving.  
After visiting your home and others, as well as pointing out the City's concerns, Jim Reeves requested a few weeks to get back to me. I intend to follow-up with him shortly and will keep you posted.  
Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

<image001.png>  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Monday, December 02, 2013 3:57 PM  
**To:** Ara Mihranian  
**Subject:** Marymount East Parking Lot

Dear Ara,  
I worked very hard to email all of my comments and objections to you prior to your meeting with Marymount and I have not heard from you since you came by my house with Marymount's representative and Eduardo. Please let me know the City/Marymount's responses to my objections and suggestions at your earliest convenience. Thank you.  
Diane

## Ara Mihranian

---

**From:** Joel Rojas  
**Sent:** Wednesday, January 08, 2014 2:58 PM  
**To:** Diane Smith  
**Cc:** Leza Mikhail; Ara Mihranian; Eduardo Schonborn  
**Subject:** RE: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Diane

We plan on taking the outdoor lighting item back to the Planning Commission in February, most likely February 25.

Joel

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, January 08, 2014 2:30 PM  
**To:** Joel Rojas  
**Subject:** FW: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Please give me an update on the City's Outdoor Lighting since the Planning Commission's inquiry and the appointed committee members seem to have died on the vine. There are outdoor lighting issues coming up and we need guidance and assurance that the outdoor lights do not infringe on our beautiful evening nights.

The lights in Marymount's East Parking Lot are wrong – we look “up the skirt” so to speak and the lights are like a beacon that can be seen as far away as San Pedro's Bogdanovich Park. These are SHOPPING MALL LIGHTS not parking lot lights. The lights in our own City Council Meeting parking lot, at Hesse Park, are parking lot lights – soft and mellow and not intrusive.

We MUST consider our sister cities that are directly affected by our lights and therefore we must include the City of Rolling Hills Estates, Rolling Hills and Palos Verdes Estates in any consideration of the handling of our outdoor lighting, just as we do our traffic, crime and other common interests.

Please let me know when you plan to respond to our Planning Commission.

Thank you.

Diane Smith

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Saturday, November 09, 2013 7:42 PM  
**To:** 'Joel Rojas'  
**Subject:** RE: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Dear Mr. Rojas,

I believe Marymount will use the lighting of the east parking lot to demand equal lighting for its athletic field and you, as a planner, must know that. These abusive and ridiculous lights are out of place for our beautiful peninsula. Why is the

city not joining our sister cities of Rolling Hills Estates, Rolling Hills and Palos Verdes Estates in the handling of our outdoor lighting. Let's start with that.

Diane Smith

---

**From:** Joel Rojas [mailto:JoelR@rpv.com]  
**Sent:** Friday, November 01, 2013 4:13 PM  
**To:** radlsmith@cox.net  
**Cc:** Ara Mihranian; Leza Mikhail; Eduardo Schonborn  
**Subject:** FW: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

**Dear Ms. Smith**

**I have been following all of your emails about the lighting concerns with Marymount's new parking lot. I am also aware that you have spoken and/or met with some Council members about the issue and have met recently with Deputy Director Ara Mihranian to discuss your concerns. As you have heard from Mr. Mihranian, there are upcoming opportunities for the City to engage with Marymount to address the neighborhood concerns.**

**The focus of this email is to address your comments about the Outdoor Lighting code amendments that are being contemplated by the City. I apologize for not getting back to you sooner on this. The proposed code amendment was prompted by the realization that the exterior lighting standards contained in the City's Development Code need to be amended to create standards for achieving what Staff achieves in practice when it come exterior lighting review. For example, while the City's current code set limits on bulb wattage and prohibits the direct illumination of neighboring properties, we have found that in order to keep lighting impacts to a minimum and maintain the "dark skies" effect of the Peninsula, we need to perform a much more rigorous review of lighting plans for new projects. As a result, we require that detailed lighting plans be submitted and we question the location, height and type of every light fixture proposed to avoid any direct illumination of adjoining properties. Furthermore, once installed, we review the lighting during a trial period from different vantage points to ensure adjoining properties are not directly illuminated. If necessary, we require project applicants to make adjustments to the bulbs and/or fixtures to minimize the lighting brightness. We have several examples of where this more rigorous review has paid off. As a result, Staff and the Planning Commission initiated a discussion last year of how we could possibly amend the code to achieve through regulations what we achieve in practice. This effort involved a fair amount of research on Staff's part and good discussions between Staff and the Commission. It was left that Staff and the Commission appointed 3-member sub-committee would go out and try to obtain more information about how other semi-rural cities tackle lighting. Unfortunately, due to other demands, we have not re-convened to continue our discussions.**

**Notwithstanding, I want to assure you that Mr. Mihranian employed all of the actions described above when reviewing the proposed lighting plan for Marymount's new parking lot. I understand that while you and your neighbors concede that there is no direct illumination of your properties resulting from the new parking lot lighting, there is concern about the introduction of lighting in an area that was substantially dark, thereby changing the ambience or feel of the area in the evening. I can certainly understand that concern and that is why we will be working with Marymount to see what measures can be taken to address these concerns. We will be looking at ways to keep the lights off as much as possible or to screen them in some way.**

**Thank you for your excellent commentary on this issue. Please continue to speak and/or coordinate with Mr. Mihranian with regards to your concerns.**

**Sincerely,**

**Joel Rojas**

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Tuesday, October 15, 2013 5:12 PM  
**To:** Joel Rojas  
**Cc:** Ara Mihranian; Eduardo Schonborn  
**Subject:** Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Dear Mr. Rojas,

I have read many letters from residents around Marymount College complaining and questioning Marymount's compliance with the City's Development Code and its compatibility with the semi-rural nature of the community. Throughout the Marymount EIR many residents voiced concerns regarding outdoor lighting and other nuisances and now those very people feel the Planning Commission, Department and City ignored their concerns since the new Marymount East Parking Lot spoils their once dark, quiet, magnificent semi-rural property environment.

I came across your August 14, 2012 Memorandum regarding "Discussion on Outdoor Lighting."

On October 25, 2011 the Planning Commission requested a Staff Report of how exterior lighting for proposed non-residential development projects is reviewed by Staff. (I would like a copy of the October 25, 2011 Staff Report.)

On January 24, 2012 the Planning Commission felt that the City should have a more specific set of rules or codes to give project applicants so that they can integrate acceptable exterior lighting into their proposed projects without having to guess what will be acceptable to the City.

Seven months later, on August 14, 2012, Community Development Director Joel Rojas submitted The Staff Report to the Planning Commission regarding how the lighting is reviewed after said projects are constructed.

To lay people, light maps and actually seeing the lights fully turned on are two different events.

The Planning Commission created a three-member sub-committee: Commissioners Gerstner, Leon and Tomblin. These commissioners were to review RPV's current lighting standards and compare those standards with other similar cities.

One would think the first cities that RPV Planning Department would use for comparison would be our sister "Peninsula Cities", namely Rolling Hills, Rolling Hills Estates and Palos Verdes Estates. At least City Staff should have used Palos Verdes Estates because it is similarly situated to RPV - from the ocean to the hills - but our City did not compare RPV with its sister cities. Instead it reached out to distant cities and only one sub-committee member, Commissioner Leon, looked into the matter and reported.

Why did the Planning Commission feel it was not necessary to prepare a code amendment for submittal to the City Council when Staff recommended it be done? It's like it went in a big circle, a big waste of time that died on the vine.

Was a code amendment ever prepared?

I need the complete January 24, 2012 Minutes of Meeting of Planning Commission – the computer starts with page 7

I assumed our planning department would strictly represent the interests of the tax-paying residents of Rancho Palos Verdes and in particular those residents directly affected by the Marymount project. I assumed our planning department would apply rigid and strict outdoor lighting requirements so as to protect the theme and dream of our city founders and those that have followed – to maintain peace and tranquility, open space, view and the semi-rural atmosphere of the Peninsula. Since Marymount turned on its east parking lot lights June 29, 2013 I have been miserably disappointed in our representation at the City and feel our City Council has been grossly misled. However, it just may be that our planning department and planning commission are tired of their jobs, just listen, smile, have meetings and sop

up time or do not understand what is expected of them. This I am looking into with the hopes that my trust in city government can be somewhat restored.

Sincerely,

Diane Smith

## Ara Mihranian

---

**From:** Diane Smith <radsmith@cox.net>  
**Sent:** Friday, December 13, 2013 11:21 AM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount East Parking Lot

The Marymount East Parking Lot has not been as busy recently – I'll put it down to the holidays. I was glad to see Marc Harris' pictures of one of the Marymount smoking groups.

How are things at Marymount from my perspective? - there is still noise – still the doors slamming, security alarms going off and the horrid bright lights that belong in Del Amo Shopping Plaza. Yes, Marymount was kind enough to shut them off after people left over the Thanksgiving holiday. Finally Marymount has put in trash receptacles – why did it take 5 months to get them to put in simple trash cans? Look at the effort I, a single resident, went through to just get them to clean up their mess. The crows have found the trash receptacles.

Chain link? How high? The height is important. You and I discussed putting flags up so that we could see what would work best for everyone. Chain link might stop some of the flicking cigarettes but won't stop all of them. Chain link will corral the trash that doesn't make it into the receptacles. But chain link won't stop the noise and it is not equal – we are not treated equal as the Vista del Mar residents and upper San Ramon residents with their wall.

Landscaping? Are you serious? Those 14 puny plants they put in are less than a foot high and will take 30 years of growth to block out one headlight. They are so sparse they wouldn't conceal half a tire right now. I'm looking at 47 vehicles in daytime, with 47 vehicles and their 180 degree headlights swirling around like a disco ball at night. Sure it sparse now but that campus is growing, right? At times it has already reached full capacity and overflowed back into PV Drive East as my previous photographs have proven . . . so are we at the same point we started except for the addition of the trash cans? When you talk of a 10 foot hedge – is that how high the hedge will be when they put it in or will it be a flick of leaves that will take over 10 years to grow.

Details would be helpful.

Thanks for wishing me a great weekend Ara – I hope you have a great weekend too.

Diane

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Friday, December 13, 2013 8:16 AM  
**To:** Diane Smith  
**Cc:** Joel Rojas  
**Subject:** RE: Marymount East Parking Lot

Good morning Diane,

You must have read my mind because I was going to reach out to you today to see how things are at Marymount (from your perspective).

Last week, Marymount proposed to install a chain link fence with landscaping around it.

Marymount's proposal raised concerns with Marc Harris and the City, so I requested a meeting to discuss the proposal (especially since it didn't quite match with what I have been suggesting to Marymount to mitigate the issues raised by you and the neighborhood).

I haven't heard back from Marymount and will send a follow-up email today.

I will keep you posted Diane.

Have a GREAT weekend.

Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Friday, December 13, 2013 8:08 AM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot

Anything "new"?

---

**From:** Ara Mihranian [<mailto:AraM@rpv.com>]  
**Sent:** Monday, December 02, 2013 4:02 PM  
**To:** Diane Smith  
**Subject:** RE: Marymount East Parking Lot

Hi Diane,  
I hope you had an enjoyable thanksgiving.  
After visiting your home and others, as well as pointing out the City's concerns, Jim Reeves requested a few weeks to get back to me. I intend to follow-up with him shortly and will keep you posted.  
Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)

[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Monday, December 02, 2013 3:57 PM  
**To:** Ara Mihranian  
**Subject:** Marymount East Parking Lot

Dear Ara,

I worked very hard to email all of my comments and objections to you prior to your meeting with Marymount and I have not heard from you since you came by my house with Marymount's representative and Eduardo. Please let me know the City/Marymount's responses to my objections and suggestions at your earliest convenience. Thank you.

Diane

## Ara Mihranian

---

**From:** Marc Harris <marc\_90277@yahoo.com>  
**Sent:** Saturday, December 07, 2013 12:32 PM  
**To:** Richard Schult; Erin Harris  
**Cc:** Eduardo Schonborn; Ara Mihranian; Jim Reeves  
**Subject:** Re: Possible View Corridor Obstruction 2750 San Ramon Dr.  
**Attachments:** IMG\_1362.JPG

Hi Richard,

We don't need a site visual aid. We remember the old chain link fence like it was yesterday. Does another chain link fence have to go up? The whole area looks so much better without it. We do not want another chain link fence.

If you are trying to block headlights and screen noise, A closer in screening vegetation would work. See attached

**From:** Richard Schult <RSchult@marymountcalifornia.edu>  
**To:** Erin Harris <erinaburns@aol.com>  
**Cc:** "marc\_90277@yahoo.com" <marc\_90277@yahoo.com>; "EduardoS@rpv.com" <EduardoS@rpv.com>; "AraM@rpv.com" <AraM@rpv.com>; Jim Reeves <JReeves@marymountcalifornia.edu>  
**Sent:** Saturday, December 7, 2013 12:16 PM  
**Subject:** Re: Possible View Corridor Obstruction 2750 San Ramon Dr.

I don't have a rendering since were just replacing the fence that was there before. However we may be able to put together a site visual aid to indicate where it is being 'resurrected'.

Sent from Richard's iPhone

On Dec 7, 2013, at 10:50 AM, "Erin Harris" <[erinaburns@aol.com](mailto:erinaburns@aol.com)<<mailto:erinaburns@aol.com>>>> wrote:

Hi Richard- Would you happen to have a rendering of the proposed space that you could send us to review?

Thanks, Erin Harris

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

**From:** Marc Harris <[marc\\_90277@yahoo.com](mailto:marc_90277@yahoo.com)<[mailto:marc\\_90277@yahoo.com](mailto:marc_90277@yahoo.com)>>  
**To:** Richard Schult <[RSchult@marymountcalifornia.edu](mailto:RSchult@marymountcalifornia.edu)<<mailto:RSchult@marymountcalifornia.edu>>>; Eduardo Schonborn <[EduardoS@rpv.com](mailto:EduardoS@rpv.com)<<mailto:EduardoS@rpv.com>>>; Erin Harris <[ErinABurns@aol.com](mailto:ErinABurns@aol.com)<<mailto:ErinABurns@aol.com>>>; Ara Mihranian <[AraM@rpv.com](mailto:AraM@rpv.com)<<mailto:AraM@rpv.com>>>  
**Cc:** Jim Reeves <[JReeves@marymountcalifornia.edu](mailto:JReeves@marymountcalifornia.edu)<<mailto:JReeves@marymountcalifornia.edu>>>  
**Sent:** Fri, Dec 6, 2013 3:37 pm  
**Subject:** Re: Possible View Corridor Obstruction 2750 San Ramon Dr.

Thanks for the response Richard. If any Shrubs or vine listed are planted at the Chain Link Fence at

the edge of the hill. It will block our view corridor.

Ceanothus - Height .5 - 3.0 meters

Morning Glory will climb the fence - Height 4 - 5 feet?

Lemonade Berry - Height 1 - 8.0 Meters

From: Richard Schult

<[RSchult@marymountcalifornia.edu](mailto:RSchult@marymountcalifornia.edu)<<mailto:RSchult@marymountcalifornia.edu>>>

To: Eduardo Schonborn <[EduardoS@rpv.com](mailto:EduardoS@rpv.com)<<mailto:EduardoS@rpv.com>>>; Marc Harris

<[marc\\_90277@yahoo.com](mailto:marc_90277@yahoo.com)<[mailto:marc\\_90277@yahoo.com](mailto:marc_90277@yahoo.com)>>; Erin Harris

<[ErinABurns@aol.com](mailto:ErinABurns@aol.com)<<mailto:ErinABurns@aol.com>>>; Ara Mihranian

<[AraM@rpv.com](mailto:AraM@rpv.com)<<mailto:AraM@rpv.com>>>

Cc: Jim Reeves <[JReeves@marymountcalifornia.edu](mailto:JReeves@marymountcalifornia.edu)<<mailto:JReeves@marymountcalifornia.edu>>>

Sent: Friday, December 6, 2013 3:25 PM

Subject: RE: Possible View Corridor Obstruction 2750 San Ramon Dr.

Hello Eduardo,

My name is Richard Schult I am acting as the Facilities Director for Marymount and have been tasked to take care of all grounds as part of my responsibility. The plan for the space that you are talking about is to install a chain link fence along the east side of the area just adjacent to the end of the parking lot. In addition I will be planting screening plants that are native to California and include; Ceanothus, California Morning Glory, and Lemonade Berry. The irrigation that you see being installed is drip irrigation for the border plants. I have spoken to Ara at the City and a couple of you, our other neighbors on the Northeastern corner of the property to let those of you who are impacted know what our plans are. There are no plans to block the view corridor. The fence that is planned for the east side is a replacement of the older fence that was deteriorating. We are also planning a shorter (four feet tall) chain link fence at the end of the parking lot as an additional help to reduce any affect that automobile lights might have on any of you located at our Northeast corner of the property.

Please let me know if you I can answer any other questions in regard to this issue.

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

From: Eduardo Schonborn [<mailto:EduardoS@rpv.com><<mailto:EduardoS@rpv.com>>]

Sent: Friday, December 06, 2013 2:18 PM

To: Marc Harris; Richard Schult; Erin Harris; Ara Mihranian

Cc: Jim Reeves

Subject: RE: Possible View Corridor Obstruction 2750 San Ramon Dr.

Hi Marc,

I forwarded this on to Jim Reeves, and have not heard back. I am copying Jim Reeves on this as a follow up to get some clarification on what is planned for that area.

-eduardo

Eduardo Schonborn, aicp  
Senior Planner

City of Rancho Palos Verdes

Planning Department  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
[www.palosverdes.com/rpv/planning/planning-zoning/index.cfm](http://www.palosverdes.com/rpv/planning/planning-zoning/index.cfm)  
(310) 544-5228 - (310) 544-5293 f  
[eduardos@rpv.com](mailto:eduardos@rpv.com)

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

From: Marc Harris [[mailto:marc\\_90277@yahoo.com](mailto:marc_90277@yahoo.com)]  
Sent: Friday, December 06, 2013 2:10 PM  
To: Eduardo Schonborn;  
[RSchult@marymountcalifornia.edu](mailto:RSchult@marymountcalifornia.edu); Erin Harris; Ara  
Mihranian  
Subject: Re: Possible View Corridor Obstruction 2750 San Ramon Dr.

Hi Richard,

Any update on this?

-----  
On Mon, 12/2/13, Marc Harris <[marc\\_90277@yahoo.com](mailto:marc_90277@yahoo.com)> wrote:

Subject: Possible View Corridor Obstruction 2750 San Ramon Dr.  
To: "Eduardo Schonborn" <[EduardoS@rpv.com](mailto:EduardoS@rpv.com)>, "[RSchult@marymountcalifornia.edu](mailto:RSchult@marymountcalifornia.edu)" <[RSchult@marymountcalifornia.edu](mailto:RSchult@marymountcalifornia.edu)>>, "Erin Harris" <[ErinABurns@aol.com](mailto:ErinABurns@aol.com)>>

Date: Monday, December 2, 2013, 7:38 AM

Hi Richard and Eduardo,

I noticed that there is now a dripline irrigation line running along the edge of the hill by the eastern parking lot. If the landscape plans for that edge are any plant that is higher than a few inches, it will block our ocean view.

See attached photo from our deck.

Can you please let us know what is planned for that area?

Thanks,

Marc Harris  
2750 San Ramon Dr

---

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

---

---

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

---

---

---

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

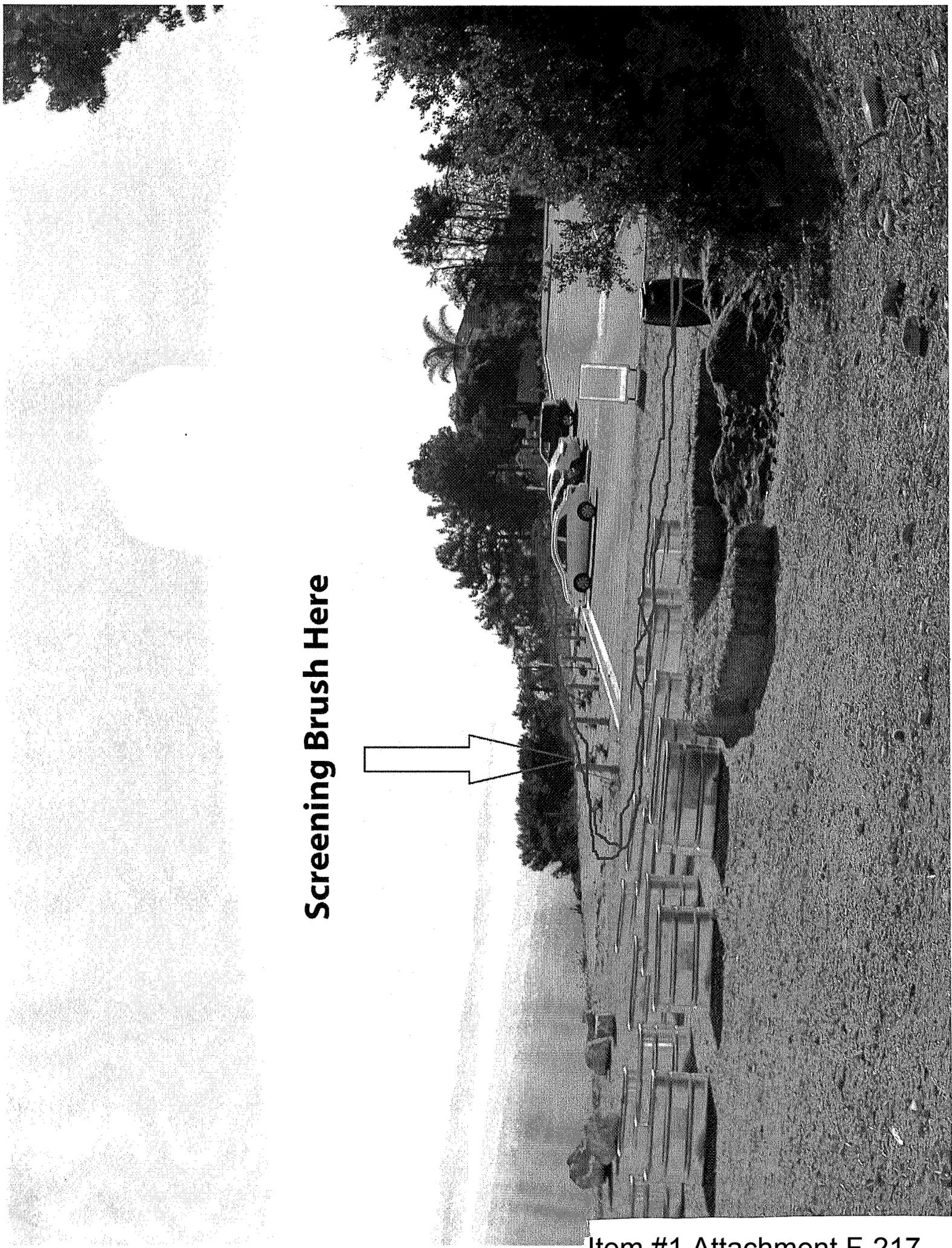
---

---

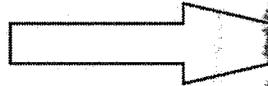
---

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

---



**Screening Brush Here**



## Ara Mihranian

---

**From:** Marc Harris <marc\_90277@yahoo.com>  
**Sent:** Friday, December 06, 2013 2:09 PM  
**To:** Eduardo Schonborn; RSchult@marymountcalifornia.edu  
**Cc:** Ara Mihranian; erinaburns!@aol.com  
**Subject:** Smoking  
**Attachments:** IMG\_2610.JPG; IMG\_2609.JPG; IMG\_2606.JPG; IMG\_2607.JPG; IMG\_2605.JPG; IMG\_2604.JPG; IMG\_2600.JPG; IMG\_2590.JPG; IMG\_2588.JPG

Eduardo, Richard,

So we had a day where the wind was blowing from the MM Parking lot to our backyard and folks were smoking out there. I now have been taking pics for the last couple of days and people smoke out there daily. Last night my wife and I were in the spa and folks were passing around something but it was too dark to take pics.

I know that this was discussed at the neighborhood meeting. I hate being the weird guy taking pictures of the kids smoking next to his lot but the smell, cancer, etc etc etc... you get it...

I have attached pictures from the last two days. Picture 2590 and 2588 is a cigarette. The remainder are pipes of some sort and were being passed around. The faces are clear enough so you should be able to figure out the smoker's identity.

Let me know if there is something that can be done.

Thanks,

Marc Harris  
2750 San Ramon











Item #1 Attachment F-223



Item #1 Attachment F-224

## Ara Mihranian

---

**From:** Rick McCallister <rick@moneyadvice.com>  
**Sent:** Monday, December 02, 2013 3:54 PM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount

Will do, thanks for the information.  
Rick

**Richard T. McCallister, CFP, CFS | Certified Financial Planner | 800-891-0894 | Fax: 310-891-0327**  
McCallister Financial Group | 25200 Crenshaw Blvd., Suite 202 | Torrance, CA 90505  
Facebook: [facebook.com/GetMoneyAdvice](https://www.facebook.com/GetMoneyAdvice)  
Twitter: [twitter.com/GetMoneyAdvice](https://twitter.com/GetMoneyAdvice)  
LinkedIn: [linkedin.com/in/RickMcCallister](https://www.linkedin.com/in/RickMcCallister)  
Web: [moneyadvice.com](http://moneyadvice.com)

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Monday, December 02, 2013 3:26 PM  
**To:** rick@moneyadvice.com  
**Subject:** RE: Marymount

Mr. McCallister,

Thank you for taking the time to share your thoughts and suggestions regarding Marymount's parking lot lighting. I understand the concerns of the neighborhood and am working with Marymount to address these issues before the 6-month review which is scheduled for the City Council meeting in February. In fact some of your suggestions have already been conveyed to Marymount.

To stay up to date on this matter and other matters related to Marymount, if you are not already a subscriber, I suggest joining the City's list-serve for this project at the following link:

<http://pvalert.com/>

Let me know if you have any further questions or thoughts.

Regards,  
Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.

Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Rick McCallister [<mailto:rick@moneyadvice.com>]  
**Sent:** Friday, November 29, 2013 12:53 PM  
**To:** Ara Mihranian  
**Subject:** Marymount

Mr. Mihranian-

I'm writing to offer my thoughts on the lights in the parking lots for Marymount. We live across the canyon, and as such, the lights are not a direct nuisance to us, although there is a direct line of sight to them from our house and they are always visible. While they are not a nuisance, having these very bright shining lights are definitely not in keeping with the tenor of the area. If nothing else, it would be nice if the college grew some trees around the parking lot to block the light from flowing out to the neighborhood, or perhaps tone down the brightness of those lights.

I would imagine if I lived right next to the college, they could be a very big problem, and fully understand how some might be greatly bothered. I support their case to do something about it.

Thank you for the city's consideration.

Richard McCallister  
30752 Tarapaca rd.  
Rancho Palos Verdes, CA 90275

---

Representative registered with and securities offered through PlanMember Securities Corporation, a registered Broker/Dealer, investment advisor and member FINRA / SIPC. This e-mail and any files transmitted with it are private, confidential and solely for the use of the intended recipient. It may contain material that is legally privileged, proprietary or subject to copyright, and may be subject to protection under federal or state law. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited. If you received this transmission in error, please contact the sender immediately by replying to this e-mail and delete the material from any computer. Thank you.

---

Representative registered with and securities offered through PlanMember Securities Corporation, a registered Broker/Dealer, investment advisor and member FINRA / SIPC. This e-mail and any files transmitted with it are private, confidential and solely for the use of the intended recipient. It may contain material that is legally privileged, proprietary or subject to copyright, and may be subject to protection under federal or state law. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited. If you received this transmission in error, please contact the sender immediately by replying to this e-mail and delete the material from any computer. Thank you.

---

Representative registered with and securities offered through PlanMember Securities Corporation, a registered Broker/Dealer, investment advisor and member FINRA / SIPC. This e-mail and any files transmitted with it are private, confidential and solely for the use of the intended recipient. It may contain material that is legally privileged, proprietary or subject to copyright, and may be subject to protection under federal or state law. If you are not the intended recipient,

you are notified that any use, distribution or copying of the message is strictly prohibited. If you received this transmission in error, please contact the sender immediately by replying to this e-mail and delete the material from any computer. Thank you.

## Ara Mihranian

---

**From:** Eduardo Schonborn  
**Sent:** Monday, December 02, 2013 9:50 AM  
**To:** rschult@marymountcalifornia.edu; Jim Reeves (JReeves@marymountcalifornia.edu)  
**Cc:** Ara Mihranian; Joel Rojas  
**Subject:** FW: Possible View Corridor Obstruction 2750 San Ramon Dr.  
**Attachments:** IMG\_2525.JPG

Messrs. Schult and Reeves,  
Can you please clarify the intent of the irrigation line? Will it be irrigating a hedge? Any clarification is much appreciated.

Thanks!  
-eduardo

Eduardo Schonborn, aicp  
Senior Planner

City of Rancho Palos Verdes  
Planning Department  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
[www.palosverdes.com/rpv/planning/planning-zoning/index.cfm](http://www.palosverdes.com/rpv/planning/planning-zoning/index.cfm)  
(310) 544-5228 – (310) 544-5293 f  
[eduardos@rpv.com](mailto:eduardos@rpv.com)

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

**From:** Marc Harris [[mailto:marc\\_90277@yahoo.com](mailto:marc_90277@yahoo.com)]  
**Sent:** Monday, December 02, 2013 7:39 AM  
**To:** Eduardo Schonborn; [RSchult@marymountcalifornia.edu](mailto:RSchult@marymountcalifornia.edu); Erin Harris  
**Subject:** Possible View Corridor Obstruction 2750 San Ramon Dr.

