

An email message distributed by RPV Councilman Doug Stern – March 13, 2010

Update - Some Comparison Information about the Marymount College Ballot Initiative

RPV City Staff has provided a short Memorandum for the City Council providing some summary information about the 51 page Marymount College Ballot Initiative that Marymount is trying to place on the November 2010 ballot. I thought providing most of the Memorandum to the residents would be valuable to aid them in deciding if they wish to sign the petitions, or vote for or against the initiative. This information will help residents begin to understand the initiative, some of the complexities, and some of the reasons that I am troubled that a significant and complex land use decision may become a voter initiative. The purpose of the Measure would be to amend the City's General Plan and Zoning Code to create a new specific plan district that will apply only to Marymount College's property.

Like most things, the devil is in the details. I am not a fan of the initiative process, and do not believe that it leads to good laws or good public policy. This initiative has some troubling details. On the assumption that enough voters may sign the initiative and place the matter on the ballot for all voters to decide, I think it important that we try to provide as much information as possible for the voters. This is not a simple matter, and yet the voters will have to vote "Yes" or "No" to either adopt the entire proposal as written by Marymount College, or reject that initiative.

Placing the matters on the ballot will also cost the residents tens of thousands of dollars, as the city is obligated to pay the costs of the election, and there otherwise would be no RPV election in November 2010.

Once the Initiative Petitions are circulating, I would urge RPV residents to NOT sign them. (You can download the entire Petition by clicking:

<http://www.palosverdes.com/rpv/planning/marymount/Marymount-College-Initiative-Measure.pdf>)

Comparison of the Marymount College Proposed Initiative vs. the College's Current Application

On March 2, 2010, Marymount College submitted a proposed initiative for possible qualification as a ballot measure. The initiative submitted by Marymount College for

ballot qualification and the City's decision on the College's current entitlement application are two separate matters.

With regards to the differences between the Marymount College expansion project approved by the Planning Commission and the project described in the submitted ballot initiative, it appears that the main differences are that the project in the initiative contains dormitory housing (2 buildings for 255 occupants) and the athletic field in the location originally proposed by the college adjacent to PVDE. In addition, based on a preliminary review, the differences between the conditions of approval imposed by the Planning Commission and the "campus requirements" included in the College's initiative include but are not limited to the following:

- * Deleting the requirement to implement the Mitigation Monitoring and Reporting program. Although it appears that some (if not all) of the mitigation measures have been added to the "Campus Requirements."
- * Deleting the six (6) month review condition.
- * Allowing the construction of the Residence Halls and the Gallery connecting the two Residence Hall buildings.
- * Constructing the athletic field and tennis courts at the western portion of the campus similar to the plan approved by the Planning Commission [This places the athletic field in the location closest to P.V.Dr. East of all the proposed locations.]
- * Installing photovoltaic roof panels.
- * Replacing the 8 year construction phasing condition with a requirement that construction be completed within the time period allowed pursuant to the City's Uniform Building Code, including time extensions.
- * Deleting the condition prohibiting the permanent use of temporary modular buildings.
- * Replacing the condition that allows a 200 cubic yard deviation from the permitted grading to a ten (10) percent deviation (approximately 8,480 cubic yards based on a total of 84,800 cubic yards of total grading) for unforeseen circumstances.
- * Deleting the condition that prohibits the removal or delivery of earth, rock or other material without first obtaining City approvals through a revision to the grading permit and environmental analysis.
- * Implementing campus "Quiet Hours" between 10:00 p.m. and 7:00 a.m. and discouraging late night driving and staff monitoring of vehicles entering and leaving the campus between 11:00 p.m. and 6:00 a.m.

- * Replacing the condition prohibiting the use of outdoor amplification, with the exception of graduation ceremonies, unless a Special Use Permit is obtained with a requirement that a Special Use Permit will only be required for special events where demonstrable evidence indicates that noise levels will exceed 65dba for a cumulative period of 15 minutes in any hour at the applicable property lines.
- * Deleting the condition prohibiting sub-leasing the campus for commercial purposes that are unaffiliated with the College.
- * Deleting the condition that requires a trial period of thirty (30) days for the installation of outdoor lighting.
- * Adding traffic impact mitigation requirements at the intersections of PDVE / Miraleste, Western Avenue / Trudie Drive - Capitol Drive, and PVDE/PVDS similar to the Commission adopted mitigation measures.
- * Deleting the condition requiring the College construct and maintain no fewer than 463 on-site parking spaces with minimum dimensions.
- * Limiting a total of 125 vehicles to be parked on site in association with the Residence Halls
- * Replacing the conditions regulating landscaping, including tree heights, with a requirement that the landscaping shall be planted and maintained in accordance with the City's landscape requirements.
- * Deleting the condition prohibiting the use of the athletic field for activities involving baseballs, golf balls or other similar sized balls that cannot be adequately contained by the use of the field net.
- * Including requirements for biological resources that are consistent with the mitigation measures adopted by the Planning Commission.

Thanks,

Douglas W. Stern

Rancho Palos Verdes City Councilman