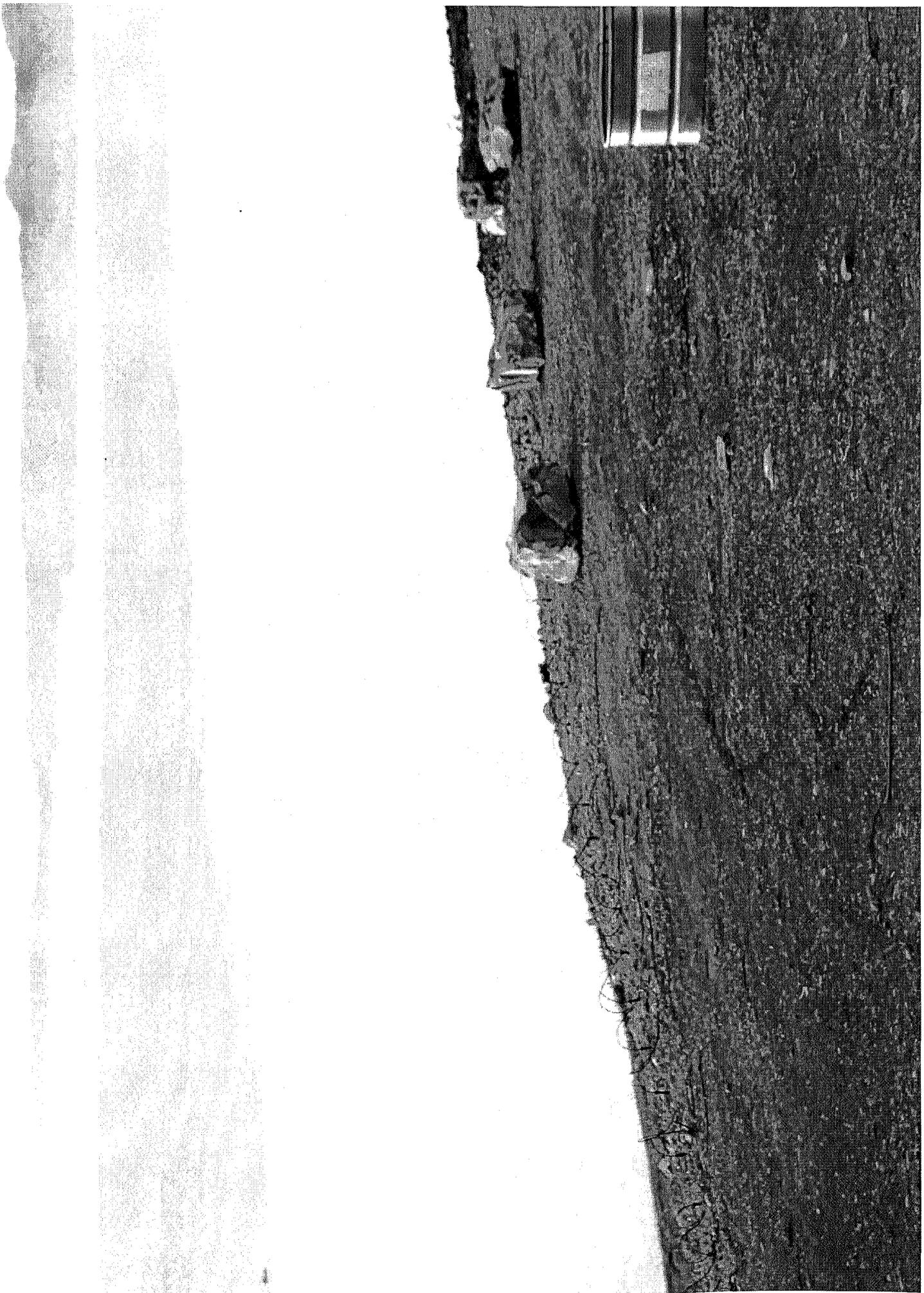
Hi Richard and Eduardo,

I noticed that there is now a dripline irrigation line running along the edge of the hill by the eastern parking lot. If the landscape plans for that edge are any plant that is higher than a few inches, it will block our ocean view. See attached photo from our deck.

Can you please let us know what is planned for that area?

Thanks,

Marc Harris  
2750 San Ramon Dr



Item #1 Attachment F-229

## Ara Mihranian

---

**From:** Rick McCallister <rick@moneyadvice.com>  
**Sent:** Friday, November 29, 2013 12:53 PM  
**To:** Ara Mihranian  
**Subject:** Marymount

Mr. Mihranian-

I'm writing to offer my thoughts on the lights in the parking lots for Marymount. We live across the canyon, and as such, the lights are not a direct nuisance to us, although there is a direct line of sight to them from our house and they are always visible. While they are not a nuisance, having these very bright shining lights are definitely not in keeping with the tenor of the area. If nothing else, it would be nice if the college grew some trees around the parking lot to block the light from flowing out to the neighborhood, or perhaps tone down the brightness of those lights.

I would imagine if I lived right next to the college, they could be a very big problem, and fully understand how some might be greatly bothered. I support their case to do something about it.

Thank you for the city's consideration.

Richard McCallister  
30752 Tarapaca rd.  
Rancho Palos Verdes, CA 90275

---

Representative registered with and securities offered through PlanMember Securities Corporation, a registered Broker/Dealer, investment advisor and member FINRA / SIPC. This e-mail and any files transmitted with it are private, confidential and solely for the use of the intended recipient. It may contain material that is legally privileged, proprietary or subject to copyright, and may be subject to protection under federal or state law. If you are not the intended recipient, you are notified that any use, distribution or copying of the message is strictly prohibited. If you received this transmission in error, please contact the sender immediately by replying to this e-mail and delete the material from any computer. Thank you.

## Ara Mihranian

---

**From:** Jim Reeves <JReeves@marymountcalifornia.edu>  
**Sent:** Wednesday, November 27, 2013 1:14 PM  
**To:** Diane Smith  
**Cc:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Subject:** Re: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Hello Diane,  
We have closed the lot for the long holiday break with the parking lot lights off over that period. Best wishes for a pleasant Thanksgiving holiday.  
Jim Reeves

Sent from my iPhone

On Nov 26, 2013, at 8:51 PM, "Diane Smith" <radlsmith@cox.net<mailto:radlsmith@cox.net>> wrote:

Thank you for the glorious dark nights last Saturday, Sunday and now tonight as the lights are turned off – it is simply wonderful, just as it has been from 1978 until June 29 of this year.

I believe the planning department made an oversight with regards to Marymount's East Parking Lot lighting. RPV's Hess Park Community Center Parking Lot Lights would be appropriate at Marymount's East Parking Lot. I hope you will have time to visit RPV's Hess Park Community Center Parking Lot at night. I hope too that you will have time to return to our home at night to see how bright and invasive the present lighting is on local residents. Any hedge would take enormous care to grow thick and tall enough to block the existing light, assuming it is planted at the maximum height.

Thank you again for turning the lights off when the lot has not been in use Saturday, Sunday and tonight.

Sincerely,  
Diane Smith

From: Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
Sent: Wednesday, November 20, 2013 5:24 PM  
To: Diane Smith; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>  
Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>  
Subject: RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Ms. Smith,  
Thank you for your time today. I appreciated the opportunity to view the parking area from your perspective. We will continue to review the operational impacts of the lot and work with City staff to develop some possible solutions.  
Sincerely,  
Jim Reeves

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

<mailto:JReeves@MarymountCalifornia.edu>JReeves@MarymountCalifornia.edu<mailto:JReeves@MarymountCalifornia.edu>

<image001.jpg>

Please note that as of September 1st, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

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

Sent: Wednesday, November 20, 2013 3:42 PM

To: Jim Reeves; <mailto:eduardos@rpv.com> eduardos@rpv.com<mailto:eduardos@rpv.com>

Cc: 'Ara Mihranian'; <mailto:vickihanger@aol.com> vickihanger@aol.com<mailto:vickihanger@aol.com>

Subject: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Mr. Reeves and Eduardo,

It has been over four months since I invited Marymount to come to my home to see the horrible lights that invade our properties from Marymount's new East Parking Lot. Thank you very much for finally coming to our home and to the Cornelius home to see, first hand, Marymount's new East Parking Lot from our perspectives in daytime. Thank you also Mr. Reeves for noting that Wednesdays are not as busy as other days.

Please return to our homes at night so that you can see for yourself what has been imposed on us, every single night until 10:00 p.m., seven days a week, since the bright annoying lights were first turned on – on June 29, 2013.

If we are not home you are welcome to go through the east side gates of our home.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

Cc: Yvonne Hamilton

---

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

---

---

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

---

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, November 26, 2013 8:51 PM  
**To:** 'Jim Reeves'  
**Cc:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Subject:** RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Thank you for the glorious dark nights last Saturday, Sunday and now tonight as the lights are turned off – it is simply wonderful, just as it has been from 1978 until June 29 of this year.

I believe the planning department made an oversight with regards to Marymount's East Parking Lot lighting. RPV's Hess Park Community Center Parking Lot Lights would be appropriate at Marymount's East Parking Lot. I hope you will have time to visit RPV's Hess Park Community Center Parking Lot at night. I hope too that you will have time to return to our home at night to see how bright and invasive the present lighting is on local residents. Any hedge would take enormous care to grow thick and tall enough to block the existing light, assuming it is planted at the maximum height.

Thank you again for turning the lights off when the lot has not been in use Saturday, Sunday and tonight.

Sincerely,  
Diane Smith

---

**From:** Jim Reeves [mailto:JReeves@marymountcalifornia.edu]  
**Sent:** Wednesday, November 20, 2013 5:24 PM  
**To:** Diane Smith; eduardos@rpv.com  
**Cc:** 'Ara Mihranian'; vickihanger@aol.com  
**Subject:** RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Ms. Smith,  
Thank you for your time today. I appreciated the opportunity to view the parking area from your perspective. We will continue to review the operational impacts of the lot and work with City staff to develop some possible solutions.  
Sincerely,  
Jim Reeves

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

*amazing lives in view*

**MARYMOUNT**  
CALIFORNIA UNIVERSITY

Please note that as of September 1<sup>st</sup>, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

---

**From:** Diane Smith [<mailto:radsmith@cox.net>]  
**Sent:** Wednesday, November 20, 2013 3:42 PM  
**To:** Jim Reeves; [eduardos@rpv.com](mailto:eduardos@rpv.com)  
**Cc:** 'Ara Mihranian'; [vickihanger@aol.com](mailto:vickihanger@aol.com)  
**Subject:** Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Mr. Reeves and Eduardo,

It has been over four months since I invited Marymount to come to my home to see the horrible lights that invade our properties from Marymount's new East Parking Lot. Thank you very much for finally coming to our home and to the Cornelius home to see, first hand, Marymount's new East Parking Lot from our perspectives in daytime. Thank you also Mr. Reeves for noting that Wednesdays are not as busy as other days.

Please return to our homes at night so that you can see for yourself what has been imposed on us, every single night until 10:00 p.m., seven days a week, since the bright annoying lights were first turned on – on June 29, 2013.

If we are not home you are welcome to go through the east side gates of our home.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

Cc: Yvonne Hamilton

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Jim Reeves <JReeves@marymountcalifornia.edu>  
**Sent:** Wednesday, November 20, 2013 5:24 PM  
**To:** Diane Smith; Eduardo Schonborn  
**Cc:** Ara Mihranian; vickihanger@aol.com  
**Subject:** RE: Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Ms. Smith,  
Thank you for your time today. I appreciated the opportunity to view the parking area from your perspective. We will continue to review the operational impacts of the lot and work with City staff to develop some possible solutions.  
Sincerely,  
Jim Reeves

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

*amazing lives in view*

**MARYMOUNT**  
CALIFORNIA UNIVERSITY

Please note that as of September 1<sup>st</sup>, all Marymount California University email addresses will change from @marymountpv.edu to @marymountcalifornia.edu

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, November 20, 2013 3:42 PM  
**To:** Jim Reeves; eduardos@rpv.com  
**Cc:** 'Ara Mihranian'; vickihanger@aol.com  
**Subject:** Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Mr. Reeves and Eduardo,  
It has been over four months since I invited Marymount to come to my home to see the horrible lights that invade our properties from Marymount's new East Parking Lot. Thank you very much for finally coming to our home and to the Cornelius home to see, first hand, Marymount's new East Parking Lot from our perspectives in daytime. Thank you also Mr. Reeves for noting that Wednesdays are not as busy as other days.  
Please return to our homes at night so that you can see for yourself what has been imposed on us, every single night until 10:00 p.m., seven days a week, since the bright annoying lights were first turned on – on June 29, 2013. If we are not home you are welcome to go through the east side gates of our home.  
Sincerely,  
Diane Smith  
2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275  
(310) 547-3856

Cc: Yvonne Hamilton

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, November 20, 2013 3:42 PM  
**To:** JReeves@MarymountCalifornia.edu; Eduardo Schonborn  
**Cc:** Ara Mihranian; vickihanger@aol.com  
**Subject:** Marymount East Parking Lot - Visit to Smith and Cornelius homes today

Dear Mr. Reeves and Eduardo,

It has been over four months since I invited Marymount to come to my home to see the horrible lights that invade our properties from Marymount's new East Parking Lot. Thank you very much for finally coming to our home and to the Cornelius home to see, first hand, Marymount's new East Parking Lot from our perspectives in daytime. Thank you also Mr. Reeves for noting that Wednesdays are not as busy as other days.

Please return to our homes at night so that you can see for yourself what has been imposed on us, every single night until 10:00 p.m., seven days a week, since the bright annoying lights were first turned on – on June 29, 2013.

If we are not home you are welcome to go through the east side gates of our home.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

Cc: Yvonne Hamilton

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, November 20, 2013 2:01 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** vickihanger@aol.com; 'Marc Harris'; MBrophy@marymountpv.edu; 'LOIS Karp'  
**Subject:** Marymount East Parking Lot - Type of Vehicles allowed - NO MOTORCYCLES  
**Attachments:** Marymount Parking lot - Motorcycles, Campers, RVs.jpg

Dear Ara, Eduardo and Joel,

I may not have emphasized how irritating it is to hear the motorcycles revving their engines during the day. Some of the motorcycles are very loud. I have only seen one camper and one "coach" up there but of course I am not looking all the time. We would therefore appreciate it if Marymount would designate an area for "motorcycles only" and designate an area for campers, coaches, buses and recreational vehicles – out of sight and earshot of neighbors.

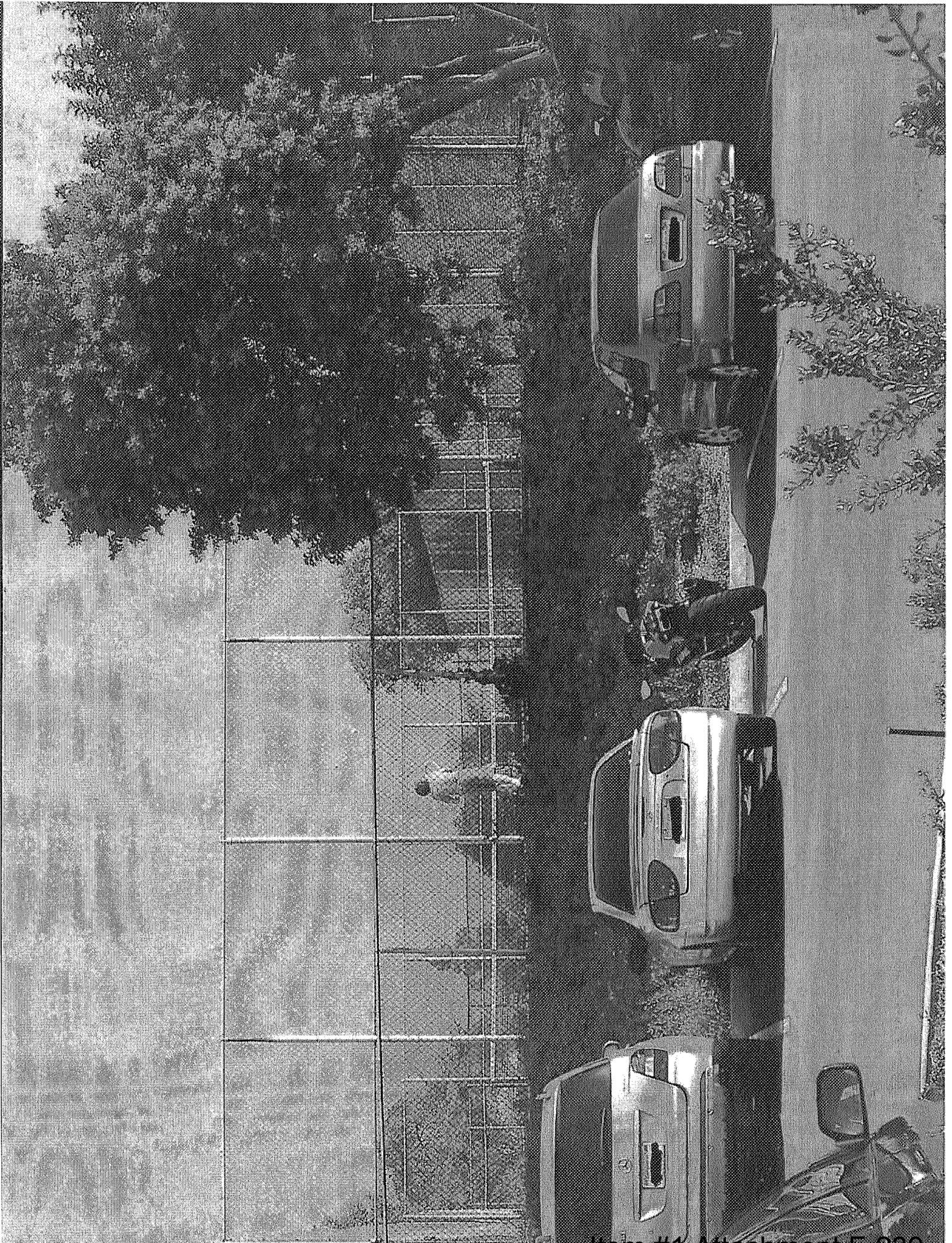
Thank you,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856



Item #1 Attachment F-239

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, November 20, 2013 1:35 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** vickihanger@aol.com; 'LOIS Karp'; 'Marc Harris'; MBrophy@marymountpv.edu  
**Subject:** Marymount East Parking Lot - Gates are up all night  
**Attachments:** Marymount Parking lot - Gates up all night.jpg

Dear Ara, Eduardo and Joel,

Attached are photographs I took Sunday, October 20, 2013 at 7:12 pm showing a gray Honda Pilot License No. 5XYR404. We noticed so many vehicles coming and going – that is why I eventually got in my car and went there and took pictures. The gates were up as usual. It is only a matter of time before the light beacon attracts the public and they come to enjoy the view and trash the place – like the public did with dogs at Ocean trails. As more and more people found out about the lovely trails at Trump National there were too many bad that came with the good and the bad apples ruined it for everyone. I don't know how Trump managed to tolerate all the nasty people – especially the pit bulls that attacked a sweet yellow lab. Back on track – those gates need to be operated automatically with a gate pass – for students only.

Sincerely,  
Diane L. Smith  
2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, November 20, 2013 1:22 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** MBrophy@marymountpv.edu; 'Marc Harris'; vickihanger@aol.com; 'LOIS Karp'  
**Subject:** Marymount East Parking Lot - NO CLASSES TO BE CONDUCTED NEXT TO RESIDENT HOMES  
**Attachments:** Marymount Parking lot - Classes conducted next to neighbors 1 o.jpg; Marymount Parking lot - Classes conducted next to neighbor home.jpg

Dear Ara, Eduardo and Joel,

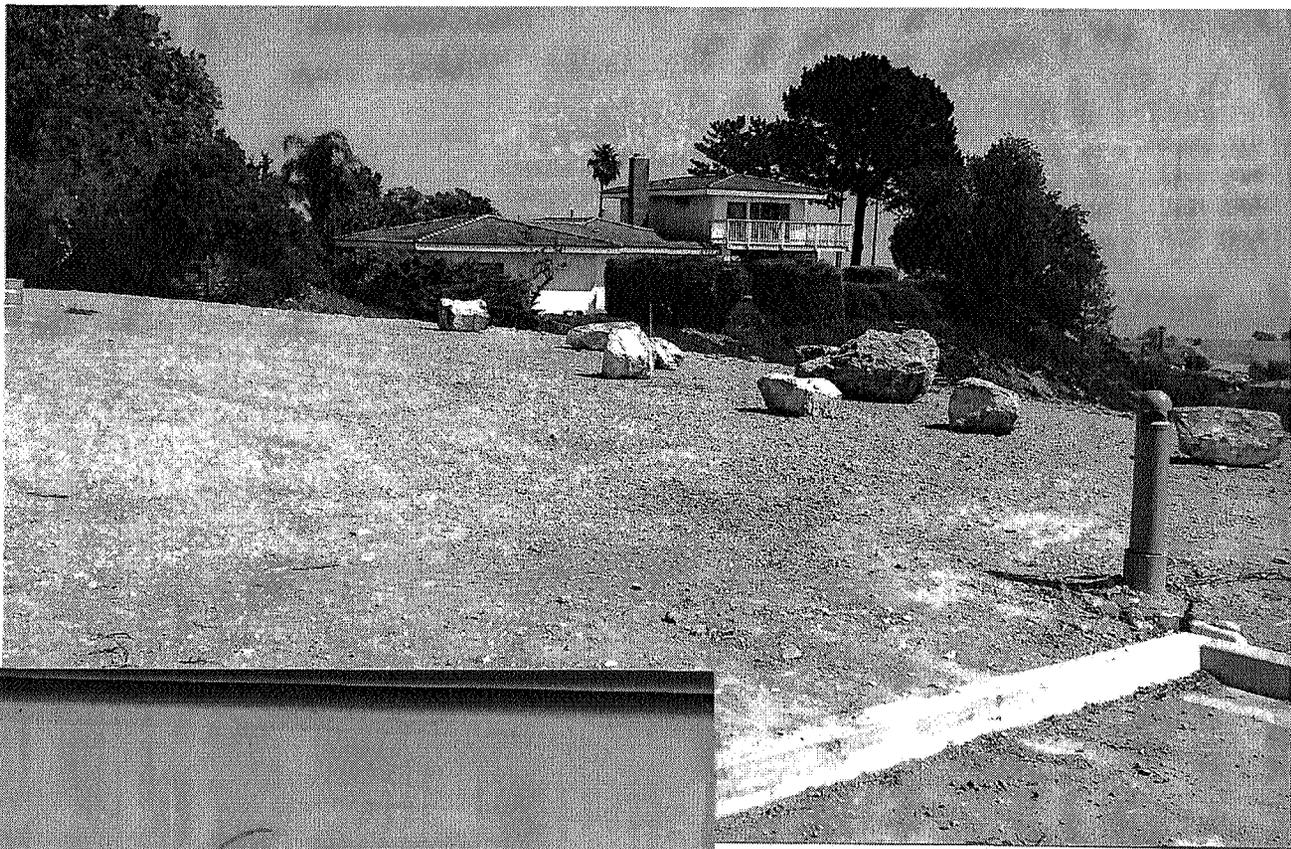
I may not have emphasized this earlier but we do not want Marymount conducting classes behind San Ramon homes. I am not speaking for Marc Harris and Mr. & Mrs. Tooley, but I am speaking for myself and others immediately affected. Attached are photographs of several students digging, talking, making clatter and although the words sound very sweet – that they are planting California vegetation and fruit trees – the true nature of the students came out when one of them shouted to the teacher to tell them we'll give them some fruit. The teacher did not reprimand the student or at least tell them to be more respectful – he just told me to contact the city, which I did. I have not had a response from the City nor Marymount regarding my request that there be no classes conducted next to resident homes – both on San Ramon and on Vista Del Mar. Because of the noise corridors we level and downslope residents can often hear every word that is said from the hilltop.

Although Laura McSherry wrote and spoke about her concerns over light and noise, no one came to her home to conduct light simulations or noise simulations. The McSherry home is within the 500 foot region and her written and oral concerns were simply ignored and left out of the EIR process. I do not know where sound and light simulations were conducted from Vista Del Mar.

Marc Harris may not feel the way we do because he works – but most of us are retired and home all day and have to listen to the noise day in and day out. Please do not allow classes to be conducted next to San Ramon nor Vista Del Mar homes.

Sincerely,

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



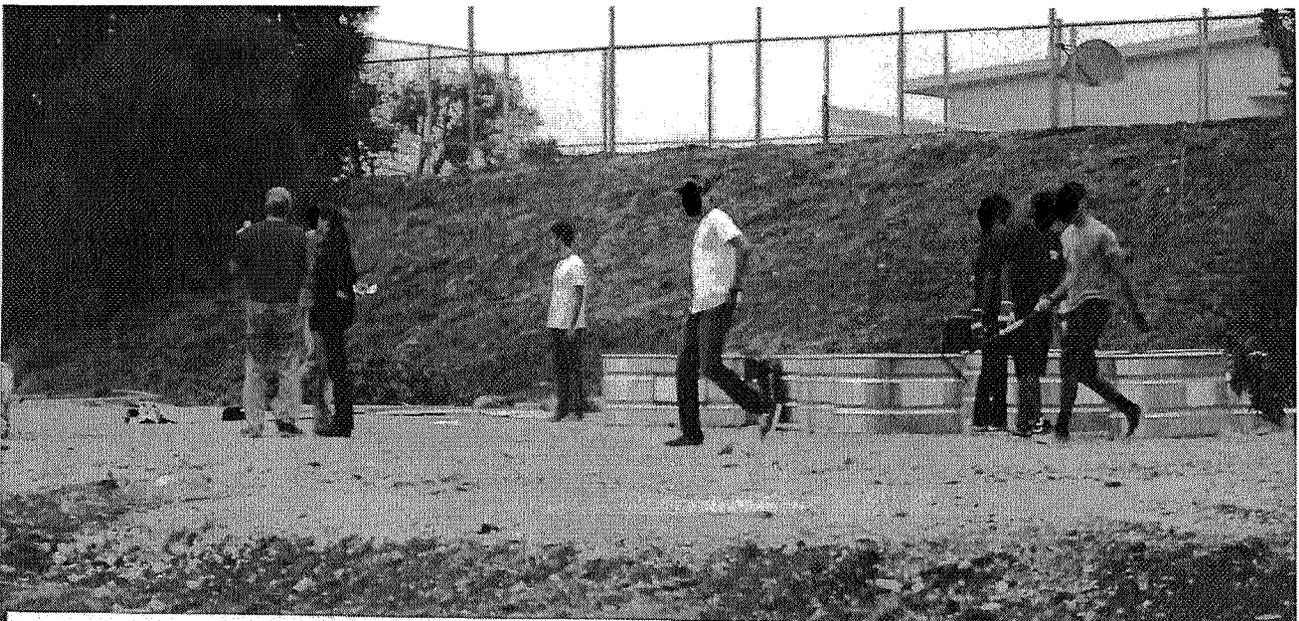
Coming Soon

MCH

  
GROW  
PROJECT

a GARDEN for Restoration Outreach  
and Wellness

Please contact KATHLEEN TARBET in the Office of  
Sustainability if you have questions.



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, November 20, 2013 11:13 AM  
**To:** Ara Mihranian; Eduardo Schonborn  
**Cc:** 'LOIS Karp'; vickihanger@aol.com  
**Subject:** Marymount East Parking Lot - Athletic Field - incorporate Vista del Mar objections  
**Attachments:** Marymount Parking lot - Vista del Mar Jan 9 2006 letter from Jo.jpg

Dear Ara and Eduardo,

I have reviewed Mr. DeNardo's January 9, 2006 letter to you covering just about everything that I have complained about. Mr. DeNardo suffered so many soccer balls coming into his yard and kids climbing over and invading his property. It was so bad that the city put up a sign on the wall behind his home saying "PLEASE DO NOT DISTURB NEIGHBORS OR CLIMB FENCE. NEIGHBORS TO RETURN BALLS AT THEIR CONVENIENCE." This is almost comical behind sadness – he couldn't take it any longer, sold his home and moved away. The proposed Athletic Field cannot work without enormous disruption to the neighboring community.

Marymount should look in San Pedro (possibly the new fields at 22<sup>nd</sup> street) or Rolling Hills Estates (Nansen Field) or their Harbor City campus on Palos Verdes Drive North – the athletic field does not belong here as proven by the East Parking lot menace.

It almost seem like spite that Marymount then put a round-about walkway and viewing area right next to his house for more people to cluster.

(see attached photos)

I have also review Dwight Hanger's November 26, 2007 letter to you outraged at Mr. Brophy's letter saying items identified in the DEIR were "fully mitigated." Good grief Ara – that was 6 and 7 years ago! Mr. Hanger observed, as did I, that there are significant conflicts with RPV's General Plan. "We are a quiet, residential community without streetlights and wish to stay that way. " ... athletic fields and events bring unwanted noise, light, traffic, safety hazards and crime into our community 24/7. There will be no quiet evenings and the weekends will be ruined." Mr. Hanger goes on to say at Paragraph 11, "The college does NOT need to have . . . and athletic fields on campus to provide quality education." At paragraph 6, Mr. Hanger stresses that " ... this land has already been stretched beyond the City's original intent. This happens over time as councils change. **This must be stopped now!!!**" and recommends "**1. Put a final stop to Marymount's continuous size creep and escalating requests by denying their request for expansion ...**" and "2.

**Reject this DEIR . . .**"

Mr. Hanger also points out in his letter attachment "Major Issues with the Draft EIR Marymount College Expansion Project" at 3e, "Use of the athletic fields at night will add noise, light and potential hazards to drivers." The reference to "night" and "light" brings me back to my concern that the overhead lights at the new east parking lot are so bright that they may be intended to set precedent for future lights at the athletic field."

Marymount has continually breached it's conditions of use, and other agreements (lights in parking lot on after 10 pm) and has simply overgrown the property and the City must stop any further growth now. Mr. Brophy has stated in his October 11, 3013 letter to the Peninsula News that it is Marymount's intention to expand. Mr. Hanger voiced concern at Paragraph 6 "Light and Glare" which is happening now with the new East Parking Lot and continues to throw off excessive light, reflective light – making our previously dark quiet open field look like a pathway to a shopping mall. This parking lot must be fixed and our community returned to the dark, quiet neighborhood we previously enjoyed and paid for, before any consideration of an expanded athletic field.

It is hard for me to believe that the planning department and city went on to approve any expansion of Marymount whatsoever when looking at Marymount's poor track record and history of its terrible relationship to neighboring residents (other than those residents who do not object since Marymount employs them part-time or full-time).

I would like to therefore incorporate both Mr. DeNardo's January 9, 2006 letter and Mr. Hanger's November 26, 2007 letter into my objection to the new Athletic Field.

Thank you.

Diane Smith

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



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, November 20, 2013 9:19 AM  
**To:** Anthony Misetich; Brian Campbell; Jerry Duhovic; Jim Knight; Susan Brooks; Eduardo Schonborn; Ara Mihranian  
**Cc:** vickihanger@aol.com; 'LOIS Karp'  
**Subject:** Marymount East Parking Lot - Fire hazard concerns - photo of helicopter  
**Attachments:** Marymount Parking lot - Firefighter Helicopter dropping water o.jpg

Attached is a photograph of the helicopter taken by Frankie Cornelius outside her home at the last field fire. I am sending this as a follow-up to my November 18, 2013 email regarding Marymount students flicking cigarettes into combustible trash in the field.

Sincerely,  
Diane Smith



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, November 20, 2013 9:00 AM  
**To:** Ara Mihranian  
**Subject:** Marymount Athletic Field - Destruction of landmark Eucalyptus trees  
**Attachments:** Grayhounds running at Marymount.jpg

Dear Ara,

Attached is a picture of greyhounds bouncing through the weeds below Marymount. I cut the picture out of the newspaper because I just loved seeing those greyhounds. Other people remember the greyhounds with the old eucalyptus in the background to the left. I wonder when those eucalyptus were planted? The Vanderlips may shed some light on them. Everytime I glance at those trees I think of the greyhounds running freely. Someone told me it was one of the Zuckerman brothers that put these up but whoever did, I am thankful.

I did not note a date on the picture (maybe 1993?) but on the back there are letters to the Editor captioned "Svorinich has vitality, a vision for success" by Gordon Teuber Jr. of San Pedro and "Flores 'experience' has led to decline of area (author name cut off).

There are special trees on The Hill, like the Italian Stone Pines on the switchbacks, that should have special treatment – special status as representatives of the wonderful History of the Hill as visioned by Frank Vanderlip. I will try to research these trees to see if our City will give them special status if they haven't done so already.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

## Running in place



PEGGY PEATTIE/STAFF PHOTOGRAPHER

An environmental sculpture on the hills below Marymount College in Rancho Palos Verdes gives the impression of greyhounds bounding through the weeds. The effect was created by wooden figures stuck on metal posts.

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, November 18, 2013 2:29 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - Overnight vehicles PHOTOGRAPHS  
**Attachments:** Marymount Parking lot - Lights on after midnight cars 1 of 3.jpg; Marymount Parking lot - Lights on after midnight cars 2 of 3.jpg; Marymount Parking lot - Lights on after midnight cars 3 of 3.jpg

Attached are photos I took.

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Monday, November 18, 2013 7:27 AM  
**To:** 'Ara Mihranian'  
**Subject:** Marymount East Parking Lot - Overnight vehicles

Dear Ara,

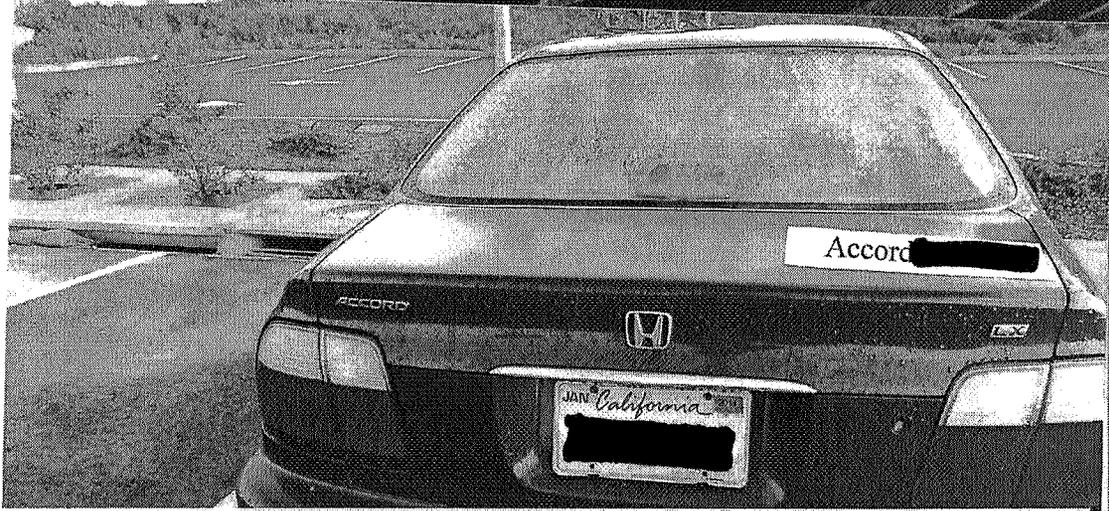
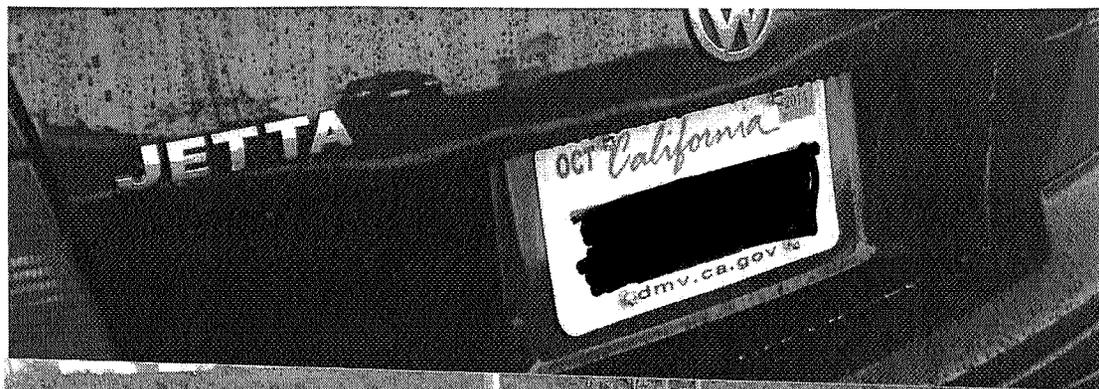
Friday night, November 15, 2013 the lights went off at Marymount at 10:00 pm with 11 vehicles in the East Parking Lot. At 2:00 o'clock Saturday morning I observed the chain at the front of Marymount secured all the way across. At 7:00 o'clock Saturday morning the 11 vehicles were still parked in the parking lot and I observed the entry gate into the lot was down and the exit gate was up with orange cones were blocking the exit. At 7:30 a.m. I walked up the street and into the east parking lot and the vehicles appeared to be the same vehicles that parked in Marymount's East Parking Lot last Friday night into Saturday morning Feb. 8-9, 2013. I took pictures then, however, the license plate numbers were not clear. I took pictures Saturday morning and the license numbers indicate many if not all are in the same group that stayed overnight into the early morning last Friday Feb. 8-9, 2013 when Marymount left the lights on past midnight and therefore past the City Council's deadline. I am still waiting to hear from you/the City as to what steps they have taken to penalize Marymount for its failure to comply with the City Council's conditions to turn the lights off at 10 pm. Below are the license numbers and type of vehicle for verification that the operators are at least STUDENTS/FACULTY of Marymount. The cars remained in the parking lot all morning and all but the Altima 6MDU592 were gone by 3:00 p.m. Saturday. The Altima is still there this morning and although the "entry" gate is down, the "exit" gate is open with the orange cones intentionally removed Sunday since they were nowhere in sight.

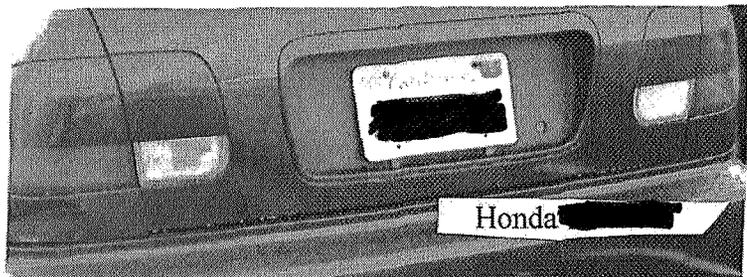
Jetta 7CBM887  
Focus 5GJS309  
Altima 6MDU592  
Corolla Texas plate BDM-5799  
Hyundai Elantra 7AIY564  
Ford F150 8312421  
Chevy – no license plate  
Honda 4EJJ095  
Mazda 3474YPB  
Accord 3PPZ088  
Passat 4AWL475

The parking lot should be used only for current enrolled STUDENTS as OVERFLOW PARKING and only to Marymount Students with parking passes. The gates should be opened with passes only. There should be no overnight and long-term parking (the Altima has been there for 4 days).

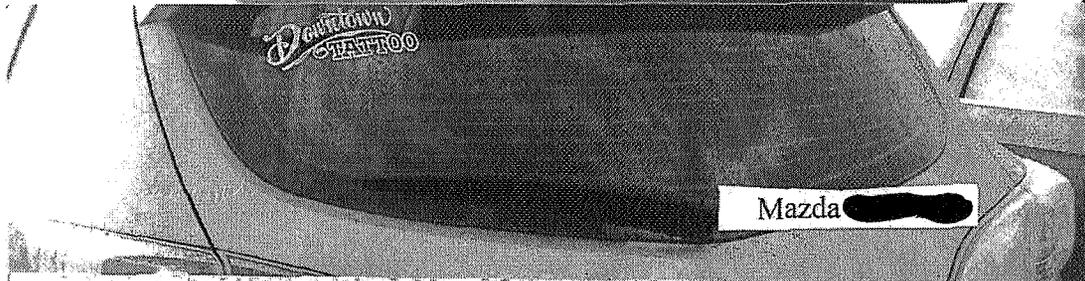
I am still waiting to hear from you regarding the City's penalties against Marymount for violating the City Council's mandate to turn the horrible lights out at 10 pm every night.

Thanks,  
Diane





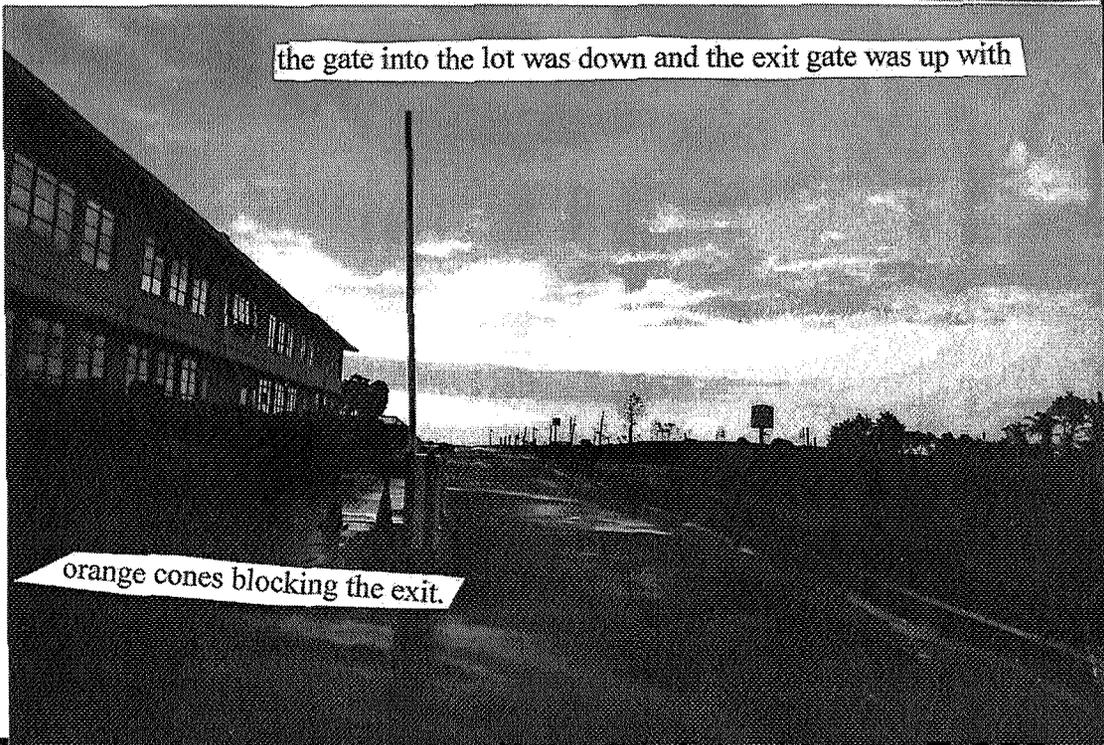
Honda [redacted]



Mazda [redacted]

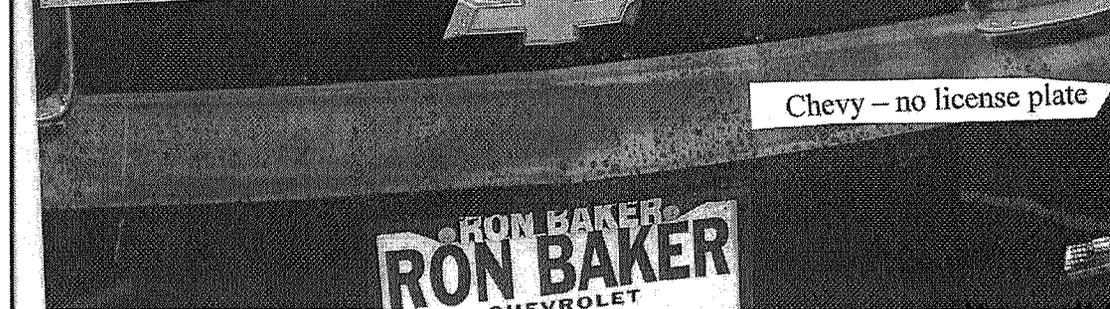
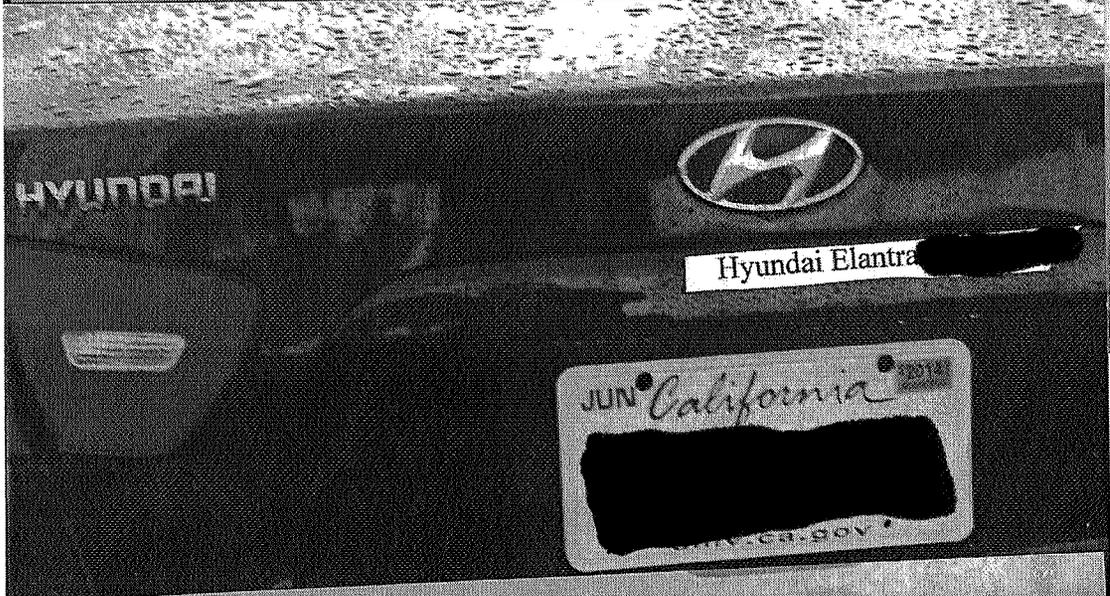
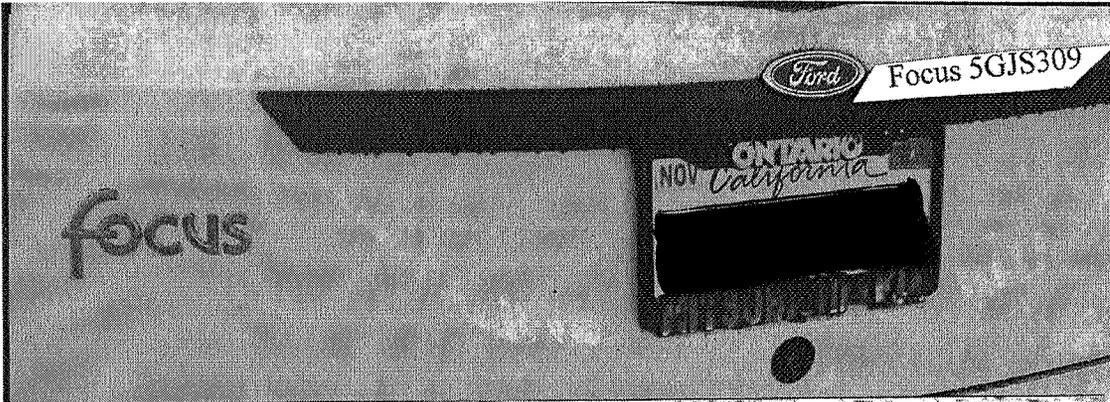


Altima [redacted]



the gate into the lot was down and the exit gate was up with

orange cones blocking the exit.



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, November 18, 2013 1:41 PM  
**To:** Ara Mihranian; MBrophy@marymountpv.edu; Eduardo Schonborn; Joel Rojas  
**Cc:** Anthony Misetich; Brian Campbell; Susan Brooks; vickihanger@aol.com; Jim Knight; Jerry Duhovic; jlkarp@cox.net; 'LOIS Karp'; 'Parvin Jensen'; racisz@cox.net; 'Marc Harris'; 'Gregory Lash'  
**Subject:** FW: Marymount new east parking lot - MORE TRASH - DOUBLE INCREASE IN CIGARETTE BUTTS  
**Attachments:** Marymount Parking lot - Trash - cigarette butts in dry field an.jpg; Marymount Parking lot - Trash - cigarette butts in the drains.jpg; Marymount Parking lot - Trash - beer cans, jaw of animal.jpg

This is my SECOND notice to the City and Marymount regarding hillside trash, combustible trash and flicked live cigarette butts (now twice as many as before).

I recently noticed an increase in trash on the hillside below Marymount's East Parking Lot since I last picked it up Sunday, October 6, 2013 and informed Marymount and the City.

It has now been over a month since I picked up three loads of trash from the hillside and carefully documented and kept everything and informed Marymount and City. After noticing the maintenance vehicle several times after my first notice, I assumed Marymount maintenance was picking up the trash. Apparently I was mistaken at least to the hillside trash.

I took a large trash bag to the parking lot and started towards the Vista Del Mar home photographing and picking up trash as I went along. Once I got to Vista Del Mar I noticed the cigarette butts again. I picked up an empty water bottle and started collecting the flicked cigarette butts from the same point (at the Vista Del Mar home) to the half-way point of the lot, as I did on Sunday, October 6, 2013. I collected 232 cigarette butts this time - in the same section as I collected last time. Therefore the increase in cigarettes has more than doubled! (Last period of time from when the students first started parking there until October 6, I picked up 97 cigarette butts.) There were also many cigarettes and other trash piled up in the drain which I photographed.

There were many cigarettes and other trash shoved into the grates over the drain/grate area where two trees are planted (middle of the far-east portion of the parking lot). I am therefore very concerned about water backing up and overflowing into the South Shores Landslide. (I believe residents in the Palos Verdes Shores Mobil Home Park should have been specially noticed of the whole Marymount EIR process since they are directly affected in view of the potential landslide.)

I also observed, and photographed, cigarette butts in the dry field. Since the live flicked cigarette into the brush and combustible trash was a concern of the fire department as well, I prepared and hand-delivered a follow-up letter to the fire department regarding cigarette butts in the field. Two firefighters were at the station when I arrived. I explained that this was my second concern over the fire hazard. I further explained that five of the ten affected families on San Ramon have experienced the terror of fire in the field a long time ago. In fact, Mrs. Frankie Cornelius took a wonderful picture of the helicopter over the fire in the 1970s. At that time vehicles were able to access into the field from the switchbacks. Auto occupants would park, drink and smoke cigarettes. We residents asked the fire department to install a barrier to keep the vehicles out of the field which they did right away. We have not had a fire in the field since that time. Now we are faced with the same scenario – cars, drinking, cigarettes. I told firefighters I had previously brought this to the attention of Marymount and to the attention of the City. The Battalion Chief took my letter for handling. After picking up all the trash below the parking lot I noted there was not much unusual from the past trash except for the jaw of what might be a coyote. Two crows were hovering just as I picked up a bag with a sandwich in it. There were beer cans, soda cans, water bottles, candy wrappers, a business card from a San Pedro auto detailing place, Starbucks cups, miscellaneous paper cups, food trays (cardboard, styrafoam and clear plastic), lots of napkins, a pair of socks, parking tickets, school notes and other written matter. A few Mcdonald's bags with food wrappers were in the field.

One bag farther out had a rock in it – I assume to give the bag more weight so it could be tossed further down the hillside. There is a clear coyote trail up to the parking lot. Since the construction in the San Ramon Canyon eliminated coyote water sources, I have noticed an increase in coyotes on and near nearby streets including a sighting at 1:30 pm trotting in the middle of Flowerridge and another in the evening on our own San Ramon.

I have observed student groups (more than 2) gathering, sharing cigarettes on the way and moving out of sight towards the San Ramon homes. I do not know how long they stayed there or if they maybe left through the Fire easement but there certainly is a lot of trash in that area. I did not pick that trash up so as of today, Monday, October 18, 2013, the trash on the hillside below the tennis courts is still there.

Although Ara has asked me to carefully document my concerns about Marymount's East Parking Lot this is the last time I will pick up Marymount's trash. I had the photographs developed include some of them with this notice. I plan to take one of our old trash cans to Marymount this evening so the kids can have a place to throw their trash. I have done enough!! I have brought the trash issue and the "shopping mall" parking lights, noise, invasion of privacy issues in the past to Marymount and to the City and no one seems to care.

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

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

From: Ara Mihranian [mailto:AraM@rpv.com]  
Sent: Tuesday, October 08, 2013 4:13 PM  
To: Diane Smith  
Subject: RE: Marymount new east parking lot

Hi Diane,

I am available to meet with you anytime tomorrow morning before 11:30.

As for the upcoming meetings, I am not sure what dates have been identified but we can talk about it tomorrow.

Ara

Ara Michael Mihranian  
Deputy Director of Community Development \_\_\_\_\_

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com  
www.palosverdes.com/rpv

Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

From: Diane Smith [mailto:radsmith@cox.net]  
Sent: Monday, October 07, 2013 4:30 PM  
To: Ara Mihranian

Cc: MBrophy@marymountpv.edu  
Subject: RE: Marymount new east parking lot

I have golf tomorrow morning so Wednesday morning will work. What time is best for you. Would you please let me know the date of the City Council's six month review and the date of the upcoming Neighborhood Advisory Committee meeting? I spoke to the homeowner at the end of Tarapaca (sp?) in the El Prado community and he is very upset with the intrusive lights from the Marymount Parking Lot. I have yet to speak to his neighbors - I count 12 homes within sight of the lights. I'll try contacting them tonight.

I visited LA County Fire Captain just before noon today and asked him if we should be worried brush fire considering all the cigarette butts at the new parking lot. Off-hand he said I should not be concerned unless the cigarettes are flicked live into the brush. He told me he would visit the site and get back to me. I have developed the trash photos and will bring them all will me Wednesday morning. I will scan and describe the very surprising ones and email them to you.

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

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

From: Ara Mihranian [mailto:AraM@rpv.com]  
Sent: Monday, October 07, 2013 9:27 AM  
To: radlsmith@cox.net  
Cc: MBrophy@marymountpv.edu; Joel Rojas; Eduardo Schonborn  
Subject: RE: Marymount new east parking lot

Mrs. Smith,

The City is receipt of the emails you submitted over the weekend documenting your concerns with the use and condition of the newly constructed parking lot at Marymount.

The information you are providing will be presented at the upcoming Neighborhood Advisory Committee meeting between Marymount and the neighboring five homeowner's associations. Additionally, according to Condition No. 18, the concerns you are expressing will be addressed at the City Council's six month review of the newly constructed parking lot. In regards to the EIR, I am available to meet with you on Tuesday or Wednesday mornings, let me know what works for you.

Regards,  
Ara

Ara Michael Mihranian  
Deputy Director of Community Development \_\_\_\_\_

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com  
www.palosverdes.com/rpv

Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity

named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

From: radlsmith@cox.net [mailto:radlsmith@cox.net]  
Sent: Monday, October 07, 2013 7:59 AM  
To: Ara Mihranian  
Cc: MBrophy@marymountpv.edu  
Subject: Marymount new east parking lot

At this time yesterday I had already photographed and picked up one large trash bag full of trash from the hillside below Marymount's new east parking lot. I went back for a second and third bag. I filled the second bag with mostly large beer and hard liquor bottles from the south end of the lot. I can't imagine how awful the parking lot must be for that neighboring homeowner! There are a few bottles in smashed condition still there. As I walked back along the edge of the parking lot I noticed many cigarette butts. I picked up 97 cigarette butts, mostly from the new wood chip covering beyond the edge of the parking lot. I'm surprised the cigarettes did not ignite because it appears they were just flicked out and left to burn. I did not go beyond the wood chip area looking for cigarette butts and I stopped collecting them once I came to the enlarged cement area with the two trees. If you go to that area this morning you will see for yourself how many cigarette butts there are. I will stop by the fire station on my way home today and make inquiry to see if we should be concerned about fire hazard as the parking lot abuts a fire hazard zone. There sure was a lot of trash there. I noticed there was no food in the plastic trash containers, plastic and paper lunch bags but there is a coyote trail leading up to the area. I picked up several paper "airplanes" where the kids were shooting them off the ridge into the field - one of them is a folded up Marymount parking paper! I also retrieved a new "arrow." I have saved the trash and will follow-up with pictures and itemized description. There is a lot of trash - especially since you consider the school year as just started!

I will be looking to see what the City required regarding trash and smoking in the EIR.

Also, my computer could not load the complete EIR "letters" pdf. There was a notice "This pdf document might not be deployed correctly." so I will have to make a trip to the city to review hard copies. Please let me have some times when this will be possible.

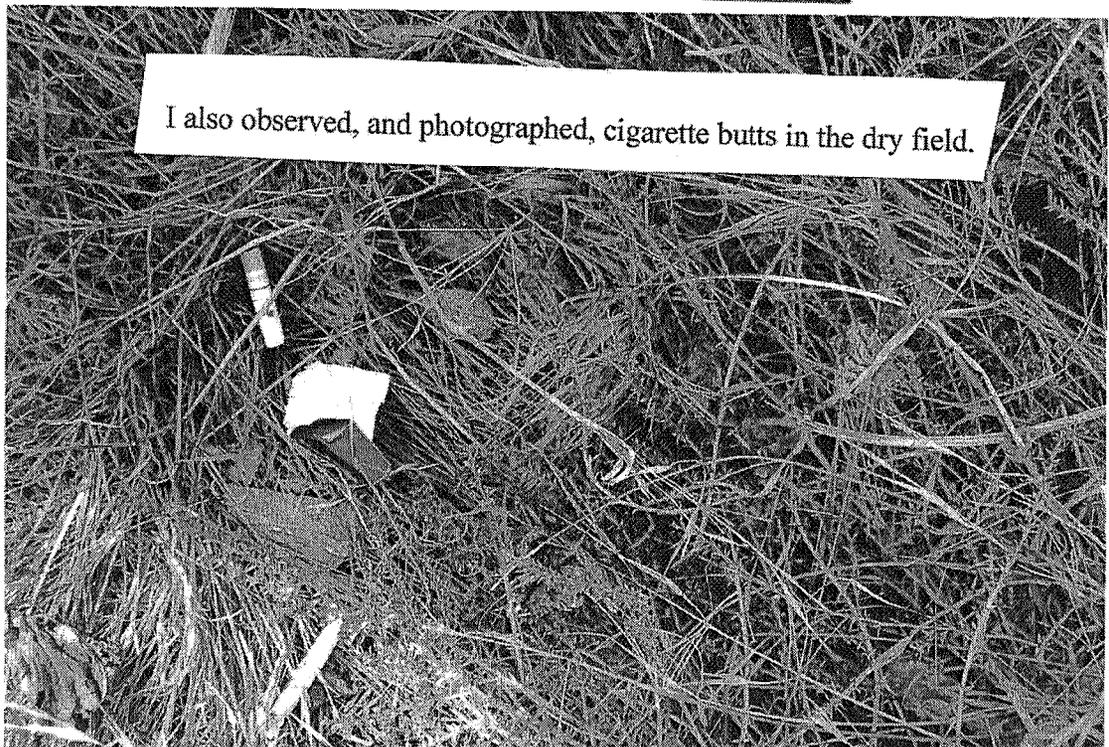
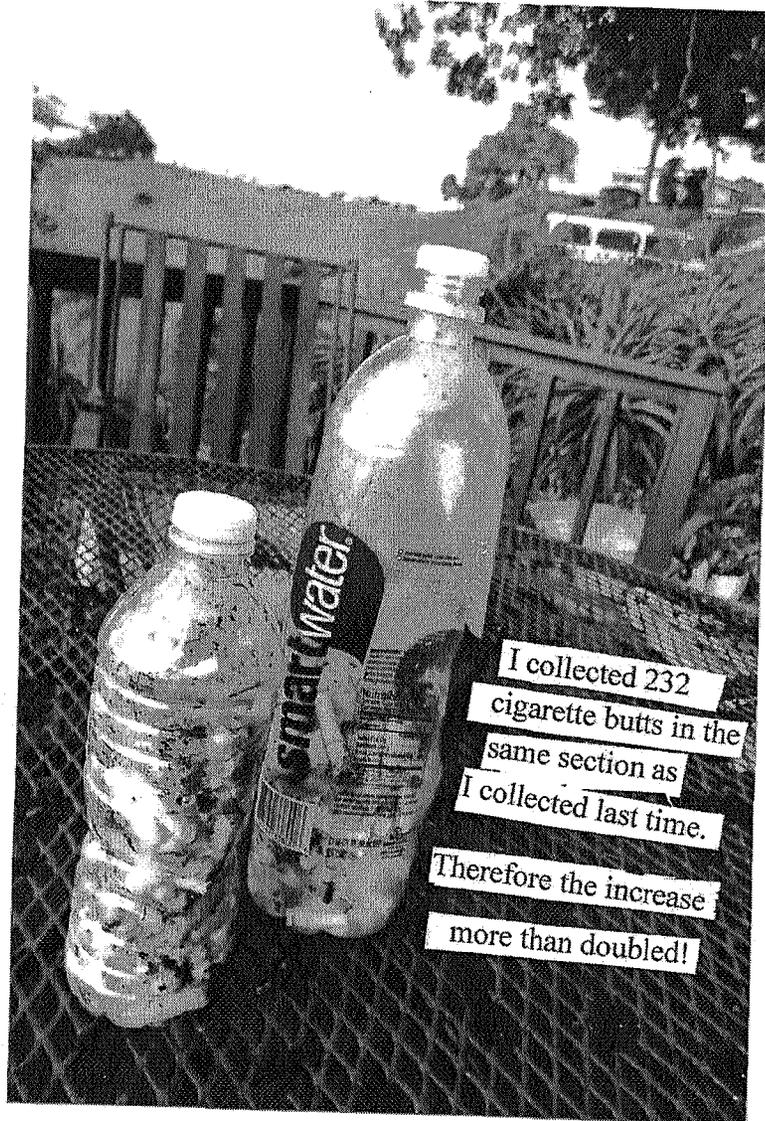
Sincerely,

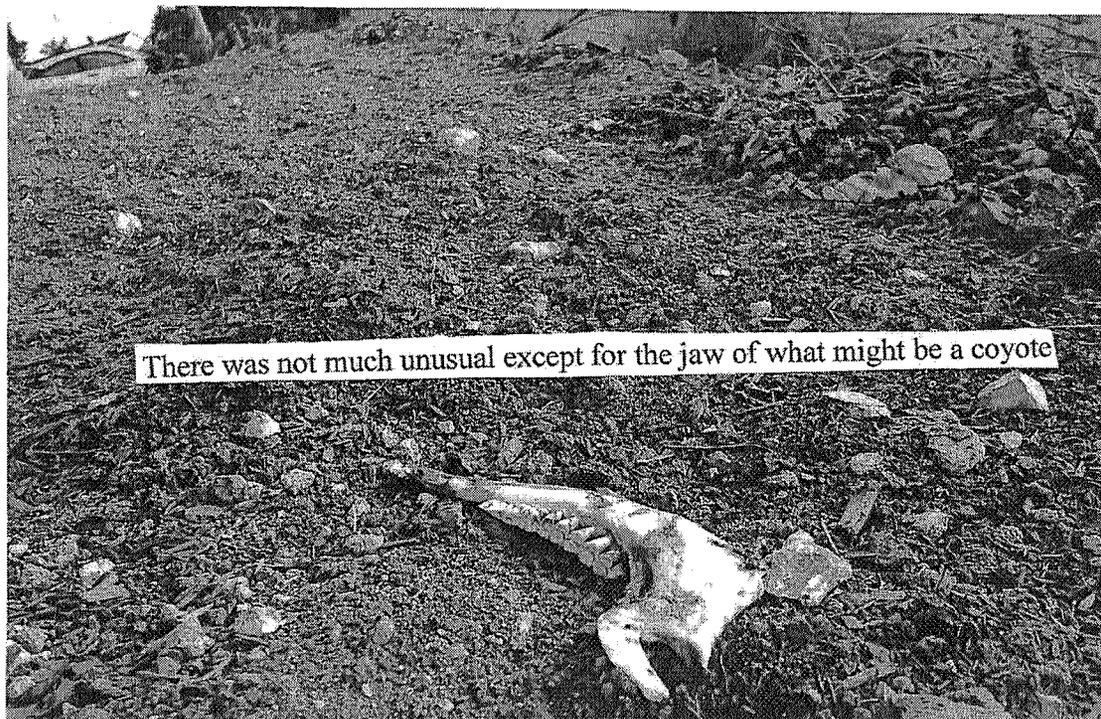
Diane Smith

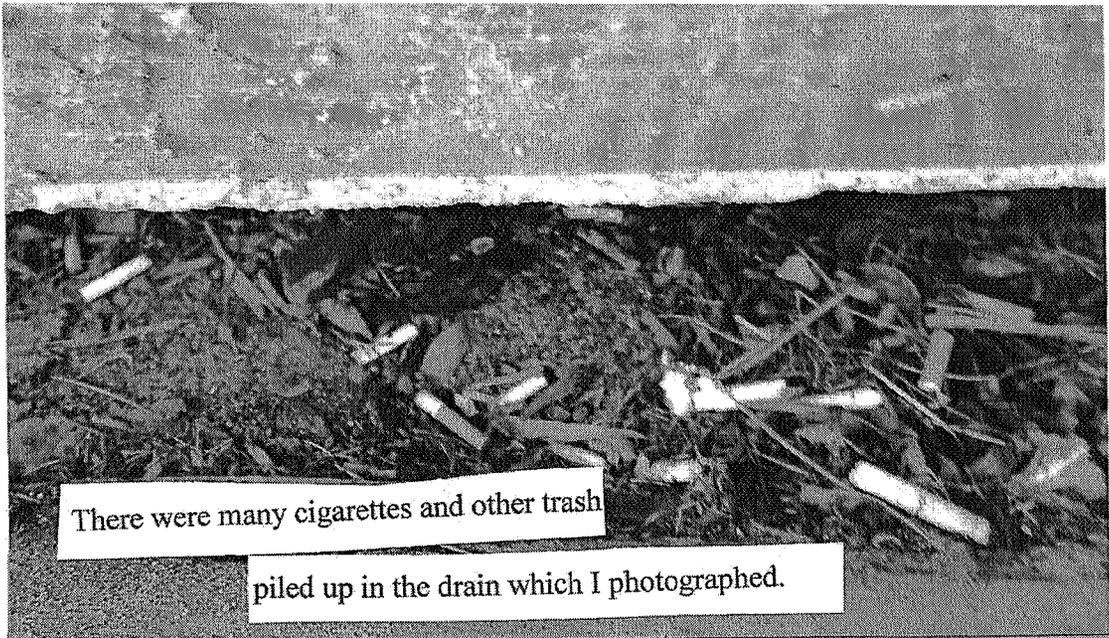
2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547=3856

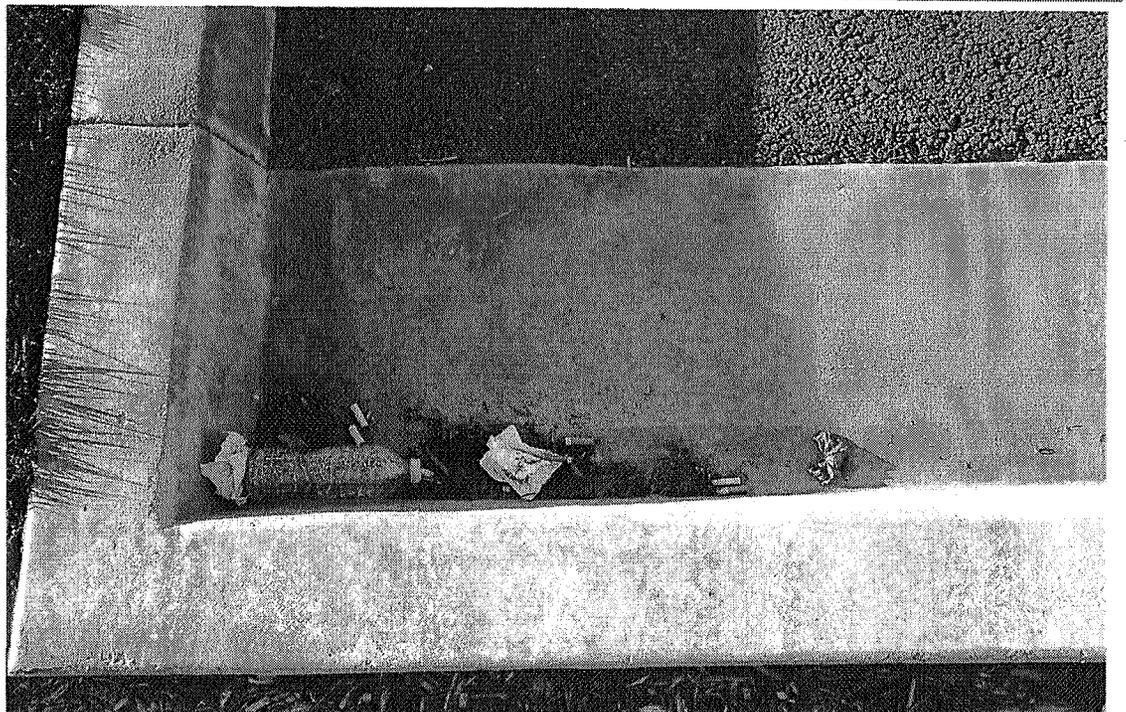






There were many cigarettes and other trash

piled up in the drain which I photographed.



## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, November 18, 2013 7:27 AM  
**To:** Ara Mihranian  
**Subject:** Marymount East Parking Lot - Overnight vehicles

Dear Ara,

Friday night, November 15, 2013 the lights went off at Marymount at 10:00 pm with 11 vehicles in the East Parking Lot. At 2:00 o'clock Saturday morning I observed the chain at the front of Marymount secured all the way across. At 7:00 o'clock Saturday morning the 11 vehicles were still parked in the parking lot and I observed the entry gate into the lot was down and the exit gate was up with orange cones were blocking the exit. At 7:30 a.m. I walked up the street and into the east parking lot and the vehicles appeared to be the same vehicles that parked in Marymount's East Parking Lot last Friday night into Saturday morning Feb. 8-9, 2013. I took pictures then, however, the license plate numbers were not clear. I took pictures Saturday morning and the license numbers indicate many if not all are in the same group that stayed overnight into the early morning last Friday Feb. 8-9, 2013 when Marymount left the lights on past midnight and therefore past the City Council's deadline. I am still waiting to hear from you/the City as to what steps they have taken to penalize Marymount for its failure to comply with the City Council's conditions to turn the lights off at 10 pm. Below are the license numbers and type of vehicle for verification that the operators are at least STUDENTS/FACULTY of Marymount. The cars remained in the parking lot all morning and all but the Altima 6MDU592 were gone by 3:00 p.m. Saturday. The Altima is still there this morning and although the "entry" gate is down, the "exit" gate is open with the orange cones intentionally removed Sunday since they were nowhere in sight.

Jetta 7CBM887  
Focus 5GJS309  
Altima 6MDU592  
Corolla Texas plate BDM-5799  
Hyundai Elantra 7AIY564  
Ford F150 8312421  
Chevy – no license plate  
Honda 4EJJ095  
Mazda 3474YPB  
Accord 3PPZ088  
Passat 4AWL475

The parking lot should be used only for current enrolled STUDENTS as OVERFLOW PARKING and only to Marymount Students with parking passes. The gates should be opened with passes only. There should be no overnight and long-term parking (the Altima has been there for 4 days).

I am still waiting to hear from you regarding the City's penalties against Marymount for violating the City Council's mandate to turn the horrible lights out at 10 pm every night.

Thanks,  
Diane

## Ara Mihranian

---

**From:** Parvin Jensen <psjense@aol.com>  
**Sent:** Thursday, November 14, 2013 1:31 AM  
**To:** Ara Mihranian; Heath and Julie Collins  
**Subject:** Meeting at San ram on

Dear Ara, it was pleasure meeting you, thank you so much for taking time to listen to each of us in San Ramon dr. I have added Julie Collins email to this note ,so you can easily reach her. Please send me updates as well. Thanks a million and happy holidays to you.

Cordially  
Parvin  
310-308-7903

Yvonne Hamilton  
2732 San Ramon Drive  
Rancho Palos Verdes, CA 90275  
(310) 832-9042

November 13, 2013

Ara Mihranian, Deputy Community Development Director  
City of Rancho Palos Verdes City Council  
City of Rancho Palos Verdes  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275

Re: Opposition to Marymount College New East Parking Lot

Dear City Council and Mr. Mihranian,

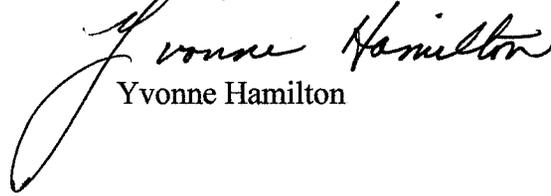
I shake my head every time I go into my backyard and look at Marymount's new East parking lot. I just cannot believe the City would allow Marymount to put in such a structure that ruins the peace, quiet and beauty of our semi-rural atmosphere.

I am a retired nurse, recently divorced, with three grown children and grandchildren in my care. Many major events have happened in my life over the past 10 years. I knew Marymount was trying to grow more but believed the city would enforce its open space and views and peace. I live next door to Bill Cornelius who is bedridden with a caregiver. Bill's wife was the first owner of a house on San Ramon! In the years past I spent a great deal of time caring for Mrs. Cornelius until she passed away. I did this while dealing with major issues in my own life. I trusted the city to represent me.

I share the same view of Marymount's new east parking lot as Bill Cornelius. I was shocked when I saw the parking lot lights go on last summer as I could not believe the City would allow this. Our sister cities of Palos Verdes Estates and Rolling Hills Estates would never allow this. P.V. High School and Peninsula High School do not allow these bright lights in their parking lots – voted by surrounding residents. The lights need to go! The lights got worse once the students arrived in September. The new Marymount College parking lot has changed the whole feel of my property as I no longer feel that I live in a semi-rural environment. Once where there was a "green field" and no lights, and now, when I look towards the setting sun, I see not only blinding sunlight reflecting off of over 50 vehicles in the day. At night, the vehicle headlights swirl around right into my property with noise from slamming doors, students talking and smoking (giving me concern over fires), security devices going on – it is horrible. The parking lot lights are on until 10:00 o'clock every single night of the week spoiling the darkness of the evenings that I cherished even when there are no cars there.

I was so looking forward to my retirement when I could enjoy the peaceful days and the peaceful evenings. You have taken this from me. You have ruined this for me. The City has failed me miserably. I am not happy with the City nor Marymount.

Sincerely,

A handwritten signature in cursive script that reads "Yvonne Hamilton". The signature is written in black ink and is positioned above the printed name.

Yvonne Hamilton

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, November 11, 2013 10:25 PM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount California University

Timer? Who in that group Friday night had access to a timer? I spoke to security and maintenance and they did not know how to turn the lights on or off. Who is in charge there?

What are the penalties for this violation? If there is no penalty then why should they obey? They will just continue to violate.

I want to know what the city is doing about Friday's violation of the conditions of approval.

I want to know who I should contact immediately when there are further violations.

I want to know that Marymount allows ONLY STUDENTS and staff to park in that parking lot – no tour groups and “outsiders”. If Marymount is running tours then their customers should park in front – the east back lot is for STUDENTS ATTENDING MARYMOUNT RPV CAMPUS REGULAR CLASSES – not Marymount –sponsored out-of town sporting events, rock concerts, etc. and no motorcycles, RVs, buses, etc.

I have noticed an increase in motorcycles and vehicles with loud exhausts coming up and down the switchbacks. I have seen vehicles parked in that parking lot at night over the weekend – I showed you a picture I took of one. Marymount's overhead lights are a beacon – inviting outsiders. The gates should be closed on the weekend when no classes are in session. There is plenty of room to park in other places. There is no need for lights on the weekend whatsoever – the city is just opening the doors to the parking lot for nighttime events – and more abuses.

That is new to me – about the bollard lights being allowed to stay on throughout the night.

There should be no lights at all.

I look forward to hearing from you Ara.

Diane

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Monday, November 11, 2013 3:36 PM  
**To:** Diane Smith; Joel Rojas  
**Subject:** RE: Marymount California University

Diane,

I have been in touch with Marymount and demanded that the timer for the lights be corrected to comply with the Conditions of Approval. I will be following up with a letter to Dr. Brophy regarding the non-compliant operation of the parking lot per the council adopted conditions of approval.

Please let me know if the 10-foot tall lights are not turned off at 10pm tonight (the bollard lights are allowed to stay on throughout the night).

Ara

**Ara Michael Mihranian**

Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.

Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Monday, November 11, 2013 6:41 AM  
**To:** Joel Rojas; Ara Mihranian  
**Subject:** FW: Marymount California University

This parking lot does not work. Marymount doesn't care. The nasty bright annoying lights were on past midnight Friday night and no one gives a damn.  
I am so mad.

---

**From:** Matthew Broderick [<mailto:MBroderick@marymountcalifornia.edu>]  
**Sent:** Sunday, November 10, 2013 11:21 PM  
**To:** [Radlsmith@cox.net](mailto:Radlsmith@cox.net)  
**Cc:** Michael Macmenamie; Jim Reeves  
**Subject:** Marymount California University

Hello Mrs. Smith, I walked into the office and saw your note that had been left by one of the weekend Officers and wanted to get back to you. As for your question regarding cars in the lot: MCU sent student and staff representatives to the Central Rap in San Louis Obispo, they returned sometime after Iam. As for the lights being on it was for the safety of our returning community members. Thank you for your concern and your time.

**Captain Matthew P. Broderick**  
*Operations Coordinator / Parking Manager*  
*Campus Safety & Security Department*

*amazing lives in wait*

**MARYMOUNT**  
CALIFORNIA UNIVERSITY

30800 Palos Verdes Drive East  
Rancho Palos Verdes, Ca 90275  
OS-231 / M-F / 9am to 5pm  
Office: (310) 303-7266

"If your actions inspire others to dream more , learn more and become more, you are a leader."

This e-mail contains CONFIDENTIAL information intended only for the use of the addressee(s) named above. If you are not the intended recipient of this e-mail, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received

this e-mail in error, please immediately notify us by telephone at (310) 303-7266 or forward the e-mail message to us at [Mbroderick@MarymountCalifornia.edu](mailto:Mbroderick@MarymountCalifornia.edu) and advise us that you have deleted it. Thank you.

---

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

---

## Ara Mihranian

---

**From:** Richard Schult <RSchult@marymountcalifornia.edu>  
**Sent:** Monday, November 11, 2013 11:29 AM  
**To:** Ara Mihranian  
**Subject:** Re: Marymount East Parking Lot - Lights still on

I understand fully Ara. We had a problem with our lighting clocks that didn't change when daylight savings did.

I will forward this email to security as a reminder.

Sent from Richard's iPhone

> On Nov 11, 2013, at 11:22 AM, "Ara Mihranian" <AraM@rpv.com> wrote:

>

> Richard,

> I appreciate you looking into this immediately. The lights should not be left on beyond the hours specified in the approved conditions of approval. If so, Marymount is in violation of its conditions. Furthermore, the parking lot is not supposed to be used (arm closed) after 7pm. Pursuant to Condition No. 135, 24-hour campus security is to be provided to ensure the conditions, including monitoring the parking lot, and code of conduct are being upheld. It is inexcusable for the campus security not to know that parking is not allowed after 7pm in the east parking lot. The City expects this situation to be remedied immediately.

>

> If you have any questions, I am available to speak or meet with you.

>

> Ara

>

> Ara Michael Mihranian

> Deputy Director of Community Development

> \_\_\_\_\_

>

>

> 30940 Hawthorne Blvd.

> Rancho Palos Verdes, CA 90275

> 310-544-5228 (telephone)

> 310-544-5293 (fax)

> aram@rpv.com

> www.palosverdes.com/rpv

>

> ☐ Do you really need to print this e-mail?

>

> This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

>

> -----Original Message-----

> From: Richard Schult [mailto:RSchult@marymountcalifornia.edu]

> Sent: Sunday, November 10, 2013 6:37 AM  
> To: Ara Mihranian  
> Cc: Jim Reeves; Joel Rojas  
> Subject: Re: Marymount East Parking Lot - Lights still on  
>  
> Hello Ara,  
>  
> I'll check into it and make sure we are operating within the given parameters.  
>  
> Sent from Richard's iPhone  
>  
>  
>  
> On Nov 9, 2013, at 10:42 AM, "Ara Mihranian" <AraM@rpv.com<mailto:AraM@rpv.com>> wrote:  
>  
> Hi Richard,  
> I received a complaint from a resident on San Ramon drive regarding the parking lot lights and cars parked in the lot after hours. Can you please see that this is corrected per the conditions and provide me with a response that can be provided to the resident.  
>  
> Thank you,  
> Ara  
>  
> Sent from my iPhone  
>  
> Begin forwarded message:  
>  
> From: Diane Smith <radlsmith@cox.net<mailto:radlsmith@cox.net>>  
> Date: November 9, 2013, 1:13:12 PM EST  
> To: 'Ara Mihranian' <AraM@rpv.com<mailto:AraM@rpv.com>>  
> Subject: FW: Marymount East Parking Lot - Lights still on  
>  
> Please let me know what facilities director Richard Schulties has to say in response to my inquiries. I still have not heard from Marymount. I will give them until noon and then I will make another trip up there. I want this to stop now Ara.  
> I want to know what went on – who were these people? What were these doing at Marymount so late at night?  
> Diane  
>  
> From: Diane Smith [mailto:radlsmith@cox.net]  
> Sent: Saturday, November 09, 2013 8:22 AM  
> To: 'Ara Mihranian'  
> Subject: FW: Marymount East Parking Lot - Lights still on  
>  
> I went to Marymount at 8:00 a.m. this morning and just got back.  
> The 10 vehicles are all gone and the gates are still up.  
> The lights are off.  
> I found a security guard, Mr. W. Melgar, and asked when he started his shift. Mr. Melgar said he started at 7 am. I asked him if the prior security guard left a log or information on what was going on at Marymount last night and he looked at his computer and said he did not see anything. He said if I wanted to leave my name and contact information with him and a message, that he would give the information to his supervisor, "Michael" (did not know last name). Mr. Melgar told me that he is unaware of Marymount's policies – that he only works on the weekend.  
> My handwritten message (on a blank envelope that he gave me) asked

>

> - what time the lights were turned off,

>

> - what time the 10 vehicles left,

>

> - what event was going on at Marymount last night/early this morning.

> Ara, this needs follow-up by the City. The City allowed Marymount to have the parking lot lights on every single night until 10 pm. This is wrong Ara. This is abusive. Then Marymount, laughs at the City process and keeps its gates up all night, every night, and leaves its lights on well after the City/Marymount agreed times/ Marymount does not tell its Security Guards what to "look for" and what constitutes breach of their conditions of use; the City has not put in place any recourse to residents as to how to stop the abuses. I can keep going on Ara.

> This parking lot is wrong Ara and you know it.

> The City council needs to be on top of this.

> If this is left unaddressed now, it will grow into a much greater menace to the community.

> Diane

>

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

> Sent: Saturday, November 09, 2013 12:20 AM

> To: 'Ara Mihranian'

> Subject: FW: Marymount East Parking Lot - Lights still on

>

> Marymount Security has not turned the lights off – it is now 12:15.

> The vehicles remain in the parking lot.

> Diane

>

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

> Sent: Friday, November 08, 2013 11:46 PM

> To: 'Ara Mihranian'

> Subject: FW: Marymount East Parking Lot - Lights still on

>

> I went to Marymount and spoke to the maintenance man about turning the lights off in the east parking lot. He told me that the Security Officer had the keys and that he would find the Security Officer and ask him to turn the lights off. The lights are still on and there are still 10 cars parked in the parking lot. One car has a Texas license plate. I took photographs of all of the cars. I thought there was no overnight parking.

> By the way, are they allowed to have camper vehicles in the parking lot?

> Diane

>

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

> Sent: Friday, November 08, 2013 11:21 PM

> To: 'Ara Mihranian'

> Subject: FW: Marymount East Parking Lot - Lights still on

>

> It is now 11:15 pm and the lights are still on in the parking lot and there are still cars in the parking lot. I don't know if I should call the police and tell them to have Marymount turn off the lights or if I should just go to Marymount myself.

> Diane

>

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

> Sent: Friday, November 08, 2013 10:47 PM

> To: 'Ara Mihranian'

> Subject: FW: Marymount East Parking Lot - Lights still on

>

> It is 10:45 PM and there are ten cars still parked in the parking lot and the lights are still on.

> Diane

>

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

> Sent: Friday, November 08, 2013 10:19 PM

> To: 'Ara Mihranian'

> Subject: Marymount East Parking Lot - Lights still on

>

> Dear Ara,

> It is after 10:15 pm Friday night and I can see six cars still in the parking lot with the parking lot lights still on. What is going on?

> Diane

>

>

> \_\_\_\_\_  
> This email has been scanned by Marymount California University email

> security service

>

>

>

> \_\_\_\_\_  
> This email has been scanned by Marymount California University email

> security service

>

>

>

> \_\_\_\_\_  
> This email has been scanned by Marymount California University email

> security service

>

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

## Ara Mihranian

---

**From:** Joel Rojas  
**Sent:** Monday, November 11, 2013 8:46 AM  
**To:** Diane Smith  
**Cc:** Ara Mihranian; Eduardo Schonborn  
**Subject:** RE: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Ms. Smith

As Ara has let you know, we intend to meet with Marymount to talk about the parking lot lights and ask them to take certain measures to reduce impacts.

Joel Rojas

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

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Monday, November 11, 2013 6:40 AM  
**To:** Joel Rojas  
**Subject:** RE: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Mr. Rojas - the east parking lot lights will set precedent. Don't you understand that? Marymount continues to abuse us - the lights were on after midnight Friday and what will you do about it? Nothing as usual. I am so disappointed with the City's handling of these matters.

Diane

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

**From:** Joel Rojas [mailto:JoelR@rpv.com]  
**Sent:** Sunday, November 10, 2013 6:20 PM  
**To:** Diane Smith  
**Cc:** Ara Mihranian; Eduardo Schonborn  
**Subject:** RE: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Ms. Smith

While an expanded Marymount parking lot on the eastern portion of the campus with new lighting was proposed, analyzed and approved by the City Council in 2010, lighting of the new athletic field was not proposed, analyzed or approved by the City back in 2010. Furthermore, while a reconfiguration of the athletic field approved by the city in 2010 is currently being requested by Marymount, lighting of the field is still not being proposed nor would it be allowed by the city.

Joel Rojas

---

**From:** Diane Smith [radlsmith@cox.net]  
**Sent:** Saturday, November 09, 2013 7:41 PM  
**To:** Joel Rojas  
**Subject:** RE: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Dear Mr. Rojas,

I believe Marymount will use the lighting of the east parking lot to demand equal lighting for its athletic field and you, as a planner, must know that.

These abusive and ridiculous lights are out of place for our beautiful peninsula. Why is the city not joining our sister cities of Rolling Hills Estates, Rolling Hills and Palos Verdes Estates in the handling of our outdoor lighting. Let's start with that.

Diane Smith

From: Joel Rojas [mailto:JoelR@rpv.com]  
Sent: Friday, November 01, 2013 4:13 PM  
To: radlsmith@cox.net  
Cc: Ara Mihranian; Leza Mikhail; Eduardo Schonborn  
Subject: FW: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Dear Ms. Smith

I have been following all of your emails about the lighting concerns with Marymount's new parking lot. I am also aware that you have spoken and/or met with some Council members about the issue and have met recently with Deputy Director Ara Mihranian to discuss your concerns. As you have heard from Mr. Mihranian, there are upcoming opportunities for the City to engage with Marymount to address the neighborhood concerns.

The focus of this email is to address your comments about the Outdoor Lighting code amendments that are being contemplated by the City. I apologize for not getting back to you sooner on this. The proposed code amendment was prompted by the realization that the exterior lighting standards contained in the City's Development Code need to be amended to create standards for achieving what Staff achieves in practice when it come exterior lighting review. For example, while the City's current code set limits on bulb wattage and prohibits the direct illumination of neighboring properties, we have found that in order to keep lighting impacts to a minimum and maintain the "dark skies" effect of the Peninsula, we need to perform a much more rigorous review of lighting plans for new projects. As a result, we require that detailed lighting plans be submitted and we question the location, height and type of every light fixture proposed to avoid any direct illumination of adjoining properties. Furthermore, once installed, we review the lighting during a trial period from different vantage points to ensure adjoining properties are not directly illuminated. If necessary, we require project applicants to make adjustments to the bulbs and/or fixtures to minimize the lighting brightness. We have several examples of where this more rigorous review has paid off. As a result, Staff and the Planning Commission initiated a discussion last year of how we could possibly amend the code to achieve through regulations what we achieve in practice. This effort involved a fair amount of research on Staff's part and good discussions between Staff and the Commission. It was left that Staff and the Commission appointed 3-member sub-committee would go out and try to obtain more information about how other semi-rural cities tackle lighting. Unfortunately, due to other demands, we have not re-convened to continue our discussions.

Notwithstanding, I want to assure you that Mr. Mihranian employed all of the actions described above when reviewing the proposed lighting plan for Marymount's new parking lot. I understand that while you and your neighbors concede that there is no direct illumination of your properties resulting from the new parking lot lighting, there is concern about the introduction of lighting in an area that was substantially dark, thereby changing the ambience or feel of the area in the evening. I can certainly understand that concern and that is why we will be working with Marymount to see what measures can be taken to address these concerns. We will be looking at ways to keep the lights off as much as possible or to screen them in some way.

Thank you for your excellent commentary on this issue. Please continue to speak and/or coordinate with Mr. Mihranian with regards to your concerns.

Sincerely,

Joel Rojas

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

Sent: Tuesday, October 15, 2013 5:12 PM  
To: Joel Rojas  
Cc: Ara Mihranian; Eduardo Schonborn  
Subject: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Dear Mr. Rojas,

I have read many letters from residents around Marymount College complaining and questioning Marymount's compliance with the City's Development Code and its compatibility with the semi-rural nature of the community. Throughout the Marymount EIR many residents voiced concerns regarding outdoor lighting and other nuisances and now those very people feel the Planning Commission, Department and City ignored their concerns since the new Marymount East Parking Lot spoils their once dark, quiet, magnificent semi-rural property environment.

I came across your August 14, 2012 Memorandum regarding "Discussion on Outdoor Lighting."

On October 25, 2011 the Planning Commission requested a Staff Report of how exterior lighting for proposed non-residential development projects is reviewed by Staff. (I would like a copy of the October 25, 2011 Staff Report.) On January 24, 2012 the Planning Commission felt that the City should have a more specific set of rules or codes to give project applicants so that they can integrate acceptable exterior lighting into their proposed projects without having to guess what will be acceptable to the City.

Seven months later, on August 14, 2012, Community Development Director Joel Rojas submitted The Staff Report to the Planning Commission regarding how the lighting is reviewed after said projects are constructed.

To lay people, light maps and actually seeing the lights fully turned on are two different events.

The Planning Commission created a three-member sub-committee: Commissioners Gerstner, Leon and Tomblin. These commissioners were to review RPV's current lighting standards and compare those standards with other similar cities. One would think the first cities that RPV Planning Department would use for comparison would be our sister "Peninsula Cities", namely Rolling Hills, Rolling Hills Estates and Palos Verdes Estates. At least City Staff should have used Palos Verdes Estates because it is similarly situated to RPV - from the ocean to the hills - but our City did not compare RPV with its sister cities. Instead it reached out to distant cities and only one sub-committee member, Commissioner Leon, looked into the matter and reported.

Why did the Planning Commission feel it was not necessary to prepare a code amendment for submittal to the City Council when Staff recommended it be done? It's like it went in a big circle, a big waste of time that died on the vine.

Was a code amendment ever prepared?

I need the complete January 24, 2012 Minutes of Meeting of Planning Commission - the computer starts with page 7 I assumed our planning department would strictly represent the interests of the tax-paying residents of Rancho Palos Verdes and in particular those residents directly affected by the Marymount project. I assumed our planning department would apply rigid and strict outdoor lighting requirements so as to protect the theme and dream of our city founders and those that have followed - to maintain peace and tranquility, open space, view and the semi-rural atmosphere of the Peninsula. Since Marymount turned on its east parking lot lights June 29, 2013 I have been miserably disappointed in our representation at the City and feel our City Council has been grossly misled. However, it just may be that our planning department and planning commission are tired of their jobs, just listen, smile, have meetings and sop up time or do not understand what is expected of them. This I am looking into with the hopes that my trust in city government can be somewhat restored.

Sincerely,

Diane Smith

## Ara Mihranian

---

**From:** Joel Rojas  
**Sent:** Monday, November 11, 2013 8:42 AM  
**To:** Diane Smith; Ara Mihranian  
**Subject:** RE: Marymount California University

Ms. Smith  
Ara will speak to Marymount as Marymount needs to care.  
Joel

---

**From:** Diane Smith [mailto:radsmith@cox.net]  
**Sent:** Monday, November 11, 2013 6:41 AM  
**To:** Joel Rojas; Ara Mihranian  
**Subject:** FW: Marymount California University

This parking lot does not work. Marymount doesn't care. The nasty bright annoying lights were on past midnight Friday night and no one gives a damn.  
I am so mad.

---

**From:** Matthew Broderick [mailto:MBroderick@marymountcalifornia.edu]  
**Sent:** Sunday, November 10, 2013 11:21 PM  
**To:** [Radsmith@cox.net](mailto:radsmith@cox.net)  
**Cc:** Michael Macmenamie; Jim Reeves  
**Subject:** Marymount California University

Hello Mrs. Smith, I walked into the office and saw your note that had been left by one of the weekend Officers and wanted to get back to you. As for your question regarding cars in the lot: MCU sent student and staff representatives to the Central Rap in San Louis Obispo, they returned sometime after 1am. As for the lights being on it was for the safety of our returning community members. Thank you for your concern and your time.

**Captain Matthew P. Broderick**  
*Operations Coordinator / Parking Manager*  
*Campus Safety & Security Department*

*amazing lives in view*

**MARYMOUNT**  
CALIFORNIA UNIVERSITY

30800 Palos Verdes Drive East  
Rancho Palos Verdes, Ca 90275  
OS-231 / M-F / 9am to 5pm  
Office: (310) 303-7266

"If your actions inspire others to dream more , learn more and become more, you are a leader."

This e-mail contains CONFIDENTIAL information intended only for the use of the addressee(s) named above. If you are not the intended recipient of this e-mail, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify us by telephone at (310) 303-7266 or forward the e-mail message to us at [Mbroderick@MarymountCalifornia.edu](mailto:Mbroderick@MarymountCalifornia.edu) and advise us that you have deleted it. Thank you.

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, November 11, 2013 6:41 AM  
**To:** Joel Rojas; Ara Mihranian  
**Subject:** FW: Marymount California University

This parking lot does not work. Marymount doesn't care. The nasty bright annoying lights were on past midnight Friday night and no one gives a damn.  
I am so mad.

---

**From:** Matthew Broderick [mailto:MBroderick@marymountcalifornia.edu]  
**Sent:** Sunday, November 10, 2013 11:21 PM  
**To:** Radlsmith@cox.net  
**Cc:** Michael Macmenamie; Jim Reeves  
**Subject:** Marymount California University

Hello Mrs. Smith, I walked into the office and saw your note that had been left by one of the weekend Officers and wanted to get back to you. As for your question regarding cars in the lot: MCU sent student and staff representatives to the Central Rap in San Louis Obispo, they returned sometime after 1am. As for the lights being on it was for the safety of our returning community members. Thank you for your concern and your time.

***Captain Matthew P. Broderick***  
***Operations Coordinator / Parking Manager***  
***Campus Safety & Security Department***

*amazing views in view*

**MARYMOUNT**  
CALIFORNIA UNIVERSITY

30800 Palos Verdes Drive East  
Rancho Palos Verdes, Ca 90275  
OS-231 / M-F / 9am to 5pm  
Office: (310) 303-7266

"If your actions inspire others to dream more , learn more and become more, you are a leader."

This e-mail contains CONFIDENTIAL information intended only for the use of the addressee(s) named above. If you are not the intended recipient of this e-mail, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify us by telephone at (310) 303-7266 or forward the e-mail message to us at [Mbroderick@MarymountCalifornia.edu](mailto:Mbroderick@MarymountCalifornia.edu) and advise us that you have deleted it. Thank you.

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, November 11, 2013 6:37 AM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount California University

"Central Rap?" What is this?

The doors, or in this case gates, to abuses is continuing and growing.  
This is not supposed to happen – ever. This parking lot is not working.  
Please handle this Ara and let me know what is going on – I am so angry at this.  
Diane

---

**From:** Matthew Broderick [mailto:MBroderick@marymountcalifornia.edu]  
**Sent:** Sunday, November 10, 2013 11:21 PM  
**To:** Radlsmith@cox.net  
**Cc:** Michael Macmenamie; Jim Reeves  
**Subject:** Marymount California University

Hello Mrs. Smith, I walked into the office and saw your note that had been left by one of the weekend Officers and wanted to get back to you. As for your question regarding cars in the lot: MCU sent student and staff representatives to the Central Rap in San Louis Obispo, they returned sometime after lam. As for the lights being on it was for the safety of our returning community members. Thank you for your concern and your time.

***Captain Matthew P. Broderick***  
***Operations Coordinator / Parking Manager***  
***Campus Safety & Security Department***

*amazing lives in view*

**MARYMOUNT**  
CALIFORNIA UNIVERSITY

30800 Palos Verdes Drive East  
Rancho Palos Verdes, Ca 90275  
OS-231 / M-F / 9am to 5pm  
Office: (310) 303-7266

"If your actions inspire others to dream more , learn more and become more, you are a leader."

This e-mail contains CONFIDENTIAL information intended only for the use of the addressee(s) named above. If you are not the intended recipient of this e-mail, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify us by telephone at (310) 303-7266 or forward the e-mail message to us at [Mbroderick@MarymountCalifornia.edu](mailto:Mbroderick@MarymountCalifornia.edu) and advise us that you have deleted it. Thank you.

---

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

---

## Ara Mihranian

---

**From:** Joel Rojas  
**Sent:** Sunday, November 10, 2013 6:20 PM  
**To:** Diane Smith  
**Cc:** Ara Mihranian; Eduardo Schonborn  
**Subject:** RE: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Ms. Smith

While an expanded Marymount parking lot on the eastern portion of the campus with new lighting was proposed, analyzed and approved by the City Council in 2010, lighting of the new athletic field was not proposed, analyzed or approved by the City back in 2010. Furthermore, while a reconfiguration of the athletic field approved by the city in 2010 is currently being requested by Marymount, lighting of the field is still not being proposed nor would it be allowed by the city.

Joel Rojas

---

**From:** Diane Smith [radlsmith@cox.net]  
**Sent:** Saturday, November 09, 2013 7:41 PM  
**To:** Joel Rojas  
**Subject:** RE: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Dear Mr. Rojas,

I believe Marymount will use the lighting of the east parking lot to demand equal lighting for its athletic field and you, as a planner, must know that. These abusive and ridiculous lights are out of place for our beautiful peninsula. Why is the city not joining our sister cities of Rolling Hills Estates, Rolling Hills and Palos Verdes Estates in the handling of our outdoor lighting. Let's start with that.

Diane Smith

**From:** Joel Rojas [mailto:JoelR@rpv.com]  
**Sent:** Friday, November 01, 2013 4:13 PM  
**To:** radlsmith@cox.net  
**Cc:** Ara Mihranian; Leza Mikhail; Eduardo Schonborn  
**Subject:** FW: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Dear Ms. Smith

I have been following all of your emails about the lighting concerns with Marymount's new parking lot. I am also aware that you have spoken and/or met with some Council members about the issue and have met recently with Deputy Director Ara Mihranian to discuss your concerns. As you have heard from Mr. Mihranian, there are upcoming opportunities for the City to engage with Marymount to address the neighborhood concerns.

The focus of this email is to address your comments about the Outdoor Lighting code amendments that are being contemplated by the City. I apologize for not getting back to you sooner on this. The proposed code amendment was prompted by the realization that the exterior lighting standards contained in the City's Development Code need to be amended to create standards for achieving what Staff achieves in practice when it come exterior lighting review. For example, while the City's current code set limits on bulb wattage and prohibits the direct illumination of neighboring properties, we have found that in order to keep lighting impacts to a minimum and maintain the "dark skies" effect of the Peninsula, we need to perform a much more rigorous review of lighting plans for new projects. As a result, we require that detailed lighting plans be submitted and we question the location, height and type of every light fixture

proposed to avoid any direct illumination of adjoining properties. Furthermore, once installed, we review the lighting during a trial period from different vantage points to ensure adjoining properties are not directly illuminated. If necessary, we require project applicants to make adjustments to the bulbs and/or fixtures to minimize the lighting brightness. We have several examples of where this more rigorous review has paid off. As a result, Staff and the Planning Commission initiated a discussion last year of how we could possibly amend the code to achieve through regulations what we achieve in practice. This effort involved a fair amount of research on Staff's part and good discussions between Staff and the Commission. It was left that Staff and the Commission appointed 3-member sub-committee would go out and try to obtain more information about how other semi-rural cities tackle lighting. Unfortunately, due to other demands, we have not re-convened to continue our discussions.

Notwithstanding, I want to assure you that Mr. Mihranian employed all of the actions described above when reviewing the proposed lighting plan for Marymount's new parking lot. I understand that while you and your neighbors concede that there is no direct illumination of your properties resulting from the new parking lot lighting, there is concern about the introduction of lighting in an area that was substantially dark, thereby changing the ambience or feel of the area in the evening. I can certainly understand that concern and that is why we will be working with Marymount to see what measures can be taken to address these concerns. We will be looking at ways to keep the lights off as much as possible or to screen them in some way.

Thank you for your excellent commentary on this issue. Please continue to speak and/or coordinate with Mr. Mihranian with regards to your concerns.

Sincerely,

Joel Rojas

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Tuesday, October 15, 2013 5:12 PM  
To: Joel Rojas  
Cc: Ara Mihranian; Eduardo Schonborn  
Subject: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Dear Mr. Rojas,

I have read many letters from residents around Marymount College complaining and questioning Marymount's compliance with the City's Development Code and its compatibility with the semi-rural nature of the community. Throughout the Marymount EIR many residents voiced concerns regarding outdoor lighting and other nuisances and now those very people feel the Planning Commission, Department and City ignored their concerns since the new Marymount East Parking Lot spoils their once dark, quiet, magnificent semi-rural property environment. I came across your August 14, 2012 Memorandum regarding "Discussion on Outdoor Lighting." On October 25, 2011 the Planning Commission requested a Staff Report of how exterior lighting for proposed non-residential development projects is reviewed by Staff. (I would like a copy of the October 25, 2011 Staff Report.) On January 24, 2012 the Planning Commission felt that the City should have a more specific set of rules or codes to give project applicants so that they can integrate acceptable exterior lighting into their proposed projects without having to guess what will be acceptable to the City. Seven months later, on August 14, 2012, Community Development Director Joel Rojas submitted The Staff Report to the Planning Commission regarding how the lighting is reviewed after said projects are constructed.

To lay people, light maps and actually seeing the lights fully turned on are two different events. The Planning Commission created a three-member sub-committee: Commissioners Gerstner, Leon and Tomblin. These commissioners were to review RPV's current lighting standards and compare those standards with other similar cities. One would think the first cities that RPV Planning Department would use for comparison would be our sister "Peninsula Cities", namely Rolling Hills, Rolling Hills Estates and Palos Verdes Estates. At least City Staff should have used Palos Verdes Estates because it is similarly situated to RPV - from the ocean to the hills - but our City did not compare RPV

with its sister cities. Instead it reached out to distant cities and only one sub-committee member, Commissioner Leon, looked into the matter and reported.

Why did the Planning Commission feel it was not necessary to prepare a code amendment for submittal to the City Council when Staff recommended it be done? It's like it went in a big circle, a big waste of time that died on the vine.

Was a code amendment ever prepared?

I need the complete January 24, 2012 Minutes of Meeting of Planning Commission – the computer starts with page 7 I assumed our planning department would strictly represent the interests of the tax-paying residents of Rancho Palos Verdes and in particular those residents directly affected by the Marymount project. I assumed our planning department would apply rigid and strict outdoor lighting requirements so as to protect the theme and dream of our city founders and those that have followed – to maintain peace and tranquility, open space, view and the semi-rural atmosphere of the Peninsula. Since Marymount turned on its east parking lot lights June 29, 2013 I have been miserably disappointed in our representation at the City and feel our City Council has been grossly misled. However, it just may be that our planning department and planning commission are tired of their jobs, just listen, smile, have meetings and sop up time or do not understand what is expected of them. This I am looking into with the hopes that my trust in city government can be somewhat restored.

Sincerely,

Diane Smith

## Ara Mihranian

---

**From:** Richard Schult <RSchult@marymountcalifornia.edu>  
**Sent:** Sunday, November 10, 2013 6:37 AM  
**To:** Ara Mihranian  
**Cc:** Jim Reeves; Joel Rojas  
**Subject:** Re: Marymount East Parking Lot - Lights still on

Hello Ara,

I'll check into it and make sure we are operating within the given parameters.

Sent from Richard's iPhone

On Nov 9, 2013, at 10:42 AM, "Ara Mihranian" <AraM@rpv.com<mailto:AraM@rpv.com>> wrote:

Hi Richard,

I received a complaint from a resident on San Ramon drive regarding the parking lot lights and cars parked in the lot after hours. Can you please see that this is corrected per the conditions and provide me with a response that can be provided to the resident.

Thank you,  
Ara

Sent from my iPhone

Begin forwarded message:

**From:** Diane Smith <radlsmith@cox.net<mailto:radlsmith@cox.net>>  
**Date:** November 9, 2013, 1:13:12 PM EST  
**To:** 'Ara Mihranian' <AraM@rpv.com<mailto:AraM@rpv.com>>  
**Subject:** FW: Marymount East Parking Lot - Lights still on

Please let me know what facilities director Richard Schulties has to say in response to my inquiries. I still have not heard from Marymount. I will give them until noon and then I will make another trip up there. I want this to stop now Ara. I want to know what went on – who were these people? What were these doing at Marymount so late at night?  
Diane

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Saturday, November 09, 2013 8:22 AM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

I went to Marymount at 8:00 a.m. this morning and just got back.

The 10 vehicles are all gone and the gates are still up.

The lights are off.

I found a security guard, Mr. W. Melgar, and asked when he started his shift. Mr. Melgar said he started at 7 am. I asked him if the prior security guard left a log or information on what was going on at Marymount last night and he

looked at his computer and said he did not see anything. He said if I wanted to leave my name and contact information with him and a message, that he would give the information to his supervisor, "Michael" (did not know last name). Mr. Melgar told me that he is unaware of Marymount's policies – that he only works on the weekend. My handwritten message (on a blank envelope that he gave me) asked

- what time the lights were turned off,
- what time the 10 vehicles left,
- what event was going on at Marymount last night/early this morning.

Ara, this needs follow-up by the City. The City allowed Marymount to have the parking lot lights on every single night until 10 pm. This is wrong Ara. This is abusive. Then Marymount, laughs at the City process and keeps its gates up all night, every night, and leaves its lights on well after the City/Marymount agreed times/ Marymount does not tell its Security Guards what to "look for" and what constitutes breach of their conditions of use; the City has not put in place any recourse to residents as to how to stop the abuses. I can keep going on Ara.

This parking lot is wrong Ara and you know it.

The City council needs to be on top of this.

If this is left unaddressed now, it will grow into a much greater menace to the community.

Diane

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Saturday, November 09, 2013 12:20 AM  
To: 'Ara Mihranian'  
Subject: FW: Marymount East Parking Lot - Lights still on

Marymount Security has not turned the lights off – it is now 12:15.

The vehicles remain in the parking lot.

Diane

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Friday, November 08, 2013 11:46 PM  
To: 'Ara Mihranian'  
Subject: FW: Marymount East Parking Lot - Lights still on

I went to Marymount and spoke to the maintenance man about turning the lights off in the east parking lot. He told me that the Security Officer had the keys and that he would find the Security Officer and ask him to turn the lights off. The lights are still on and there are still 10 cars parked in the parking lot. One car has a Texas license plate. I took photographs of all of the cars. I thought there was no overnight parking.

By the way, are they allowed to have camper vehicles in the parking lot?

Diane

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Friday, November 08, 2013 11:21 PM  
To: 'Ara Mihranian'  
Subject: FW: Marymount East Parking Lot - Lights still on

It is now 11:15 pm and the lights are still on in the parking lot and there are still cars in the parking lot. I don't know if I should call the police and tell them to have Marymount turn off the lights or if I should just go to Marymount myself.

Diane

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Friday, November 08, 2013 10:47 PM

To: 'Ara Mihranian'  
Subject: FW: Marymount East Parking Lot - Lights still on

It is 10:45 PM and there are ten cars still parked in the parking lot and the lights are still on.  
Diane

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Friday, November 08, 2013 10:19 PM  
To: 'Ara Mihranian'  
Subject: Marymount East Parking Lot - Lights still on

Dear Ara,  
It is after 10:15 pm Friday night and I can see six cars still in the parking lot with the parking lot lights still on. What is going on?  
Diane

---

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

---

---

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

---

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Saturday, November 09, 2013 4:01 PM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount East Parking Lot - Lights still on

I went to Marymount just now and spoke to another Security person, a Mr. H. Dzida, and he told me that Security personnel do not handle the parking lot lights – that the maintenance people handle that. This morning it was a maintenance man I spoke to who told me that maintenance did not handle the parking lot lights – that it was Security people.

Diane

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Saturday, November 09, 2013 10:44 AM  
**To:** Diane Smith  
**Subject:** Re: Marymount East Parking Lot - Lights still on

Diane,

I have emailed Marymount representatives. As soon as I receive a response I will email you.

Ara

Sent from my iPhone

On Nov 9, 2013, at 1:13 PM, "Diane Smith" <radlsmith@cox.net> wrote:

Please let me know what facilities director Richard Schulties has to say in response to my inquiries. I still have not heard from Marymount. I will give them until noon and then I will make another trip up there. I want this to stop now Ara.

I want to know what went on – who were these people? What were these doing at Marymount so late at night?

Diane

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Saturday, November 09, 2013 8:22 AM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

I went to Marymount at 8:00 a.m. this morning and just got back.

The 10 vehicles are all gone and the gates are still up.

The lights are off.

I found a security guard, Mr. W. Melgar, and asked when he started his shift. Mr. Melgar said he started at 7 am. I asked him if the prior security guard left a log or information on what was going on at Marymount last night and he looked at his computer and said he did not see anything. He said if I wanted to leave my name and contact information with him and a message, that he would give the information to his supervisor, "Michael" (did not know last name). Mr. Melgar told me that he is unaware of Marymount's policies – that he only works on the weekend.

My handwritten message (on a blank envelope that he gave me) asked

- what time the lights were turned off,
- what time the 10 vehicles left,

- what event was going on at Marymount last night/early this morning.

Ara, this needs follow-up by the City. The City allowed Marymount to have the parking lot lights on every single night until 10 pm. This is wrong Ara. This is abusive. Then Marymount, laughs at the City process and keeps its gates up all night, every night, and leaves its lights on well after the City/Marymount agreed times/ Marymount does not tell its Security Guards what to "look for" and what constitutes breach of their conditions of use; the City has not put in place any recourse to residents as to how to stop the abuses. I can keep going on Ara.

This parking lot is wrong Ara and you know it.

The City council needs to be on top of this.

If this is left unaddressed now, it will grow into a much greater menace to the community.

Diane

---

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

**Sent:** Saturday, November 09, 2013 12:20 AM

**To:** 'Ara Mihranian'

**Subject:** FW: Marymount East Parking Lot - Lights still on

Marymount.Security has not turned the lights off – it is now 12:15.

The vehicles remain in the parking lot.

Diane

---

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

**Sent:** Friday, November 08, 2013 11:46 PM

**To:** 'Ara Mihranian'

**Subject:** FW: Marymount East Parking Lot - Lights still on

I went to Marymount and spoke to the maintenance man about turning the lights off in the east parking lot. He told me that the Security Officer had the keys and that he would find the Security Officer and ask him to turn the lights off. The lights are still on and there are still 10 cars parked in the parking lot. One car has a Texas license plate. I took photographs of all of the cars. I thought there was no overnight parking.

By the way, are they allowed to have camper vehicles in the parking lot?

Diane

---

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

**Sent:** Friday, November 08, 2013 11:21 PM

**To:** 'Ara Mihranian'

**Subject:** FW: Marymount East Parking Lot - Lights still on

It is now 11:15 pm and the lights are still on in the parking lot and there are still cars in the parking lot. I don't know if I should call the police and tell them to have Marymount turn off the lights or if I should just go to Marymount myself.

Diane

---

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

**Sent:** Friday, November 08, 2013 10:47 PM

**To:** 'Ara Mihranian'

**Subject:** FW: Marymount East Parking Lot - Lights still on

It is 10:45 PM and there are ten cars still parked in the parking lot and the lights are still on.

Diane

---

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

**Sent:** Friday, November 08, 2013 10:19 PM

**To:** 'Ara Mihranian'

**Subject:** Marymount East Parking Lot - Lights still on

Dear Ara,

It is after 10:15 pm Friday night and I can see six cars still in the parking lot with the parking lot lights still on. What is going on?

Diane

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Saturday, November 09, 2013 8:22 AM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - Lights still on

I went to Marymount at 8:00 a.m. this morning and just got back.  
The 10 vehicles are all gone and the gates are still up.  
The lights are off.

I found a security guard, Mr. W. Melgar, and asked when he started his shift. Mr. Melgar said he started at 7 am. I asked him if the prior security guard left a log or information on what was going on at Marymount last night and he looked at his computer and said he did not see anything. He said if I wanted to leave my name and contact information with him and a message, that he would give the information to his supervisor, "Michael" (did not know last name). Mr. Melgar told me that he is unaware of Marymount's policies – that he only works on the weekend.

My handwritten message (on a blank envelope that he gave me) asked

- what time the lights were turned off,
- what time the 10 vehicles left,
- what event was going on at Marymount last night/early this morning.

Ara, this needs follow-up by the City. The City allowed Marymount to have the parking lot lights on every single night until 10 pm. This is wrong Ara. This is abusive. Then Marymount, laughs at the City process and keeps its gates up all night, every night, and leaves its lights on well after the City/Marymount agreed times/ Marymount does not tell its Security Guards what to "look for" and what constitutes breach of their conditions of use; the City has not put in place any recourse to residents as to how to stop the abuses. I can keep going on Ara.

This parking lot is wrong Ara and you know it.

The City council needs to be on top of this.

If this is left unaddressed now, it will grow into a much greater menace to the community.

Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Saturday, November 09, 2013 12:20 AM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

Marymount Security has not turned the lights off – it is now 12:15.

The vehicles remain in the parking lot.

Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, November 08, 2013 11:46 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

I went to Marymount and spoke to the maintenance man about turning the lights off in the east parking lot. He told me that the Security Officer had the keys and that he would find the Security Officer and ask him to turn the lights off. The lights are still on and there are still 10 cars parked in the parking lot. One car has a Texas license plate. I took photographs of all of the cars. I thought there was no overnight parking.

By the way, are they allowed to have camper vehicles in the parking lot?

Diane

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Friday, November 08, 2013 11:21 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

It is now 11:15 pm and the lights are still on in the parking lot and there are still cars in the parking lot. I don't know if I should call the police and tell them to have Marymount turn off the lights or if I should just go to Marymount myself.  
Diane

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Friday, November 08, 2013 10:47 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

It is 10:45 PM and there are ten cars still parked in the parking lot and the lights are still on.  
Diane

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Friday, November 08, 2013 10:19 PM  
**To:** 'Ara Mihranian'  
**Subject:** Marymount East Parking Lot - Lights still on

Dear Ara,  
It is after 10:15 pm Friday night and I can see six cars still in the parking lot with the parking lot lights still on. What is going on?  
Diane

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Saturday, November 09, 2013 7:49 AM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - City Staff Site Observation

The lights were on all night. I am going up there now to see if the cars are still there and to talk to the Security person. I will keep you posted.

Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Saturday, November 09, 2013 7:48 AM  
**To:** 'Parvin Jensen'  
**Subject:** RE: Marymount East Parking Lot - City Staff Site Observation

OK – it may be inconvenient but if you could work things out so you can be there and then leave right after he has seen your property then it will be well worth it in the long run. Meanwhile, it would be great if you could find the time to run by our house to actually witness what it looks like – day and night – it is a nuisance so it doesn't matter when you can come. I will explain when you get here. Please let me know when you can come here, prior to the Nov. 13 meeting so that you can be prepared. Thanks.

Diane

310/547-3856

---

**From:** Parvin Jensen [mailto:psjense@aol.com]  
**Sent:** Friday, November 08, 2013 11:48 PM  
**To:** Diane Smith  
**Subject:** Re: Marymount East Parking Lot - City Staff Site Observation

Dear Diane, his letter is attached and scroll down to bottom, he wants me to be there he can not promise time,

Cordially

Parvin

310-308-7903

On Nov 8, 2013, at 11:26 PM, "Diane Smith" <radlsmith@cox.net> wrote:

No – it does not affect cars driving up the switch backs. I wish you would just take an hour and come here and see for yourself. We can discuss how to fix it. My first request would be for them to take the overhead lights out entirely – the small lights surrounding the lot should be plenty of light. Also, the type of light is harsh – there are much more “quiet” lights. I would like a wall – same height as the existing wall behind upper San Ramon homes that can wrap around to the home at Vista del mar. Again – if you come here even for 10 minutes you can clearly see the situation and maybe you will have some ideas too. This parking lot just doesn't belong here!

You are welcome to bring the kids with you – if you are out shopping Parvin . . . just come by to take a look.

I think you should ask him when you plan to be here because you cannot wait around for 2 hours.

Hope to see you soon.

Diane

310/547-3856

---

**From:** Parvin Jensen [<mailto:psjense@aol.com>]  
**Sent:** Friday, November 08, 2013 11:02 PM  
**To:** Diane Smith  
**Subject:** Re: Marymount East Parking Lot - City Staff Site Observation

He said between 5.30- 7.30 November 13th. ,so looks like I have to go and wait there for two hours, and see when he shows up. What do you want them to do, if he asks me, dim lights ,divider wall? Let me know so I can be on the same page as you. On this one, thanks so much. Let me ask you this new scenario, if some one is driving up on the switch back ,does the head lights of these cars causes glare and dangerous situation? If so , that would be real good reason for them to make marymount pay to put a wall for safety.thanks

Cordially

Parvin

310-308-7903

On Nov 8, 2013, at 10:24 PM, "Diane Smith" <[radlsmith@cox.net](mailto:radlsmith@cox.net)> wrote:

What time?

---

**From:** Parvin Jensen [<mailto:psjense@aol.com>]  
**Sent:** Wednesday, November 06, 2013 12:45 PM  
**Asks meTo:** Diane Smith; Julie And Heath Collins  
**Subject:** Fwd: Marymount East Parking Lot - City Staff Site Observation

Hi Diane and Julie , the city representative will be visiting November 13 th , I have to cancel and re arrange classes to get myself over there , my daughter sophia has church on Wednesday , my son has boy scout and hanna has , j will try to arrange something so I can be there at the house, to see this man , sorry Julie for putting you through this as well. Thank you  
Sent from Parvin iPhone

Begin forwarded message:

**From:** Ara Mihranian <AraM@rpv.com>  
**Date:** November 6, 2013 11:43:28 AM PST  
**Cc:** Joel Rojas <JoelR@rpv.com>, Eduardo Schonborn <EduardoS@rpv.com>, Carolyn Lehr <clehr@rpv.com>  
**Subject:** Marymount East Parking Lot - City Staff Site Observation

Hello,

As I may have previously mentioned to you, in preparation for upcoming meetings scheduled with Marymount on November 18<sup>th</sup> and 20<sup>th</sup>, I would like to come by your property to observe the operation of the parking lot, particularly the lighting. This information will also be used in the Council's 6-month review of the operation of the parking lot tentatively scheduled for February 2014.

I would like to come by your property on **Wednesday, November 13<sup>th</sup> between 5:30-7:30pm**. Since I plan on visiting several homes in the area I cannot commit to a specific time, but will only need approximately 15 minutes at your property. Please confirm that this time slot is acceptable.

Thank you,

Ara

**Ara Michael Mihranian**

Deputy Director of Community Development

---

<image001.png>

30940 Hawthorne Blvd.

Rancho Palos Verdes, CA 90275

310-544-5228 (telephone)

310-544-5293 (fax)

[aram@rpv.com](mailto:aram@rpv.com)

[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Saturday, November 09, 2013 12:20 AM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - Lights still on

Marymount Security has not turned the lights off – it is now 12:15.  
The vehicles remain in the parking lot.  
Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, November 08, 2013 11:46 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

I went to Marymount and spoke to the maintenance man about turning the lights off in the east parking lot. He told me that the Security Officer had the keys and that he would find the Security Officer and ask him to turn the lights off. The lights are still on and there are still 10 cars parked in the parking lot. One car has a Texas license plate. I took photographs of all of the cars. I thought there was no overnight parking. By the way, are they allowed to have camper vehicles in the parking lot?  
Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, November 08, 2013 11:21 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

It is now 11:15 pm and the lights are still on in the parking lot and there are still cars in the parking lot. I don't know if I should call the police and tell them to have Marymount turn off the lights or if I should just go to Marymount myself.  
Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, November 08, 2013 10:47 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

It is 10:45 PM and there are ten cars still parked in the parking lot and the lights are still on.  
Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, November 08, 2013 10:19 PM  
**To:** 'Ara Mihranian'  
**Subject:** Marymount East Parking Lot - Lights still on

Dear Ara,  
It is after 10:15 pm Friday night and I can see six cars still in the parking lot with the parking lot lights still on. What is going on?  
Diane

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Friday, November 08, 2013 11:46 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - Lights still on

I went to Marymount and spoke to the maintenance man about turning the lights off in the east parking lot. He told me that the Security Officer had the keys and that he would find the Security Officer and ask him to turn the lights off. The lights are still on and there are still 10 cars parked in the parking lot. One car has a Texas license plate. I took photographs of all of the cars. I thought there was no overnight parking.

By the way, are they allowed to have camper vehicles in the parking lot?

Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, November 08, 2013 11:21 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

It is now 11:15 pm and the lights are still on in the parking lot and there are still cars in the parking lot. I don't know if I should call the police and tell them to have Marymount turn off the lights or if I should just go to Marymount myself.

Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, November 08, 2013 10:47 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

It is 10:45 PM and there are ten cars still parked in the parking lot and the lights are still on.

Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, November 08, 2013 10:19 PM  
**To:** 'Ara Mihranian'  
**Subject:** Marymount East Parking Lot - Lights still on

Dear Ara,

It is after 10:15 pm Friday night and I can see six cars still in the parking lot with the parking lot lights still on. What is going on?

Diane

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Friday, November 08, 2013 11:21 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - Lights still on

It is now 11:15 pm and the lights are still on in the parking lot and there are still cars in the parking lot. I don't know if I should call the police and tell them to have Marymount turn off the lights or if I should just go to Marymount myself.  
Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, November 08, 2013 10:47 PM  
**To:** 'Ara Mihranian'  
**Subject:** FW: Marymount East Parking Lot - Lights still on

It is 10:45 PM and there are ten cars still parked in the parking lot and the lights are still on.  
Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, November 08, 2013 10:19 PM  
**To:** 'Ara Mihranian'  
**Subject:** Marymount East Parking Lot - Lights still on

Dear Ara,  
It is after 10:15 pm Friday night and I can see six cars still in the parking lot with the parking lot lights still on. What is going on?  
Diane

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Friday, November 08, 2013 10:47 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - Lights still on

It is 10:45 PM and there are ten cars still parked in the parking lot and the lights are still on.  
Diane

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Friday, November 08, 2013 10:19 PM  
**To:** 'Ara Mihranian'  
**Subject:** Marymount East Parking Lot - Lights still on

Dear Ara,  
It is after 10:15 pm Friday night and I can see six cars still in the parking lot with the parking lot lights still on. What is going on?  
Diane

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Friday, November 08, 2013 10:27 PM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount East Parking Lot - noise

Does the City keep records of when Marymount breaches its conditions of use?

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Tuesday, November 05, 2013 4:29 PM  
**To:** Diane Smith  
**Subject:** RE: Marymount East Parking Lot - noise

Thanks for the information.

I am keeping track of this all as well as coming up with possible conditions. Realistic conditions that can be enforced!

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Monday, November 04, 2013 6:57 PM  
**To:** Ara Mihranian  
**Subject:** Marymount East Parking Lot - noise

At 6:15 pm this evening it was very dark and there were no lights on in the parking lot. Maybe Marymount forgot to adjust their automatic lighting to the time change. There was a lot of talking, horns honking and security devices going off.

Just letting you know . . .

## Ara Mihranian

---

**From:** Diane Smith <radsmith@cox.net>  
**Sent:** Friday, November 08, 2013 10:19 PM  
**To:** Ara Mihranian  
**Subject:** Marymount East Parking Lot - Lights still on

Dear Ara,

It is after 10:15 pm Friday night and I can see six cars still in the parking lot with the parking lot lights still on. What is going on?

Diane

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, November 04, 2013 6:57 PM  
**To:** Ara Mihranian  
**Subject:** Marymount East Parking Lot - noise

At 6:15 pm this evening it was very dark and there were no lights on in the parking lot. Maybe Marymount forgot to adjust their automatic lighting to the time change. There was a lot of talking, horns honking and security devices going off.

Just letting you know . . .

## Ara Mihranian

---

**From:** Parvin Jensen <psjense@aol.com>  
**Sent:** Friday, November 01, 2013 9:10 PM  
**To:** Ara Mihranian  
**Cc:** Diane Smith  
**Subject:** School Lights

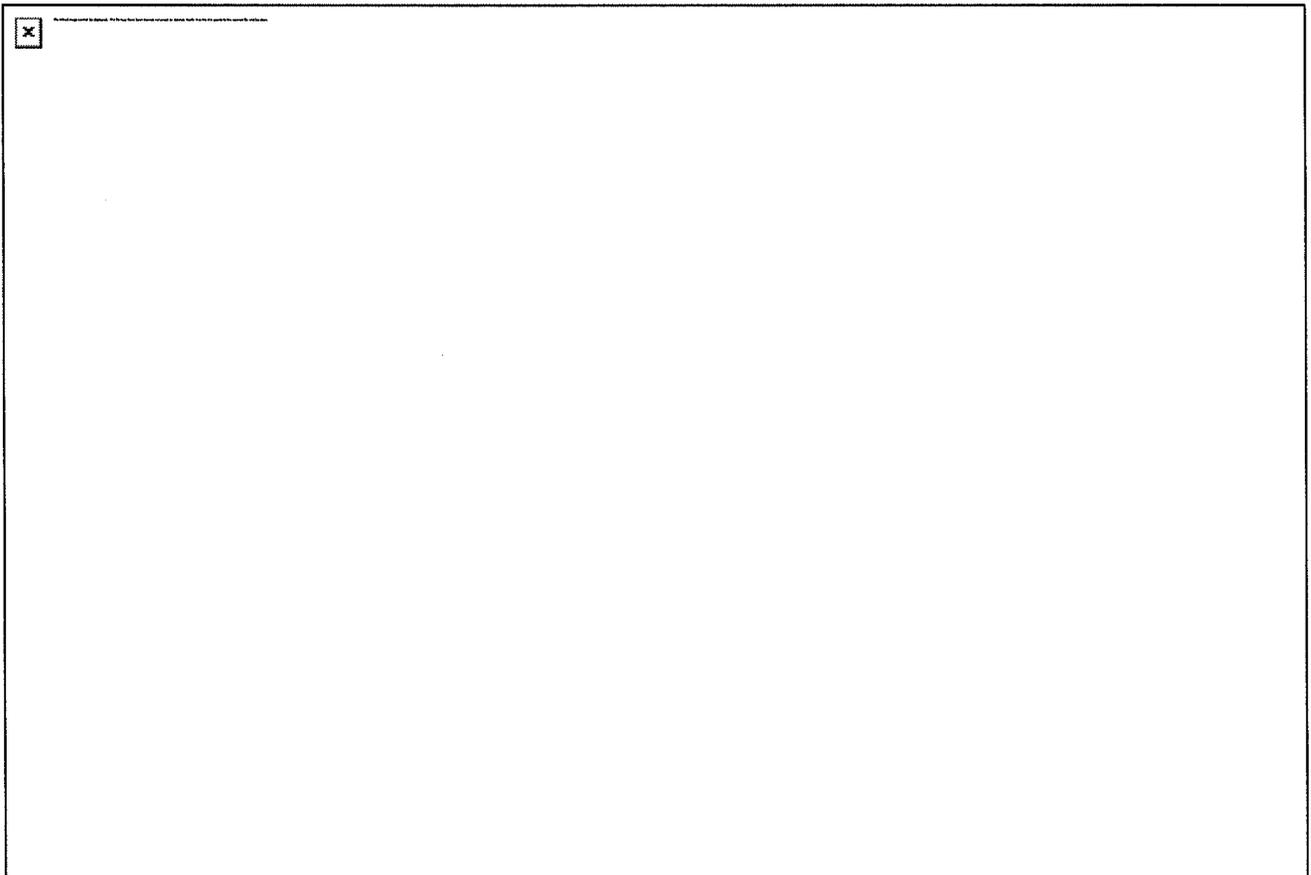
Dear Aram, thank you in advance for taking time to look into our concerns , when we moved here ,this was not what the site looked like,this is photo of marymount from our home, it looks like a parking lot of kmart in inglewood, it is unpleasing and disturbing, at night it looks even worse.

I recommend the loth to be dimmed .

The trash is also another concern, as I mentioned ,it reminds you of a dirty shopping center parking lot. Please update us about your action to improve this unpleasant situation. We would have not purchased our home if we knew the marymount was planning to construct all these . Thanks a million

Cordially

Dr. Steve Jensen and parvin Jensen  
310-308-7903



## **Ara Mihranian**

---

**From:** Joel Rojas  
**Sent:** Friday, November 01, 2013 4:13 PM  
**To:** radlsmith@cox.net  
**Cc:** Ara Mihranian; Leza Mikhail; Eduardo Schonborn  
**Subject:** FW: Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Dear Ms. Smith

I have been following all of your emails about the lighting concerns with Marymount's new parking lot. I am also aware that you have spoken and/or met with some Council members about the issue and have met recently with Deputy Director Ara Mihranian to discuss your concerns. As you have heard from Mr. Mihranian, there are upcoming opportunities for the City to engage with Marymount to address the neighborhood concerns.

The focus of this email is to address your comments about the Outdoor Lighting code amendments that are being contemplated by the City. I apologize for not getting back to you sooner on this. The proposed code amendment was prompted by the realization that the exterior lighting standards contained in the City's Development Code need to be amended to create standards for achieving what Staff achieves in practice when it come exterior lighting review. For example, while the City's current code set limits on bulb wattage and prohibits the direct illumination of neighboring properties, we have found that in order to keep lighting impacts to a minimum and maintain the "dark skies" effect of the Peninsula, we need to perform a much more rigorous review of lighting plans for new projects. As a result, we require that detailed lighting plans be submitted and we question the location, height and type of every light fixture proposed to avoid any direct illumination of adjoining properties. Furthermore, once installed, we review the lighting during a trial period from different vantage points to ensure adjoining properties are not directly illuminated. If necessary, we require project applicants to make adjustments to the bulbs and/or fixtures to minimize the lighting brightness. We have several examples of where this more rigorous review has paid off. As a result, Staff and the Planning Commission initiated a discussion last year of how we could possibly amend the code to achieve through regulations what we achieve in practice. This effort involved a fair amount of research on Staff's part and good discussions between Staff and the Commission. It was left that Staff and the Commission appointed 3-member sub-committee would go out and try to obtain more information about how other semi-rural cities tackle lighting. Unfortunately, due to other demands, we have not re-convened to continue our discussions.

Notwithstanding, I want to assure you that Mr. Mihranian employed all of the actions described above when reviewing the proposed lighting plan for Marymount's new parking lot. I understand that while you and your neighbors concede that there is no direct illumination of your properties resulting from the new parking lot lighting, there is concern about the introduction of lighting in an area that was substantially dark, thereby changing the ambience or feel of the area in the evening. I can certainly understand that concern and that is why we will be working with Marymount to see what measures can be taken to address these concerns. We will be looking at ways to keep the lights off as much as possible or to screen them in some way.

Thank you for your excellent commentary on this issue. Please continue to speak and/or coordinate with Mr. Mihranian with regards to your concerns.

Sincerely,

Joel Rojas

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Tuesday, October 15, 2013 5:12 PM  
**To:** Joel Rojas  
**Cc:** Ara Mihanian; Eduardo Schonborn  
**Subject:** Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Dear Mr. Rojas,

I have read many letters from residents around Marymount College complaining and questioning Marymount's compliance with the City's Development Code and its compatibility with the semi-rural nature of the community. Throughout the Marymount EIR many residents voiced concerns regarding outdoor lighting and other nuisances and now those very people feel the Planning Commission, Department and City ignored their concerns since the new Marymount East Parking Lot spoils their once dark, quiet, magnificent semi-rural property environment.

I came across your August 14, 2012 Memorandum regarding "Discussion on Outdoor Lighting."

On October 25, 2011 the Planning Commission requested a Staff Report of how exterior lighting for proposed non-residential development projects is reviewed by Staff. (I would like a copy of the October 25, 2011 Staff Report.)

On January 24, 2012 the Planning Commission felt that the City should have a more specific set of rules or codes to give project applicants so that they can integrate acceptable exterior lighting into their proposed projects without having to guess what will be acceptable to the City.

Seven months later, on August 14, 2012, Community Development Director Joel Rojas submitted The Staff Report to the Planning Commission regarding how the lighting is reviewed after said projects are constructed.

To lay people, light maps and actually seeing the lights fully turned on are two different events.

The Planning Commission created a three-member sub-committee: Commissioners Gerstner, Leon and Tomblin. These commissioners were to review RPV's current lighting standards and compare those standards with other similar cities.

One would think the first cities that RPV Planning Department would use for comparison would be our sister "Peninsula Cities", namely Rolling Hills, Rolling Hills Estates and Palos Verdes Estates. At least City Staff should have used Palos Verdes Estates because it is similarly situated to RPV - from the ocean to the hills - but our City did not compare RPV with its sister cities. Instead it reached out to distant cities and only one sub-committee member, Commissioner Leon, looked into the matter and reported.

Why did the Planning Commission feel it was not necessary to prepare a code amendment for submittal to the City Council when Staff recommended it be done? It's like it went in a big circle, a big waste of time that died on the vine.

Was a code amendment ever prepared?

I need the complete January 24, 2012 Minutes of Meeting of Planning Commission – the computer starts with page 7

I assumed our planning department would strictly represent the interests of the tax-paying residents of Rancho Palos Verdes and in particular those residents directly affected by the Marymount project. I assumed our planning department would apply rigid and strict outdoor lighting requirements so as to protect the theme and dream of our city founders and those that have followed – to maintain peace and tranquility, open space, view and the semi-rural atmosphere of the Peninsula. Since Marymount turned on its east parking lot lights June 29, 2013 I have been miserably disappointed in our representation at the City and feel our City Council has been grossly misled. However, it just may be that our planning department and planning commission are tired of their jobs, just listen, smile, have meetings and sop up time or do not understand what is expected of them. This I am looking into with the hopes that my trust in city government can be somewhat restored.

Sincerely,

Diane Smith

## Ara Mihranian

---

**From:** Ron & Laura McSherry <ronmcsherry@hotmail.com>  
**Sent:** Wednesday, October 30, 2013 2:51 PM  
**To:** Ara Mihranian  
**Subject:** RE: Laura and Ron McSherry Proposed Opposition to Marymount East Parking Lot

Thank you for your thoughtful response, Ara.

I also received the invitation from Marymount regarding the meeting scheduled for November.

Unfortunately, I will not be able to attend.

Bill Pratley, President of the San Ramon Homeowners Association, will be attending and representing the concerns of residents.

My concerns are outlined in the email attachments I sent you on October 15th.

Best,  
Laura McSherry

---

**From:** AraM@rpv.com  
**To:** ronmcsherry@hotmail.com  
**CC:** Susan.Brooks@rpv.com; Jerry.Duhovic@rpv.com; Anthony.Misetich@rpv.com; Brian.Campbell@rpv.com; CC@rpv.com; JoelR@rpv.com; clehr@rpv.com; EduardoS@rpv.com  
**Subject:** RE: Laura and Ron McSherry Proposed Opposition to Marymount East Parking Lot  
**Date:** Tue, 15 Oct 2013 21:06:55 +0000

Mr. and Mrs. McSherry,

Thank you for taking the time to share your concerns with the newly constructed Marymount parking lot. I recall your past public testimony and the concerns you expressed. As you may know, the Council adopted Conditions of Approval require a six-month review of the completed parking lot at a duly noticed public hearing where these very issues will be considered by the City Council. Based on information presented at that public hearing, the Council may add, delete or modify conditions as deemed necessary to address impacts resulting from the operation of the parking lot. At this time, the public hearing on the 6-month review is tentatively scheduled for February or March 2014. A public notice will be issued with exact information on the public hearing date, time, location, etc. If you are not already a list-serve subscriber, I suggest you join the list-serve to receive electronic notices on the Marymount project. Click on the link below to join the list-serve.

<http://pvalert.com/listserver/>

Please do not hesitate to contact me or Eduardo Schonborn (the current project planner) on any further matters related to Marymount.

Regards,  
Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com  
www.palosverdes.com/rpv



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Ron & Laura McSherry [mailto:ronmcsherry@hotmail.com]  
**Sent:** Tuesday, October 15, 2013 12:59 PM  
**To:** Ara Mihranian  
**Cc:** Susan Brooks; Jerry Duhovic; Anthony Misetich; Brian Campbell  
**Subject:** Laura and Ron McSherry Proposed Opposition to Marymount East Parking Lot

To: Ara Michael Mihranian  
Deputy Community Development Director

We are opposed to the new east parking lot for the following reasons:

Light - the combination of overhead light fixtures and vehicle headlights pointed at our property, and on a grade, every week night and weekends are a nuisance, invasive and degrade the beauty and serenity of our property.

Noise – the noise generated by so many students throughout the day and into the night is a nuisance, disruptive, annoying and abusive to us, our family members and visitors.

Trash – the students have been parking in that lot for only just over a month and already they have generated a great deal of trash both unsightly and combustible – the latter causing us great concern for our safety from fire since the prevailing winds blow directly over the parking lot towards our property.

Marymount must remove the overhead lights, vehicle headlights should be pointed towards Marymount and Marymount should erect/continue the block wall from Vista Del Mar to San Ramon to help contain the noise and trash.

Please see the attached documents which detail our past complaints about Marymount expansion plans and projects.

Sincerely,  
Laura and Ron McSherry  
2714 San Ramon Drive  
RPV, CA 90275

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Thursday, October 24, 2013 11:51 AM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** 'Anthony M. Misetich'; Eduardo Schonborn; Joel Rojas  
**Subject:** FW: Marymount College - parking lot lights and noise  
**Attachments:** Primary view from 2704 San Ramon Drive.jpg

Dear Ara,

Please see my July 29, 2013 email below to "planning@rpv" .

I addressed this email to Mr. Rojas and City Council but I did not receive a response from anyone. This is significant because I had complained to Marymount when the lights first went on - June 29, and then I followed up with a complaint to the City on July 29. Both complaints were ignored and now you only recently tell me that the project was approved August 6.

Is it normal for the planning department to ignore complaints from their residents?

Is it normal for the City to allow projects to jump the gun and start operations prior to approval?

Since I received no response to my emails, I physically delivered my letter to the planning department with copies to City Council. I also only recently discovered the City Council never received my letter.

Please tell me why the project was approved after I made complaints both Marymount and the City.

Please also tell me why the planning department has never responded to this email.

Please also tell me why my letters were not promptly delivered to the City Council when I put each letter, hand-addressed, to each member of the City Council?

Thank you.

Sincerely,  
Diane Smith

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

From: radlsmith@cox.net [mailto:radlsmith@cox.net]  
Sent: Thursday, October 24, 2013 11:27 AM  
To: radlsmith@cox.net  
Subject: Fwd: Marymount College - parking lot lights and noise

> Date: Mon, 29 Jul 2013 21:07:12 -0400

> From: <radlsmith@cox.net>

> To: planning@rpv.com

> Subject: Marymount College - parking lot lights and noise

>

> Dear Mr. Rojas and City Council,

> On June 29, 2013 I forwarded an email to Marymount advising we were shocked at Marymount's new parking lights. I have not had a response to date.

> For over 30 years my husband and I have, almost every single evening, sat outside to enjoy the view of the ocean lit up by the moon and to enjoy the peaceful atmosphere. We were stunned when we saw the Marymount parking lot bright lights casting light and shadows over the fields. We can't imagine how awful it will be once cars start using this parking lot - coming and going with bright vehicle lights, night after night. And what about the noise of honking cars, people, loud music and security devices going off? The sound travels very clearly in the evenings and sometimes we can hear

people talking in normal voices from the cul-de-sac and few homes off of the switchbacks next to that parking area (see attached photos). The lights are bad enough but we are dreading the lights and noise from the cars using that parking lot.

> I can't believe the City of Rancho Palos Verdes would even consider allowing such a nuisance to our neighborhood.

> Please tell me Marymount will, at the very least, be required to construct a high solid freeway-type wall to block such annoying lights and anticipated noise of people, of honking cars and security devices going off.

> I am so very disappointed in this religious organization for its inconsiderate treatment of its neighbors and I am equally disappointed in the City of Rancho Palos Verdes for its inconsiderate treatment of us.

> Sincerely,

> Diane Smith

> 2704 San Ramon Drive

> Rancho Palos Verdes, CA 90275

> (310) 547-3856



## Ara Mihranian

---

**From:** Ara Mihranian  
**Sent:** Tuesday, October 22, 2013 8:57 AM  
**To:** Diane Smith  
**Cc:** Joel Rojas; Eduardo Schonborn; Carolyn Lehr; CC  
**Subject:** RE: Marymount New East Parking Lot - Peninsula High School Parking Lot Lighting

Mrs. Smith,

I would like to clarify your statement that you feel you were led to believe that all your correspondence is being forwarded to the City Council when past emails to you from me (see attachments) clearly state that the correspondence received is part of the public record and will be provided to the City Council at the time of the 6-month review. However, it is my understanding that the letter you submitted on October 4, 2013 was transmitted to the City Council. Further, one of my email responses to you, where I explain the 6-month review process including how your correspondence will be provided to the City Council at that hearing, was also provided to the entire City Council at [CC@rpv.com](mailto:CC@rpv.com) (see attachment). My recent email to you suggesting that your emails be copied to the City Council was intended to provide you with an option to communicate to the Council in advance of the 6-month review meeting (similar to what your neighbor Mrs. McSherry did). As such, for full disclosure, the entire City Council is being copied on this email as well.

Having said that, as I mentioned to you in the past, the Council adopted Conditions of Approval requires a six-month review of the completed parking lot at a duly noticed public hearing where these very issues will be considered by the City Council. Based on information presented at that public hearing (including all your correspondence), the Council may add, delete or modify conditions as deemed necessary to address impacts resulting from the operation of the parking lot. City Staff continues to collect the information you provide and intends to address these issues with Marymount in preparation for the City Council's 6-month review of the parking lot. Lastly, as I previously mentioned, City Staff plans to come out to your property to view the impacts you have expressed after the time change in November to document and observe the conditions in advance of the 6-month review (which will likely occur in February/March).

As always, please do not hesitate to contact me with any further comments, questions, or concerns.

Ara

Ara Michael Mihranian  
Deputy Director of Community Development

---

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com

www.palosverdes.com/rpv

☐ Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

From: Diane Smith [mailto:radlsmith@cox.net]  
Sent: Monday, October 21, 2013 7:51 PM  
To: Ara Mihranian  
Subject: RE: Marymount New East Parking Lot - Peninsula High School Parking Lot Lighting

Mr. Mihranian,

You led me to believe all along that all my correspondence was being forwarded to City Council. How on earth can the City Council absorb all of the issues at one time? It seems that is what happened in the Marymount EIR process - the City Council was assured that all citizen complaints had been handled (you call it "mitigated") and that everything is ok - so they glean over it and ok it. I have been angry at City Council for ignoring me - although I hand-delivered copies of my first correspondence to them in care of City Hall and I was told my letters would be placed in their mail boxes. Now I know why so many residents I have spoken to feel they have no representation in the City.  
Diane Smith

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

From: Ara Mihranian [mailto:AraM@rpv.com]  
Sent: Monday, October 21, 2013 5:10 PM  
To: radlsmith@cox.net  
Cc: Joel Rojas; Eduardo Schonborn; Carolyn Lehr  
Subject: RE: Marymount New East Parking Lot - Peninsula High School Parking Lot Lighting

Mrs. Smith,

Correspondence that you provide City Staff will be transmitted to the City Council at the time the agenda item is heard. If you want your correspondence to go to the City Council in advance, I suggest copying the City Council at CC@rpv.com with all your future emails.

Ara

Ara Michael Mihranian  
Deputy Director of Community Development \_\_\_\_\_

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com  
www.palosverdes.com/rpv

P Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

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

Sent: Friday, October 18, 2013 6:50 PM

To: Ara Mihranian

Subject: RE: Marymount New East Parking Lot - Peninsula High School Parking Lot Lighting

Are my emails getting distributed as I send them (I hope)?

--- Ara Mihranian <AraM@rpv.com> wrote:

> Mrs. Smith,

> Thank you for the information.

> City Staff continues to document your emails for distribution to the City Council.

> Ara

>

> Ara Michael Mihranian

> Deputy Director of Community Development

>

>

> [cid:image001.png@01CECC1B.5FAA9080]

> 30940 Hawthorne Blvd.

> Rancho Palos Verdes, CA 90275

> 310-544-5228 (telephone)

> 310-544-5293 (fax)

> aram@rpv.com

> www.palosverdes.com/rpv

>

> P Do you really need to print this e-mail?

>

> This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

>

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

> Sent: Friday, October 18, 2013 9:46 AM

> To: Ara Mihranian; Eduardo Schonborn; Joel Rojas

> Cc: MBrophy@marymountpv.edu

> Subject: Marymount New East Parking Lot - Peninsula High School

> Parking Lot Lighting

>

> This morning I received a telephone call from Louie Hubbert, Director of Facilities of the Palos Verdes Peninsula Unified School District in response to my inquiry at the School District offices yesterday regarding Peninsula High School parking lot lighting. Mr. Hubbert told me that the High School uses 250 Wattage high pressure sodium metal halide lights. The lights were retrofitted with 250 watts at the urging of local residents.

> As you know, our San Ramon property is down slope from the new east parking lot and we therefore suffer more glow from the overhead light sources.

> I am still waiting to hear from Rita Moyers at the School District regarding the name of the law suit residents won to stop the high school from having lights on their stadium for home games (maybe 6?) during football season. I am interested to review their arguments.

> Again, it is beyond anything we imagined that our City Council envisioned the bright lighting and lights from 47 vehicles 7 days a week until 10 pm every night pointed at the residents of lower San Ramon, Terrapaca and Vista Del Mar. Equally unimaginable is that our City Council would allow the nuisance and imposition of noise and trash upon us.

> Sincerely,

> Diane Smith

> 2704 San Ramon Drive

> Rancho Palos Verdes, CA 90275

> (310) 547-3856

>



RE: Marymount East Parking Lot... RE: Marymount new east parkin... RE: Marymount East Parking Lot...

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, October 21, 2013 7:51 PM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount New East Parking Lot - Peninsula High School Parking Lot Lighting

Mr. Mihranian,

You led me to believe all along that all my correspondence was being forwarded to City Council.

How on earth can the City Council absorb all of the issues at one time? It seems that is what happened in the Marymount EIR process - the City Council was assured that all citizen complaints had been handled (you call it "mitigated") and that everything is ok - so they glean over it and ok it.

I have been angry at City Council for ignoring me - although I hand-delivered copies of my first correspondence to them in care of City Hall and I was told my letters would be placed in their mail boxes.

Now I know why so many residents I have spoken to feel they have no representation in the City.

Diane Smith

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

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Monday, October 21, 2013 5:10 PM  
**To:** radlsmith@cox.net  
**Cc:** Joel Rojas; Eduardo Schonborn; Carolyn Lehr  
**Subject:** RE: Marymount New East Parking Lot - Peninsula High School Parking Lot Lighting

Mrs. Smith,

Correspondence that you provide City Staff will be transmitted to the City Council at the time the agenda item is heard. If you want your correspondence to go to the City Council in advance, I suggest copying the City Council at CC@rpv.com with all your future emails.

Ara

Ara Michael Mihranian

Deputy Director of Community Development \_\_\_\_\_

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
aram@rpv.com  
www.palosverdes.com/rpv

Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

**From:** radlsmith@cox.net [mailto:radlsmith@cox.net]

Sent: Friday, October 18, 2013 6:50 PM

To: Ara Mihranian

Subject: RE: Marymount New East Parking Lot - Peninsula High School Parking Lot Lighting

Are my emails getting distributed as I send them (I hope)?

---- Ara Mihranian <AraM@rpv.com> wrote:

> Mrs. Smith,

> Thank you for the information.

> City Staff continues to document your emails for distribution to the City Council.

> Ara

>

> Ara Michael Mihranian

> Deputy Director of Community Development

>

>

> [cid:image001.png@01CECC1B.5FAA9080]

> 30940 Hawthorne Blvd.

> Rancho Palos Verdes, CA 90275

> 310-544-5228 (telephone)

> 310-544-5293 (fax)

> aram@rpv.com

> www.palosverdes.com/rpv

>

> P Do you really need to print this e-mail?

>

> This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

>

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

> Sent: Friday, October 18, 2013 9:46 AM

> To: Ara Mihranian; Eduardo Schonborn; Joel Rojas

> Cc: MBrophy@marymountpv.edu

> Subject: Marymount New East Parking Lot - Peninsula High School

> Parking Lot Lighting

>

> This morning I received a telephone call from Louie Hubbert, Director of Facilities of the Palos Verdes Peninsula Unified School District in response to my inquiry at the School District offices yesterday regarding Peninsula High School parking lot lighting. Mr. Hubbert told me that the High School uses 250 Wattage high pressure sodium metal halide lights. The lights were retrofitted with 250 watts at the urging of local residents.

> As you know, our San Ramon property is down slope from the new east parking lot and we therefore suffer more glow from the overhead light sources.

> I am still waiting to hear from Rita Moyers at the School District regarding the name of the law suit residents won to stop the high school from having lights on their stadium for home games (maybe 6?) during football season. I am interested to review their arguments.

> Again, it is beyond anything we imagined that our City Council envisioned the bright lighting and lights from 47 vehicles 7 days a week until 10 pm every night pointed at the residents of lower San Ramon, Terrapaca and Vista Del Mar. Equally unimaginable is that our City Council would allow the nuisance and imposition of noise and trash upon us.

> Sincerely,

> Diane Smith

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

## Ara Mihranian

---

**From:** radlsmith@cox.net  
**Sent:** Friday, October 18, 2013 6:50 PM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount New East Parking Lot - Peninsula High School Parking Lot Lighting

Are my emails getting distributed as I send them (I hope)?

--- Ara Mihranian <AraM@rpv.com> wrote:

> Mrs. Smith,  
> Thank you for the information.  
> City Staff continues to document your emails for distribution to the City Council.

> Ara

>

> Ara Michael Mihranian  
> Deputy Director of Community Development

> \_\_\_\_\_

>

> [cid:image001.png@01CECC1B.5FAA9080]

> 30940 Hawthorne Blvd.

> Rancho Palos Verdes, CA 90275

> 310-544-5228 (telephone)

> 310-544-5293 (fax)

> aram@rpv.com

> www.palosverdes.com/rpv

>

> P Do you really need to print this e-mail?

>

> This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

>

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

> Sent: Friday, October 18, 2013 9:46 AM

> To: Ara Mihranian; Eduardo Schonborn; Joel Rojas

> Cc: MBrophy@marymountpv.edu

> Subject: Marymount New East Parking Lot - Peninsula High School

> Parking Lot Lighting

>

> This morning I received a telephone call from Louie Hubbert, Director of Facilities of the Palos Verdes Peninsula Unified School District in response to my inquiry at the School District offices yesterday regarding Peninsula High School parking lot lighting. Mr. Hubbert told me that the High School uses 250 Wattage high pressure sodium metal halide lights. The lights were retrofitted with 250 watts at the urging of local residents.

> As you know, our San Ramon property is down slope from the new east parking lot and we therefore suffer more glow from the overhead light sources.

> I am still waiting to hear from Rita Moyers at the School District regarding the name of the law suit residents won to stop the high school from having lights on their stadium for home games (maybe 6?) during football season. I am interested to review their arguments.

> Again, it is beyond anything we imagined that our City Council envisioned the bright lighting and lights from 47 vehicles 7 days a week until 10 pm every night pointed at the residents of lower San Ramon, Terrapaca and Vista Del Mar. Equally unimaginable is that our City Council would allow the nuisance and imposition of noise and trash upon us.

> Sincerely,

> Diane Smith

> 2704 San Ramon Drive

> Rancho Palos Verdes, CA 90275

> (310) 547-3856

>

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Friday, October 18, 2013 9:46 AM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** MBrophy@marymountpv.edu  
**Subject:** Marymount New East Parking Lot - Peninsula High School Parking Lot Lighting

This morning I received a telephone call from Louie Hubbert, Director of Facilities of the Palos Verdes Peninsula Unified School District in response to my inquiry at the School District offices yesterday regarding Peninsula High School parking lot lighting. Mr. Hubbert told me that the High School uses 250 Wattage high pressure sodium metal halide lights. The lights were retrofitted with 250 watts at the urging of local residents.

As you know, our San Ramon property is down slope from the new east parking lot and we therefore suffer more glow from the overhead light sources.

I am still waiting to hear from Rita Moyers at the School District regarding the name of the law suit residents won to stop the high school from having lights on their stadium for home games (maybe 6?) during football season. I am interested to review their arguments.

Again, it is beyond anything we imagined that our City Council envisioned the bright lighting and lights from 47 vehicles 7 days a week until 10 pm every night pointed at the residents of lower San Ramon, Terrapaca and Vista Del Mar. Equally unimaginable is that our City Council would allow the nuisance and imposition of noise and trash upon us.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, October 15, 2013 6:42 PM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount East Parking Lot - 6 month review dates

OK to the last paragraph – I will be in to the city offices to review the final – I want to see what the City Council saw – again – I can't believe they would approve these plans if they knew the effect it would have on the McSherrys and us, and others. When I first met you, you said I had plenty of time to voice my concerns. My dear friend and neighbors the McSherrys live closer to the project than we do. I reviewed a great deal of the letters pertaining to the EIR. Laura McSherry wrote her concerns about the luminescence and noise but no one came to her home to conduct the sound or light study – her concerns were simply ignored.

Please let Eduardo or one of the assistants in the office know where the plans are so that they don't have to scour the department looking for them. Thanks.

Diane Smith

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Tuesday, October 15, 2013 5:35 PM  
**To:** Diane Smith  
**Cc:** Joel Rojas; Eduardo Schonborn; MBrophy@marymountpv.edu  
**Subject:** RE: Marymount East Parking Lot - 6 month review dates

Mrs. Smith,

The final was issued on August 6<sup>th</sup> because construction was completed per the City approved plans including the outdoor lighting. The parking lot lights are allowed to be illuminated per the Council adopted Conditions of Approval that allows the parking to remain open between 7am to 7pm, at which time the lot is closed and safety lighting is allowed to remain illuminated for cars remaining in the parking lot.

As I mentioned to you yesterday, City staff will come out to your property to document the night lighting (likely after the time change at the end of the month).

Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

**From:** Diane Smith [<mailto:radsmith@cox.net>]  
**Sent:** Tuesday, October 15, 2013 5:23 PM  
**To:** Ara Mihranian  
**Cc:** Joel Rojas; Eduardo Schonborn; [MBrophy@marymountpv.edu](mailto:MBrophy@marymountpv.edu)  
**Subject:** RE: Marymount East Parking Lot - 6 month review dates

Why did the City issue the final on the building permit for the parking on August 6, 2013 when I complained of non-compliance on June 29 and July 29? I don't understand.

And why did the City allow the parking lot lights to stay on every single night, seven nights a week until 10 pm every night?? Is this to set some kind of a precedent for future expansion? I cannot believe that this complies with our Development Code. I believe our City Council trusted the city to comply with the Development Code and keep secure our semi-rural atmosphere. The City council must have been hoodwinked and misled, – I just cannot believe our City Council would have allowed this parking lot had they known what it would truly look like.

Sincerely,  
Diane Smith

**From:** Ara Mihranian [<mailto:AraM@rpv.com>]  
**Sent:** Tuesday, October 15, 2013 4:46 PM  
**To:** Diane Smith  
**Cc:** [BrophyMBrophy@marymountpv.edu](mailto:BrophyMBrophy@marymountpv.edu); CC; Carolyn Lehr; Eduardo Schonborn; Joel Rojas  
**Subject:** RE: Marymount East Parking Lot - 6 month review dates

Mrs. Smith,

The City continues to receive your concern emails and letters regarding the parking lot. As previously mentioned, all correspondence submitted to the city is part of the public record and will be provided to the City Council at the six month review. As you now know, the Council adopted Conditions of Approval requires a six-month review of the completed parking lot at a duly noticed public hearing where these very issues will be considered by the City Council. Based on information presented at that public hearing, the Council may add, delete or modify conditions as deemed necessary to address impacts resulting from the operation of the parking lot

The clock on the six month review began once the City issued the final on the building permit for the parking lot which occurred on August 6, 2013. As such, the six month review is tentatively scheduled to occur in February or March of 2014 (depending on the Council agendas). A public notice will be issued with exact information on the public hearing date, time, location, etc. An electronic notice will also be issued to list-serve subscribers which I believe you recently signed up for.

Please do not hesitate to continue contacting me or Eduardo Schonborn (the current project planner) on any further matters related to Marymount.

Regards,  
Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Tuesday, October 15, 2013 4:06 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** [BrophyMBrophy@marymountpv.edu](mailto:BrophyMBrophy@marymountpv.edu)  
**Subject:** Marymount East Parking Lot - 6 month review dates

Please let me know the start date and date for the City's 6-month review of Marymount's new east parking lot.

Marymount turned the lights on in the parking lot on June 29 when most people take their summer vacations. The city allowed Marymount to keep their lights on every single day until 10 o'clock at night, 7 days a week during our prime dining and entertaining time – even on the weekends when no one used the parking lot. I immediately complained to Marymount once we saw the lights but did not get a response. A month later I notified the city of the nuisance and once the students started using the lot I complained and have brought the nuisances to your attention since. There were no students during the summer months and therefore no headlights to add to the nuisance. Once the students arrived then the nuisances increased – light, noise, trash all of which degraded and diminished the use and enjoyment of our property. Daylight Savings time ends November 3. After that we will really see the full impact of the student parking – 47 vehicles with 180 degree headlights on a grade with overhead light structures pouring their light on and into our property. The combination of illumination from overhead lights and vehicles will produce even more off-site illumination than experienced up until now.

I have lost faith in our city and in Marymount. I am afraid the 6-months will go by and someone will say, "too late" and "where were you."

Please let me know, in writing, how the dates are calculated, what dates the City and Marymount have entered for review and if we need to request that the City Council grant an extension of time to consider the scope of this nuisance and how to restore our peaceful semi-rural environment.

Thank you.  
Sincerely,

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

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, October 15, 2013 6:35 PM  
**To:** Ara Mihranian  
**Subject:** RE: Marymount East Parking Lot - 6 month review dates

OK

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Tuesday, October 15, 2013 5:35 PM  
**To:** Diane Smith  
**Cc:** Joel Rojas; Eduardo Schonborn; MBrophy@marymountpv.edu  
**Subject:** RE: Marymount East Parking Lot - 6 month review dates

Mrs. Smith,

The final was issued on August 6<sup>th</sup> because construction was completed per the City approved plans including the outdoor lighting. The parking lot lights are allowed to be illuminated per the Council adopted Conditions of Approval that allows the parking to remain open between 7am to 7pm, at which time the lot is closed and safety lighting is allowed to remain illuminated for cars remaining in the parking lot.

As I mentioned to you yesterday, City staff will come out to your property to document the night lighting (likely after the time change at the end of the month).

Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Tuesday, October 15, 2013 5:23 PM  
**To:** Ara Mihranian

**Cc:** Joel Rojas; Eduardo Schonborn; [MBrophy@marymountpv.edu](mailto:MBrophy@marymountpv.edu)

**Subject:** RE: Marymount East Parking Lot - 6 month review dates

Why did the City issue the final on the building permit for the parking on August 6, 2013 when I complained of non-compliance on June 29 and July 29? I don't understand.

And why did the City allow the parking lot lights to stay on every single night, seven nights a week until 10 pm every night?? Is this to set some kind of a precedent for future expansion?

I cannot believe that this complies with our Development Code. I believe our City Council trusted the city to comply with the Development Code and keep secure our semi-rural atmosphere. The City council must have been hoodwinked and misled, – I just cannot believe our City Council would have allowed this parking lot had they known what it would truly look like.

Sincerely,  
Diane Smith

---

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

**Sent:** Tuesday, October 15, 2013 4:46 PM

**To:** Diane Smith

**Cc:** [BrophyMBrophy@marymountpv.edu](mailto:BrophyMBrophy@marymountpv.edu); CC; Carolyn Lehr; Eduardo Schonborn; Joel Rojas

**Subject:** RE: Marymount East Parking Lot - 6 month review dates

Mrs. Smith,

The City continues to receive your concern emails and letters regarding the parking lot. As previously mentioned, all correspondence submitted to the city is part of the public record and will be provided to the City Council at the six month review. As you now know, the Council adopted Conditions of Approval requires a six-month review of the completed parking lot at a duly noticed public hearing where these very issues will be considered by the City Council. Based on information presented at that public hearing, the Council may add, delete or modify conditions as deemed necessary to address impacts resulting from the operation of the parking lot

The clock on the six month review began once the City issued the final on the building permit for the parking lot which occurred on August 6, 2013. As such, the six month review is tentatively scheduled to occur in February or March of 2014 (depending on the Council agendas). A public notice will be issued with exact information on the public hearing date, time, location, etc. An electronic notice will also be issued to list-serve subscribers which I believe you recently signed up for.

Please do not hesitate to continue contacting me or Eduardo Schonborn (the current project planner) on any further matters related to Marymount.

Regards,  
Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---



CITY OF RANCHO PALOS VERDES

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Tuesday, October 15, 2013 4:06 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** [BrophyMBrophy@marymountpv.edu](mailto:BrophyMBrophy@marymountpv.edu)  
**Subject:** Marymount East Parking Lot - 6 month review dates

Please let me know the start date and date for the City's 6-month review of Marymount's new east parking lot.

Marymount turned the lights on in the parking lot on June 29 when most people take their summer vacations. The city allowed Marymount to keep their lights on every single day until 10 o'clock at night, 7 days a week during our prime dining and entertaining time – even on the weekends when no one used the parking lot. I immediately complained to Marymount once we saw the lights but did not get a response. A month later I notified the city of the nuisance and once the students started using the lot I complained and have brought the nuisances to your attention since. There were no students during the summer months and therefore no headlights to add to the nuisance. Once the students arrived then the nuisances increased – light, noise, trash all of which degraded and diminished the use and enjoyment of our property. Daylight Savings time ends November 3. After that we will really see the full impact of the student parking – 47 vehicles with 180 degree headlights on a grade with overhead light structures pouring their light on and into our property. The combination of illumination from overhead lights and vehicles will produce even more off-site illumination than experienced up until now.

I have lost faith in our city and in Marymount. I am afraid the 6-months will go by and someone will say, "too late" and "where were you."

Please let me know, in writing, how the dates are calculated, what dates the City and Marymount have entered for review and if we need to request that the City Council grant an extension of time to consider the scope of this nuisance and how to restore our peaceful semi-rural environment.

Thank you.  
Sincerely,  
Diane Smith  
2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275  
310/547-3856

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, October 15, 2013 5:23 PM  
**To:** Ara Mihranian  
**Cc:** Joel Rojas; Eduardo Schonborn; MBrophy@marymountpv.edu  
**Subject:** RE: Marymount East Parking Lot - 6 month review dates

Why did the City issue the final on the building permit for the parking on August 6, 2013 when I complained of non-compliance on June 29 and July 29? I don't understand.

And why did the City allow the parking lot lights to stay on every single night, seven nights a week until 10 pm every night?? Is this to set some kind of a precedent for future expansion? I cannot believe that this complies with our Development Code. I believe our City Council trusted the city to comply with the Development Code and keep secure our semi-rural atmosphere. The City council must have been hoodwinked and misled, – I just cannot believe our City Council would have allowed this parking lot had they known what it would truly look like.

Sincerely,  
Diane Smith

---

**From:** Ara Mihranian [mailto:AraM@rpv.com]  
**Sent:** Tuesday, October 15, 2013 4:46 PM  
**To:** Diane Smith  
**Cc:** BrophyMBrophy@marymountpv.edu; CC; Carolyn Lehr; Eduardo Schonborn; Joel Rojas  
**Subject:** RE: Marymount East Parking Lot - 6 month review dates

Mrs. Smith,

The City continues to receive your concern emails and letters regarding the parking lot. As previously mentioned, all correspondence submitted to the city is part of the public record and will be provided to the City Council at the six month review. As you now know, the Council adopted Conditions of Approval requires a six-month review of the completed parking lot at a duly noticed public hearing where these very issues will be considered by the City Council. Based on information presented at that public hearing, the Council may add, delete or modify conditions as deemed necessary to address impacts resulting from the operation of the parking lot

The clock on the six month review began once the City issued the final on the building permit for the parking lot which occurred on August 6, 2013. As such, the six month review is tentatively scheduled to occur in February or March of 2014 (depending on the Council agendas). A public notice will be issued with exact information on the public hearing date, time, location, etc. An electronic notice will also be issued to list-serve subscribers which I believe you recently signed up for.

Please do not hesitate to continue contacting me or Eduardo Schonborn (the current project planner) on any further matters related to Marymount.

Regards,  
Ara

**Ara Michael Mihranian**  
Deputy Director of Community Development

---

  
CITY OF RANCHO PALOS VERDES  
30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)  
[aram@rpv.com](mailto:aram@rpv.com)  
[www.palosverdes.com/rpv](http://www.palosverdes.com/rpv)



Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

---

**From:** Diane Smith [<mailto:radlsmith@cox.net>]  
**Sent:** Tuesday, October 15, 2013 4:06 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** [BrophyMBrophy@marymountpv.edu](mailto:BrophyMBrophy@marymountpv.edu)  
**Subject:** Marymount East Parking Lot - 6 month review dates

Please let me know the start date and date for the City's 6-month review of Marymount's new east parking lot.

Marymount turned the lights on in the parking lot on June 29 when most people take their summer vacations. The city allowed Marymount to keep their lights on every single day until 10 o'clock at night, 7 days a week during our prime dining and entertaining time – even on the weekends when no one used the parking lot. I immediately complained to Marymount once we saw the lights but did not get a response. A month later I notified the city of the nuisance and once the students started using the lot I complained and have brought the nuisances to your attention since. There were no students during the summer months and therefore no headlights to add to the nuisance. Once the students arrived then the nuisances increased – light, noise, trash all of which degraded and diminished the use and enjoyment of our property. Daylight Savings time ends November 3. After that we will really see the full impact of the student parking – 47 vehicles with 180 degree headlights on a grade with overhead light structures pouring their light on and into our property. The combination of illumination from overhead lights and vehicles will produce even more off-site illumination than experienced up until now.

I have lost faith in our city and in Marymount. I am afraid the 6-months will go by and someone will say, "too late" and "where were you."

Please let me know, in writing, how the dates are calculated, what dates the City and Marymount have entered for review and if we need to request that the City Council grant an extension of time to consider the scope of this nuisance and how to restore our peaceful semi-rural environment.

Thank you.  
Sincerely,  
Diane Smith  
2704 San Ramon Drive

Rancho Palos Verdes, CA 90275  
310/547-3856

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, October 15, 2013 5:12 PM  
**To:** Joel Rojas  
**Cc:** Ara Mihranian; Eduardo Schonborn  
**Subject:** Marymount Parking Lot - Last year Discussion on Outdoor Lighting

Dear Mr. Rojas,

I have read many letters from residents around Marymount College complaining and questioning Marymount's compliance with the City's Development Code and its compatibility with the semi-rural nature of the community. Throughout the Marymount EIR many residents voiced concerns regarding outdoor lighting and other nuisances and now those very people feel the Planning Commission, Department and City ignored their concerns since the new Marymount East Parking Lot spoils their once dark, quiet, magnificent semi-rural property environment.

I came across your August 14, 2012 Memorandum regarding "Discussion on Outdoor Lighting."

On October 25, 2011 the Planning Commission requested a Staff Report of how exterior lighting for proposed non-residential development projects is reviewed by Staff. (I would like a copy of the October 25, 2011 Staff Report.)

On January 24, 2012 the Planning Commission felt that the City should have a more specific set of rules or codes to give project applicants so that they can integrate acceptable exterior lighting into their proposed projects without having to guess what will be acceptable to the City.

Seven months later, on August 14, 2012, Community Development Director Joel Rojas submitted The Staff Report to the Planning Commission regarding how the lighting is reviewed after said projects are constructed.

To lay people, light maps and actually seeing the lights fully turned on are two different events.

The Planning Commission created a three-member sub-committee: Commissioners Gerstner, Leon and Tomblin. These commissioners were to review RPV's current lighting standards and compare those standards with other similar cities.

One would think the first cities that RPV Planning Department would use for comparison would be our sister "Peninsula Cities", namely Rolling Hills, Rolling Hills Estates and Palos Verdes Estates. At least City Staff should have used Palos Verdes Estates because it is similarly situated to RPV - from the ocean to the hills - but our City did not compare RPV with its sister cities. Instead it reached out to distant cities and only one sub-committee member, Commissioner Leon, looked into the matter and reported.

Why did the Planning Commission feel it was not necessary to prepare a code amendment for submittal to the City Council when Staff recommended it be done? It's like it went in a big circle, a big waste of time that died on the vine.

Was a code amendment ever prepared?

I need the complete January 24, 2012 Minutes of Meeting of Planning Commission – the computer starts with page 7

I assumed our planning department would strictly represent the interests of the tax-paying residents of Rancho Palos Verdes and in particular those residents directly affected by the Marymount project. I assumed our planning department would apply rigid and strict outdoor lighting requirements so as to protect the theme and dream of our city founders and those that have followed – to maintain peace and tranquility, open space, view and the semi-rural atmosphere of the Peninsula. Since Marymount turned on its east parking lot lights June 29, 2013 I have been miserably

disappointed in our representation at the City and feel our City Council has been grossly misled. However, it just may be that our planning department and planning commission are tired of their jobs, just listen, smile, have meetings and sop up time or do not understand what is expected of them. This I am looking into with the hopes that my trust in city government can be somewhat restored.

Sincerely,

Diane Smith

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Tuesday, October 15, 2013 4:06 PM  
**To:** Ara Mihranian; Eduardo Schonborn; Joel Rojas  
**Cc:** BrophyMBrophy@marymountpv.edu  
**Subject:** Marymount East Parking Lot - 6 month review dates

Please let me know the start date and date for the City's 6-month review of Marymount's new east parking lot.

Marymount turned the lights on in the parking lot on June 29 when most people take their summer vacations. The city allowed Marymount to keep their lights on every single day until 10 o'clock at night, 7 days a week during our prime dining and entertaining time – even on the weekends when no one used the parking lot. I immediately complained to Marymount once we saw the lights but did not get a response. A month later I notified the city of the nuisance and once the students started using the lot I complained and have brought the nuisances to your attention since. There were no students during the summer months and therefore no headlights to add to the nuisance. Once the students arrived then the nuisances increased – light, noise, trash all of which degraded and diminished the use and enjoyment of our property. Daylight Savings time ends November 3. After that we will really see the full impact of the student parking – 47 vehicles with 180 degree headlights on a grade with overhead light structures pouring their light on and into our property. The combination of illumination from overhead lights and vehicles will produce even more off-site illumination than experienced up until now.

I have lost faith in our city and in Marymount. I am afraid the 6-months will go by and someone will say, "too late" and "where were you."

Please let me know, in writing, how the dates are calculated, what dates the City and Marymount have entered for review and if we need to request that the City Council grant an extension of time to consider the scope of this nuisance and how to restore our peaceful semi-rural environment.

Thank you.  
Sincerely,  
Diane Smith  
2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275  
310/547-3856

## **Ara Mihranian**

---

**From:** Ron & Laura McSherry <ronmcsherry@hotmail.com>  
**Sent:** Tuesday, October 15, 2013 12:59 PM  
**To:** Ara Mihranian  
**Cc:** Susan Brooks; Jerry Duhovic; Anthony Misetich; Brian Campbell  
**Subject:** Laura and Ron McSherry Proposed Opposition to Marymount East Parking Lot  
**Attachments:** Attachment # 1 McSherry.pdf; Attachment # 2 McSherry.pdf

To: Ara Michael Mihranian  
Deputy Community Development Director

We are opposed to the new east parking lot for the following reasons:

Light - the combination of overhead light fixtures and vehicle headlights pointed at our property, and on a grade, every week night and weekends are a nuisance, invasive and degrade the beauty and serenity of our property.

Noise – the noise generated by so many students throughout the day and into the night is a nuisance, disruptive, annoying and abusive to us, our family members and visitors.

Trash – the students have been parking in that lot for only just over a month and already they have generated a great deal of trash both unsightly and combustible – the latter causing us great concern for our safety from fire since the prevailing winds blow directly over the parking lot towards our property.

Marymount must remove the overhead lights, vehicle headlights should be pointed towards Marymount and Marymount should erect/continue the block wall from Vista Del Mar to San Ramon to help contain the noise and trash.

Please see the attached documents which detail our past complaints about Marymount expansion plans and projects.

Sincerely,  
Laura and Ron McSherry  
2714 San Ramon Drive  
RPV, CA 90275

Dan O'Callahan 31127 Palos Verdes Drive East felt that Marymount College has been good for the peninsula, however he would like to see the college stay as it is because of the mass of the proposed project and the proximity to his property. He asked the EIR address whether or not students would stay on campus as well as property values in the immediate neighborhood. He also felt this project involved a quality of life issue and was also concerned with the traffic impacts to the neighborhood.

Dr. Nancy Sanders 6502 LeBec Place stated she was a resident of Rancho Palos Verdes as well as a faculty member at Miraleste College. She asked the EIR to consider and study the difference between having a commuter campus where the students come and go each day and the quality of life in the student community on campus.

Eric Randall 6528 Madeline Cove Drive asked that there be an objective evaluation of how property values will be affected by the proposed expansion.

Laura McSherry 2714 San Ramon Drive was concerned about the geology and the problems at San Ramon Canyon. She was concerned about what excavation will do to the entire slide area. She mentioned the noise issue and noted that there would be the added noise from car alarms and music from the parking lot abutting residences on San Ramon Drive.

Karen Thordarson 29122 Whitespoint Drive understood that Marymount College has plans that will improve the parking situation in the entire neighborhood and asked what those plans were and asked that they be reflected in the EIR.

Alberta Samuelson 6045 Via Sonoma asked that the EIR consider not only the immediate area surrounding the college but the entire community and the neighboring cities and the affects of the project economically, socially, and culturally.

James Reeves stated that he serves as Vice President of Student Services and College Operations at Marymount College. He asked that the EIR reflect staffing levels that are currently available to students both in the residence halls and on campus in support of student life. He felt it was important to accurately reflect the kind of parental adult supervision available to the students. He noted that if the EIR addresses crime data it could be found at the Department of Education where all educational institutions must report their crime data each fall.

Shane Armstrong 15290 USS New Jersey, San Pedro stated she was the Associate Dean of Students at Marymount College and it was her job to ensure that all students have a safe and supportive campus community in which to learn and grow. In light of this, she felt it was important that the EIR review how the college currently handles judicial matters.

Susan Garman 15370 USS Antietam, San Pedro stated she was the Director of Student Life at Marymount College and was responsible for finding concrete cultural, social, recreational, and intellectual programs for the college. She felt it would be important for the EIR to look closely at the level and quality of programs available to students both during the school week and on weekends.

Dr. Max Negri 40 Seacove Drive felt it was very important for the EIR to address parking on campus and in the residential neighborhoods surrounding the college.

David Bond 2343 Sunnyside Ridge Road stated he was fully in support of Marymount College and was anxiously looking forward to the improvements planned for the campus. He felt it was important to the students to have housing on campus. He was also confident that the City would deal with any geologic concerns before allowing any expansion of the college.

**Chairman Lyon thanked the speakers and closed the public hearing.**

Bill Schurmer from the Traffic Committee stated that he was concerned about the efficiency of moving vehicles into the campus off Palos Verdes Drive East. In his observations and talking to the head of security of the campus, there were several things he would like to see considered in the EIR. First, he

RECEIVED

JAN 1 2006

PLANNING, BUILDING &  
CODE ENFORCEMENT

Planning Commission 1-10-06  
environmental concerns

Marymount College says it needs dorms to provide a safe and secure environment for female students. An open campus would need lights from dorm to library to parking lot and all structures in between. This is alot of illumination. The "universal city walk" on the hill! Neighbors would need to install heavy black out curtains to keep out light and noise from parking lots. This kind of light pollution keeps you from seeing the stars at night. A simple pleasure but very necessary for the soul.

Marymount talks about being open to the community by offering concerts, lectures and meeting places. The addition to an athletic facility and library would offer recreation and illumination as well. Where are all these visitors going to park? The students are supposed to be staying on campus eliminating our traffic woes so their cars will be parked on campus, right? Where does everyone else park?

Laura M. Sherry  
2714 San Ramon Dr.  
(310) 831-4498

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Thursday, October 10, 2013 8:46 PM  
**To:** Ara Mihranian  
**Subject:** FW:  
**Attachments:** IMG\_0107.MOV; Untitled attachment 00004.txt

Dear Ara,

As you requested, attached is my first attempt at using an iphone (my husband's) to take a video. It was taken at 8:30 this evening. In the beginning you can see the glare/reflection of the lights on one of my glass top tables as I walk to the deck. I then aim the camera to the left at the darkness of the fields/ocean and then to San Pedro and back around to our deck.

Sincerely,  
Diane Smith

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

**From:** Richard Smith [mailto:rsmithwood@hotmail.com]  
**Sent:** Thursday, October 10, 2013 8:36 PM  
**To:** radlsmith@cox.net  
**Subject:**

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, October 09, 2013 8:43 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - Illumination

**The Marymount EIR pertaining to the East Parking Lot violates RPV's Chapter 17.56 - ENVIRONMENTAL PROTECTION since it fails to protect neighboring properties and persons from numerous environmental nuisances and hazards.**

Sincerely,  
Diane Smith

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, October 09, 2013 8:35 PM  
**To:** 'aram@rpv.com'  
**Subject:** FW: Marymount East Parking Lot - Illumination

Dear Ara,

Further to my earlier email today and as you encouraged, I looked at the City's website and I found the City of RPV, Code of Ordinances – Environmental Protection - Section 17.56.640 "Outdoor lighting for non-residential uses which is reprinted here for convenience:

17.56.040 - Outdoor lighting for nonresidential uses. 

No outdoor lighting shall hereafter be installed in any nonresidential district, except in accordance with the provisions of this section.

A. Prior to the issuance of the first certificate of occupancy, a lighting plan prepared by a lighting contractor, which shall include the location, height, number of lights, wattage, estimates of maximum illumination on site and spill/glare at property lines, and in conformance with the following standards and criteria, shall be submitted for approval by the director.

1. No one fixture shall exceed one thousand two hundred watts and the light source shall not be directed toward or result in direct illumination of a parcel of property or properties other than that upon which such light source is physically located. Wattage for nonincandescent lighting shall be calculated using the multiplier values described in Section 17.56.030(A) of this chapter.

2. No outdoor lighting shall be 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.

3. All estimates or testing shall be done with the entire facility illuminated.

4. Testing equipment shall be a calibrated gossen panalux electronic 2 or an equal approved by the director.

B. The director may approve deviations which exceed the standards set forth in Section 17.56.040(A)(1) through (A)(3) of this chapter, when the director finds that such deviations are required for public safety.

Offhand I believe the EIR violates this ordinance for the following reasons:

The ordinance requires that, "Prior to the issuance of the first Certificate of Occupancy . . . a lighting plan --- to include estimates of maximum illumination on site AND SPILL/GLARE AT PROPERTY LINES (emphasis added) in in conformance with . . . 1. . . . the light source shall not . . . result in direct illumination of a parcel of property or properties other than that upon which such light source is physically located."

When I looked at the lighting plans there was no indication of illumination showing the effect on properties other than that upon which such light source is physically located.

My property is down hill from the light sources and therefore the light descends into my property. There was no lighting plan to indicate the cumulative effect of the light source individually and collectively with the 47 vehicles with 180 degree headlights pointed in our direction.

Please let me know when you will be available to show me where the EIR complies with this ordinance.

Thank you.  
Diane Smith

---

**From:** Diane Smith [mailto:radlsmith@cox.net]  
**Sent:** Wednesday, October 09, 2013 5:14 PM  
**To:** 'aram@rpv.com'  
**Subject:** Marymount East Parking Lot - Illumination

Dear Ara,

Thank you for trying to help me understand the "light language" pertaining to Marymount's new East Parking Lot.

I am not educated and experienced in light language and know only what light bothers me.

The light generated by Marymount's new parking lot is a great nuisance to me and to other affected residents so far that I have spoken to.

Marymount's East parking lot has parking spaces for 47 vehicles that face in my direction.

The parking spaces are on a slope.

Each vehicle shoots out 180 degrees of light from their headlights at night. The cumulative effect of these headlights, going on and off at different times and for different lengths of times, together with the illumination from the overhead lights when students leave the parking lot reminds me of a disco ball. The lights go on and off and sometimes linger with chit-chatters. This illumination can be clearly seen from as far away as Bogdanovich park. The new parking lot looks like a beacon – a lighthouse or in my case, a disco light and has greatly changed my peaceful semi-rural property to a Golden Cove-type bustling environment, every day, every evening, 7 days a week.

I have reviewed the light plans submitted with the EIR and I pointed out to you that the plans are inaccurate because they show zeros off of the property. I am sure the City Council did not realize the effect of this illuminated parking lot or they never would have signed off on the EIR.

You and I went in circles over the definition of light as you insisted the lights project down onto the parking lot and are contained on the parking lot and that I do not see the light. You explained, "Of course you can see the parking lot illuminated but you are not seeing the light source nor is the light source emitting onto your property."

I repeated this quote to you and you agreed it was accurate.

I do not believe this illumination and the other nuisances I have previously identified comply with the City of Rancho Palos Verdes' low-density semi-rural atmosphere and its General Plan. It is hard for a lay person to imagine what effect lights look like on paper but it is very easy to see what they look like from our properties. The lights were turned on, on or about June 29, 2013, and I immediately informed Marymount that the lights are unacceptable. School was not in

session so we were not able to access the full effect of these lights and illumination until after the students arrived. The overhead lights should be removed entirely.

There is no reason to have such illumination in that remote parking lot where there are no gangs, no "bad" neighborhood (7 of the 10 San Ramon neighbor households are Senior Citizens) and the only danger Marymount students may face would be from themselves. The ground lights should suffice to get the students to their vehicles and Marymount might consider security cameras to capture any illegal activity. The existing sound wall between Marymount's tennis courts and San Ramon residents' back yards, should be continued around to the Vista Del Mar sound wall. This would not only help shield the light but also to deter/capture the trash both blown and intentionally thrown into the field, help buffer the annoying noise, discourage student loitering, drinking and excessive smoking close to the fire-susceptible open fields.

I will continue to come to the City offices to review the binders containing history of the EIR.

Again, thank you for your time today.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, October 09, 2013 8:35 PM  
**To:** Ara Mihranian  
**Subject:** FW: Marymount East Parking Lot - Illumination

Dear Ara,

Further to my earlier email today and as you encouraged, I looked at the City's website and I found the City of RPV, Code of Ordinances – Environmental Protection - Section 17.56.640 "Outdoor lighting for non-residential uses which is reprinted here for convenience:

17.56.040 - Outdoor lighting for nonresidential uses. 

No outdoor lighting shall hereafter be installed in any nonresidential district, except in accordance with the provisions of this section.

A. Prior to the issuance of the first certificate of occupancy, a lighting plan prepared by a lighting contractor, which shall include the location, height, number of lights, wattage, estimates of maximum illumination on site and spill/glare at property lines, and in conformance with the following standards and criteria, shall be submitted for approval by the director.

1. No one fixture shall exceed one thousand two hundred watts and the light source shall not be directed toward or result in direct illumination of a parcel of property or properties other than that upon which such light source is physically located. Wattage for nonincandescent lighting shall be calculated using the multiplier values described in Section 17.56.030(A) of this chapter.

2. No outdoor lighting shall be 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.

3. All estimates or testing shall be done with the entire facility illuminated.

4. Testing equipment shall be a calibrated gossen panalux electronic 2 or an equal approved by the director.

B. The director may approve deviations which exceed the standards set forth in Section 17.56.040(A)(1) through (A)(3) of this chapter, when the director finds that such deviations are required for public safety.

Offhand I believe the EIR violates this ordinance for the following reasons:

The ordinance requires that, "Prior to the issuance of the first Certificate of Occupancy . . . a lighting plan --- to include estimates of maximum illumination on site AND SPILL/GLARE AT PROPERTY LINES (emphasis added) in in conformance with . . . 1. . . . the light source shall not . . . result in direct illumination of a parcel of property or properties other than that upon which such light source is physically located."

When I looked at the lighting plans there was no indication of illumination showing the effect on properties other than that upon which such light source is physically located.

My property is down hill from the light sources and therefore the light descends into my property. There was no lighting plan to indicate the cumulative effect of the light source individually and collectively with the 47 vehicles with 180 degree headlights pointed in our direction.

Please let me know when you will be available to show me where the EIR complies with this ordinance.

Thank you.  
Diane Smith

---

**From:** Diane Smith [mailto:radsmith@cox.net]  
**Sent:** Wednesday, October 09, 2013 5:14 PM  
**To:** 'aram@rpv.com'  
**Subject:** Marymount East Parking Lot - Illumination

Dear Ara,

Thank you for trying to help me understand the "light language" pertaining to Marymount's new East Parking Lot.

I am not educated and experienced in light language and know only what light bothers me.

The light generated by Marymount's new parking lot is a great nuisance to me and to other affected residents so far that I have spoken to.

Marymount's East parking lot has parking spaces for 47 vehicles that face in my direction.

The parking spaces are on a slope.

Each vehicle shoots out 180 degrees of light from their headlights at night. The cumulative effect of these headlights, going on and off at different times and for different lengths of times, together with the illumination from the overhead lights when students leave the parking lot reminds me of a disco ball. The lights go on and off and sometimes linger with chit-chatters. This illumination can be clearly seen from as far away as Bogdanovich park. The new parking lot looks like a beacon – a lighthouse or in my case, a disco light and has greatly changed my peaceful semi-rural property to a Golden Cove-type bustling environment, every day, every evening, 7 days a week.

I have reviewed the light plans submitted with the EIR and I pointed out to you that the plans are inaccurate because they show zeros off of the property. I am sure the City Council did not realize the effect of this illuminated parking lot or they never would have signed off on the EIR.

You and I went in circles over the definition of light as you insisted the lights project down onto the parking lot and are contained on the parking lot and that I do not see the light. You explained, "Of course you can see the parking lot illuminated but you are not seeing the light source nor is the light source emitting onto your property."

I repeated this quote to you and you agreed it was accurate.

I do not believe this illumination and the other nuisances I have previously identified comply with the City of Rancho Palos Verdes' low-density semi-rural atmosphere and its General Plan. It is hard for a lay person to imagine what effect lights look like on paper but it is very easy to see what they look like from our properties. The lights were turned on, on or about June 29, 2013, and I immediately informed Marymount that the lights are unacceptable. School was not in session so we were not able to access the full effect of these lights and illumination until after the students arrived. The overhead lights should be removed entirely.

There is no reason to have such illumination in that remote parking lot where there are no gangs, no "bad" neighborhood (7 of the 10 San Ramon neighbor households are Senior Citizens) and the only danger Marymount students may face would be from themselves. The ground lights should suffice to get the students to their vehicles and Marymount might consider security cameras to capture any illegal activity. The existing sound wall between Marymount's tennis courts and San Ramon residents' back yards, should be continued around to the Vista Del Mar sound wall. This would not only help shield the light but also to deter/capture the trash both blown and intentionally thrown into the field, help buffer the annoying noise, discourage student loitering, drinking and excessive smoking close to the fire-susceptible open fields.

I will continue to come to the City offices to review the binders containing history of the EIR.

Again, thank you for your time today.

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

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Wednesday, October 09, 2013 5:14 PM  
**To:** Ara Mihranian  
**Subject:** Marymount East Parking Lot - Illumination

Dear Ara,

Thank you for trying to help me understand the "light language" pertaining to Marymount's new East Parking Lot.

I am not educated and experienced in light language and know only what light bothers me.

The light generated by Marymount's new parking lot is a great nuisance to me and to other affected residents so far that I have spoken to.

Marymount's East parking lot has parking spaces for 47 vehicles that face in my direction.

The parking spaces are on a slope.

Each vehicle shoots out 180 degrees of light from their headlights at night. The cumulative effect of these headlights, going on and off at different times and for different lengths of times, together with the illumination from the overhead lights when students leave the parking lot reminds me of a disco ball. The lights go on and off and sometimes linger with chit-chatters. This illumination can be clearly seen from as far away as Bogdanovich park. The new parking lot looks like a beacon – a lighthouse or in my case, a disco light and has greatly changed my peaceful semi-rural property to a Golden Cove-type bustling environment, every day, every evening, 7 days a week.

I have reviewed the light plans submitted with the EIR and I pointed out to you that the plans are inaccurate because they show zeros off of the property. I am sure the City Council did not realize the effect of this illuminated parking lot or they never would have signed off on the EIR.

You and I went in circles over the definition of light as you insisted the lights project down onto the parking lot and are contained on the parking lot and that I do not see the light. You explained, "Of course you can see the parking lot illuminated but you are not seeing the light source nor is the light source emitting onto your property."

I repeated this quote to you and you agreed it was accurate.

I do not believe this illumination and the other nuisances I have previously identified comply with the City of Rancho Palos Verdes' low-density semi-rural atmosphere and its General Plan. It is hard for a lay person to imagine what effect lights look like on paper but it is very easy to see what they look like from our properties. The lights were turned on, on or about June 29, 2013, and I immediately informed Marymount that the lights are unacceptable. School was not in session so we were not able to access the full effect of these lights and illumination until after the students arrived. The overhead lights should be removed entirely.

There is no reason to have such illumination in that remote parking lot where there are no gangs, no "bad" neighborhood (7 of the 10 San Ramon neighbor households are Senior Citizens) and the only danger Marymount students may face would be from themselves. The ground lights should suffice to get the students to their vehicles and Marymount might consider security cameras to capture any illegal activity. The existing sound wall between Marymount's tennis courts and San Ramon residents' back yards, should be continued around to the Vista Del Mar sound wall. This would not only help shield the light but also to deter/capture the trash both blown and intentionally thrown into the field, help buffer the annoying noise, discourage student loitering, drinking and excessive smoking close to the fire-susceptible open fields.

I will continue to come to the City offices to review the binders containing history of the EIR.

Again, thank you for your time today.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, October 07, 2013 5:28 PM  
**To:** Ara Mihranian  
**Cc:** MBrophy@marymountpv.edu  
**Subject:** Marymount College new east parking lot - trash photos  
**Attachments:** Marymount Parking lot bags of trash removed from hillside Octob.jpg; Marymount Parking lot hillside trash Oct 6, 2013.jpg; Marymount Parking lot hillside Beer bottles cans alcohol trash.jpg; Marymount Parking lot hillside paper airplane trash Oct 6, 2013.jpg; Marymount Parking lot hillside Trojan and Marymount document tr.jpg

Here are the photos showing the bags of trash I picked up on Sunday, October 6, 2013 from Marymount College's new East Parking Lot:

- 1) Marymount Parking lot bags of trash - two photos, one showing a blue Ikea bag filled with beer and alcohol bottles and cans as well as one plastic soda bottle filled with cigarette butts from on section of the parking lot that abuts the brush; the other showing three bags of trash in the field after first collection trip;
- 2) Marymount Parking lot hillside trash - three photos showing hillside trash, yoghurt container and plastic water bottle in field;
- 3) Marymount Parking lot paper airplane trash - three photos showing paper "airplane" trash – papers, including a Marymount brochure folded into the shape of a glider;
- 4) Marymount Parking lot hillside Trojan trash - three photos showing package of Trojan product, a Marymount paper "Determining ... Acceleration of Gravity and other Marymount documents in the field;
- 5) Marymount Parking lot beer bottle trash – three photos showing bags containing beer bottles, beverage cans and other trash on hillside.

Sincerely,

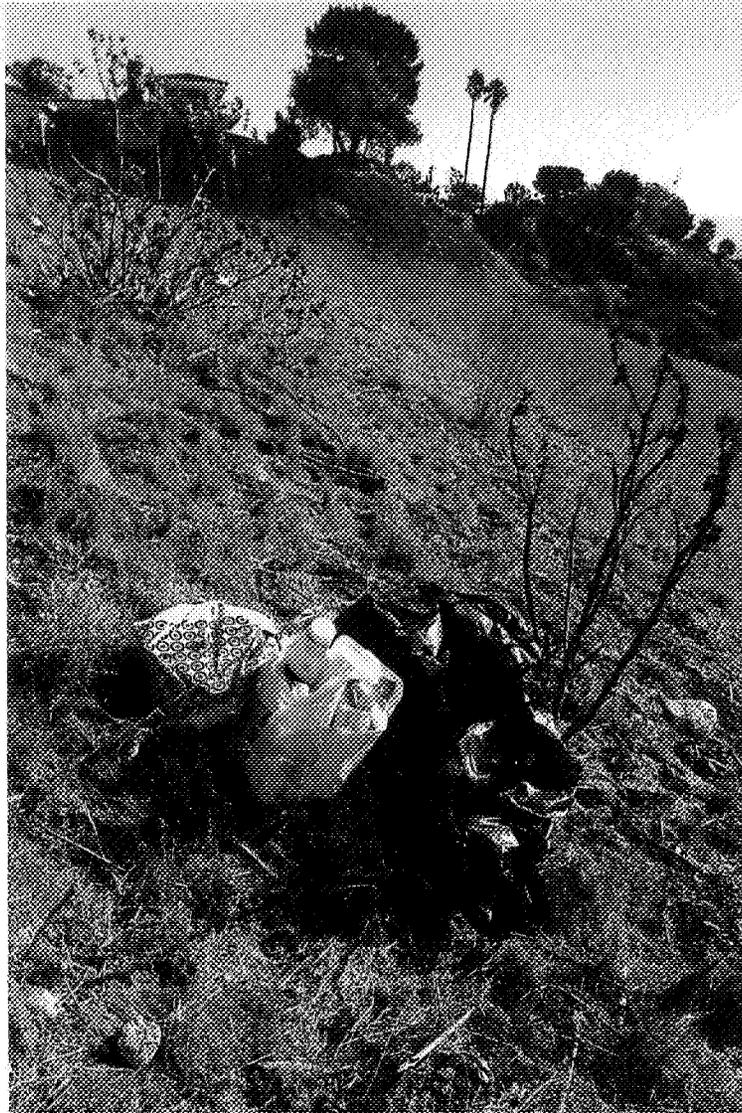
Diane Smith











Item #1 Attachment F-353

## Ara Mihranian

---

**From:** Diane Smith <radlsmith@cox.net>  
**Sent:** Monday, October 07, 2013 4:30 PM  
**To:** Ara Mihranian  
**Cc:** MBrophy@marymountpv.edu  
**Subject:** RE: Marymount new east parking lot

I have golf tomorrow morning so Wednesday morning will work. What time is best for you. Would you please let me know the date of the City Council's six month review and the date of the upcoming Neighborhood Advisory Committee meeting? I spoke to the homeowner at the end of Tarapaca (sp?) in the El Prado community and he is very upset with the intrusive lights from the Marymount Parking Lot. I have yet to speak to his neighbors - I count 12 homes within sight of the lights. I'll try contacting them tonight.

I visited LA County Fire Captain just before noon today and asked him if we should be worried brush fire considering all the cigarette butts at the new parking lot. Off-hand he said I should not be concerned unless the cigarettes are flicked live into the brush. He told me he would visit the site and get back to me. I have developed the trash photos and will bring them all with me Wednesday morning. I will scan and describe the very surprising ones and email them to you.

Sincerely,

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

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

From: Ara Mihranian [mailto:AraM@rpv.com]  
Sent: Monday, October 07, 2013 9:27 AM  
To: radlsmith@cox.net  
Cc: MBrophy@marymountpv.edu; Joel Rojas; Eduardo Schonborn  
Subject: RE: Marymount new east parking lot

Mrs. Smith,

The City is receipt of the emails you submitted over the weekend documenting your concerns with the use and condition of the newly constructed parking lot at Marymount.

The information you are providing will be presented at the upcoming Neighborhood Advisory Committee meeting between Marymount and the neighboring five homeowner's associations. Additionally, according to Condition No. 18, the concerns you are expressing will be addressed at the City Council's six month review of the newly constructed parking lot. In regards to the EIR, I am available to meet with you on Tuesday or Wednesday mornings, let me know what works for you.

Regards,  
Ara

Ara Michael Mihranian  
Deputy Director of Community Development \_\_\_\_\_

30940 Hawthorne Blvd.  
Rancho Palos Verdes, CA 90275  
310-544-5228 (telephone)  
310-544-5293 (fax)

aram@rpv.com  
www.palosverdes.com/rpv

☐ Do you really need to print this e-mail?

This e-mail message contains information belonging to the City of Rancho Palos Verdes, which may be privileged, confidential and/or protected from disclosure. The information is intended only for use of the individual or entity named. Unauthorized dissemination, distribution, or copying is strictly prohibited. If you received this email in error, or are not an intended recipient, please notify the sender immediately. Thank you for your assistance and cooperation.

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

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

Sent: Monday, October 07, 2013 7:59 AM

To: Ara Mihranian

Cc: MBrophy@marymountpv.edu

Subject: Marymount new east parking lot

At this time yesterday I had already photographed and picked up one large trash bag full of trash from the hillside below Marymount's new east parking lot. I went back for a second and third bag. I filled the second bag with mostly large beer and hard liquor bottles from the south end of the lot. I can't imagine how awful the parking lot must be for that neighboring homeowner! There are a few bottles in smashed condition still there. As I walked back along the edge of the parking lot I noticed many cigarette butts. I picked up 97 cigarette butts, mostly from the new wood chip covering beyond the edge of the parking lot. I'm surprised the cigarettes did not ignite because it appears they were just flicked out and left to burn. I did not go beyond the wood chip area looking for cigarette butts and I stopped collecting them once I came to the enlarged cement area with the two trees. If you go to that area this morning you will see for yourself how many cigarette butts there are. I will stop by the fire station on my way home today and make inquiry to see if we should be concerned about fire hazard as the parking lot abuts a fire hazard zone. There sure was a lot of trash there. I noticed there was no food in the plastic trash containers, plastic and paper lunch bags but there is a coyote trail leading up to the area. I picked up several paper "airplanes" where the kids were shooting them off the ridge into the field - one of them is a folded up Marymount parking paper! I also retrieved a new "arrow." I have saved the trash and will follow-up with pictures and itemized description. There is a lot of trash - especially since you consider the school year as just started!

I will be looking to see what the City required regarding trash and smoking in the EIR.

Also, my computer could not load the complete EIR "letters" pdf. There was a notice "This pdf document might not be deployed correctly." so I will have to make a trip to the city to review hard copies. Please let me have some times when this will be possible.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547-3856

## Ara Mihranian

---

**From:** radlsmith@cox.net  
**Sent:** Monday, October 07, 2013 7:59 AM  
**To:** Ara Mihranian  
**Cc:** MBrophy@marymountpv.edu  
**Subject:** Marymount new east parking lot

At this time yesterday I had already photographed and picked up one large trash bag full of trash from the hillside below Marymount's new east parking lot. I went back for a second and third bag. I filled the second bag with mostly large beer and hard liquor bottles from the south end of the lot. I can't imagine how awful the parking lot must be for that neighboring homeowner! There are a few bottles in smashed condition still there. As I walked back along the edge of the parking lot I noticed many cigarette butts. I picked up 97 cigarette butts, mostly from the new wood chip covering beyond the edge of the parking lot. I'm surprised the cigarettes did not ignite because it appears they were just flicked out and left to burn. I did not go beyond the wood chip area looking for cigarette butts and I stopped collecting them once I came to the enlarged cement area with the two trees. If you go to that area this morning you will see for yourself how many cigarette butts there are. I will stop by the fire station on my way home today and make inquiry to see if we should be concerned about fire hazard as the parking lot abuts a fire hazard zone. There sure was a lot of trash there. I noticed there was no food in the plastic trash containers, plastic and paper lunch bags but there is a coyote trail leading up to the area. I picked up several paper "airplanes" where the kids were shooting them off the ridge into the field - one of them is a folded up Marymount parking paper! I also retrieved a new "arrow." I have saved the trash and will follow-up with pictures and itemized description. There is a lot of trash - especially since you consider the school year as just started!

I will be looking to see what the City required regarding trash and smoking in the EIR.

Also, my computer could not load the complete EIR "letters" pdf. There was a notice "This pdf document might not be deployed correctly." so I will have to make a trip to the city to review hard copies. Please let me have some times when this will be possible.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

310/547=3856

---

**Date:** Monday, July 29, 2013 9:07 PM

**RECEIVED**

**From:** radlsmith@cox.net

OCT 11 2013

**To:** planning@rpv.com

**COMMUNITY DEVELOPMENT  
DEPARTMENT**

**Subject:** Marymount College - parking lot lights and noise

---

Dear Mr. Rojas and City Council,

On June 29, 2013 I forwarded an email to Marymount advising we were shocked at Marymount's new parking lights. I have not had a response to date.

For over 30 years my husband and I have, almost every single evening, sat outside to enjoy the view of the ocean lit up by the moon and to enjoy the peaceful atmosphere. We were stunned when we saw the Marymount parking lot bright lights casting light and shadows over the fields. We can't imagine how awful it will be once cars start using this parking lot - coming and going with bright vehicle lights, night after night. And what about the noise of honking cars, people, loud music and security devices going off? The sound travels very clearly in the evenings and sometimes we can hear people talking in normal voices from the cul-de-sac and few homes off of the switchbacks next to that parking area (see attached photos). The lights are bad enough but we are dreading the lights and noise from the cars using that parking lot.

I can't believe the City of Rancho Palos Verdes would even consider allowing such a nuisance to our neighborhood.

Please tell me Marymount will, at the very least, be required to construct a high solid freeway-type wall to block such annoying lights and anticipated noise of people, of honking cars and security devices going off.

I am so very disappointed in this religious organization for its inconsiderate treatment of its neighbors and I am equally disappointed in the City of Rancho Palos Verdes for its inconsiderate treatment of us.

Sincerely,

Diane Smith

2704 San Ramon Drive

Rancho Palos Verdes, CA 90275

(310) 547-3856

Richard A. and Diane L. Smith  
2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275  
(310) 547-3856  
[radlsmith@cox.net](mailto:radlsmith@cox.net)

RECEIVED

OCT. 04 2013

COMMUNITY DEVELOPMENT  
DEPARTMENT

October 4, 2013

HAND DELIVERED

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

Re: Marymount College East Parking Lot lights

Thank you for speaking with me Wednesday morning, October 2, regarding the annoying lights from Marymount College's new east parking lot. I came into the City offices to review those portions of the Marymount's EIR that pertain to the new lighted parking lot, however, I was told that neither Mr. Rojas nor Ara Mihranian were available. I left you with my name and telephone number and subject matter but to date I have not heard from anyone. Accordingly, I am writing this letter to formally request that the EIR file be made available to me, together with documentation on other actions taken by the City of RPV to change the City lighting rules.

My husband and I had no idea that the City of Rancho Palos Verdes would allow such strong and annoying lights from Marymount's new parking lot. As soon as I saw the light I immediately notified Marymount College of this unacceptable lighting. The front parking lot has little lights that illuminate the parking area quite well. But these new lights are huge and emit strong annoying light that shines on my property. If that isn't bad enough, all the vehicles and their 180 degree headlights are pointed in our direction at our property and that is simply unacceptable. In defense of its residents I would think the City of Rancho Palos Verdes would require Marymount to use minimum lighting and that it be directed to Marymount's own property. In addition, the vehicle headlights should be directed to Marymount's property and not ours. This is not an unreasonable request – this is simply common courtesy and respectful to the overall rural ambience of the community.

You may take example of our neighboring city of Rolling Hills Estates. The Peninsula High School neighbors successfully protested proposed weekly stadium lights. Marymount's lights are on at prime time every evening. You may also take example of the Peninsula High School parking lot lights.

I look forward to hearing from you.

Sincerely,

  
Diane Smith

Cc: Joel Rojas, Planning Director ✓

Ara Michael Mihranian  
Deputy Community Development Director

Cc: Dr. Michael Brophy, President, Marymount College

Cc: City Council:

|   |  |
|---|--|
| <b>Susan Brooks, Mayor</b><br>30940 Hawthorne Blvd<br>Rancho Palos Verdes, CA 90275<br>Home: (310) 541-2971<br>Bus: (424) 206-9160<br>Email: <a href="mailto:susan.brooks@rpv.com">susan.brooks@rpv.com</a>                             | <b>Jim Knight, Councilman</b><br>30940 Hawthorne Blvd<br>Rancho Palos Verdes CA 90275<br>Email: <a href="mailto:jim.knight@rpv.com">jim.knight@rpv.com</a><br>Cell: (310) 318-4290                         |
| <b>Jerry Duhovic, Mayor Pro Tem</b><br>32415 Nautilus Drive<br>Rancho Palos Verdes, CA 90275<br>Cell: (310) 502-8036<br>Email: <a href="mailto:jerry.duhovic@rpv.com">jerry.duhovic@rpv.com</a>   | <b>Anthony M. Misetich, Councilman</b><br>30940 Hawthorne Blvd.<br>Rancho Palos Verdes, CA 90275<br>Phone: (310) 489-6061<br>Email: <a href="mailto:anthony.misetich@rpv.com">anthony.misetich@rpv.com</a> |
| <b>Brian Campbell, Councilman</b><br>30940 Hawthorne Blvd<br>Rancho Palos Verdes, CA 90275<br>Business Phone: (310) 544-7400<br>Cell Phone: (424) 255-8887<br>Email: <a href="mailto:brian.campbell@rpv.com">brian.campbell@rpv.com</a> |  |

## Ara Mihranian

---

**From:** radlsmith@cox.net  
**Sent:** Saturday, October 05, 2013 5:29 PM  
**To:** Ara Mihranian  
**Cc:** MBrophy@marymountpv.edu  
**Subject:** Marymount East Parking lot Fwd: View from Bogdanivich  
**Attachments:** image.png; View from Bogdanivich (2)

Attached is a cell phone picture taken by my niece yesterday evening at about 7:30 pm from Bogdanivich park Basketball building where Marymount's East Parking lot lights are clearly visible. My grandson had just finished Pop Warner Football practice and my niece Naomi commented, "you can even see the lights from here."

I am continuing to review the massive EIR and it is very clear that the residents did not want the Marymount expansion. I will keep you posted.

Sincerely,  
Diane Smith

> Subject: View from Bogdanivich  
> From: Naomi Allen <nla1@icloud.com>  
> Date: Fri, 04 Oct 2013 19:23:16 -0700  
> To: Auntie Didy <radlsmith@cox.net>  
>  
>  
>  
> Sent from my iPhone



## Ara Mihranian

---

**From:** radlsmith@cox.net  
**Sent:** Friday, October 04, 2013 4:46 PM  
**To:** Ara Mihranian  
**Cc:** MBrophy@marymountcalifornia.edu  
**Subject:** Marymount East Parking Lights - noise - trash

Dear Mr. Mihranian,

Thank you for meeting with me this afternoon. As you suggested I will read all the material on the website regarding Marymount's parking lot. I will also keep track of the noise I experience such as the screeching tires Oct. 1st, the two girls playing "morris code" with their vehicle security buttons and then laughing about it, the four boys yesterday with the basketball bouncing. Last week we experienced motorcycles revving their engines while they chatted. About 10 minutes ago a couple of students were eating and looking out at the view. A security guard walked by - (this was the first time I have seen a security guard so I wondered if you had already mentioned these incidents to Dr. Brophy) - and then I noticed some trash - and more trash trickling down the slope. It is difficult and dangerous to pick up trash from that slope but it is unsightly. The prevailing wind crosses that parking lot. Therefore, any trash will wind up either in the Cornelius side yard or the hillside. Students generate a lot of trash. I know first hand because I have picked it up on my daily walks. Marymount put in the two pebble trash receptacles at the entrance to their property as result of my request to Dr. Woods many years ago. It seems Marymount will need to put in more trash receptacles in their new parking area. Again, I am telling you this at your request.

Again, thank you for your time. I will get back to you as soon as possible.

Sincerely,

Diane Smith

2704 San Ramon Drive  
Rancho Palos Verdes, CA 90275

## Ara Mihranian

---

**From:** Marc Harris <marc\_90277@yahoo.com>  
**Sent:** Monday, August 26, 2013 9:07 PM  
**To:** Ara Mihranian  
**Cc:** Duncan Tooley  
**Subject:** Parking Lot Screening

Hi Ara,

So the wife and I are in the pool today and cars are parking in the lot. Both of us are are now really wanting the screening vegetation. To be honest, I swore that this was always part of the plans.

Every image constructed showed screening.

From the April 17th, 2012 Public hearing document under project description

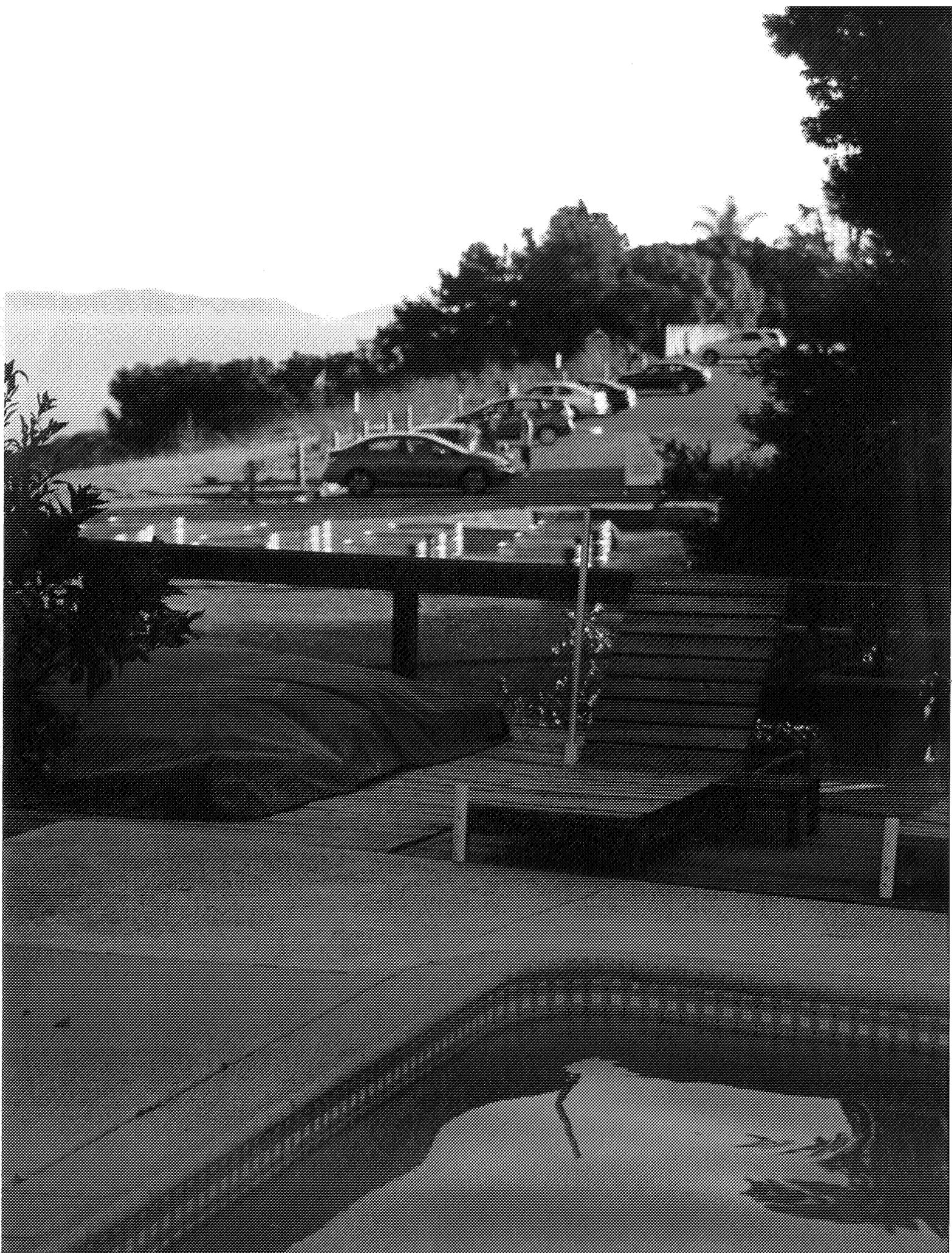
Landscaping is proposed to screen the parking lot and driveway access road from neighboring properties and the properties to the south consistent with the approved conditions of approval.

I am assuming that to get this parking lot approved that screening was part of the deal with the city. Is that the case? If this project is supposed to be complete by 9/30/2013, we need some screening vegetation by that time. Is the city going to enforce this or should I start asking Marymount?

Let me know.

Thanks

Marc Harris



Item #1 Attachment F-364