



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

HEARING EXAMINER STAFF SUMMARY

PROJECT NO. R2007-03064-(3)
CONDITIONAL USE PERMIT NO. 200700203
PARKING PERMIT NO. 200700014
ENVIRONMENTAL ASSESSMENT NO. 200700169

PROJECT DESCRIPTION

The applicant, Pepperdine University, is requesting a conditional use permit for the construction, operation and maintenance of the Campus Life Project (Project) which proposes to develop and re-develop property within an existing approximately 365-acre campus development area within the 830-acre property in a 12-year, two-phase development program. Six components of proposed development include approximately 456,940 square feet of new development less approximately 62,803 square feet of demolition for a total of approximately 394,137 square feet of net new development comprised of the following: 1) Student Housing Rehabilitation (150,692 net new square feet; 468 net new beds); 2) Athletics and Events Center (maximum 5,470-seat, 235,845 net new square feet); 3) Upgraded Soccer Field and Maintenance Facilities (1,500 net new square feet); 4) Town Square and Welcome Center over Subterranean Parking (4,500 net new square feet); 5) Enhanced Recreation Center Area (1,600 net new square feet); 6) School of Law Parking Structure (three levels). A total of 2,013 new parking spaces are proposed with the loss of 1,217 spaces for a net increase of 796 spaces of onsite proposed parking and a total of 5,380 maximum spaces at project build-out. A parking permit is requested to continue authorization of parking based on one parking space per full time equivalent (FTE) student minimum to a maximum of 3,500 FTE students (County) / 5,000 FTE students (Coastal Commission). Grading proposed is comprised of approximately 127,935 net cubic yards of cut and 235,700 net cubic yards of fill for a net deficit of 107,765 cubic yards of fill. Additional soils may be obtained from the approved Graduate Campus project site pad to offset any deficit in fill. Onsite grading is anticipated to be balanced on the property with the exception of a maximum of 70,000 cubic yards of residual cut grading comprised of bedrock, which may be required to be exported.

REQUIRED ENTITLEMENTS

- A Conditional Use Permit to authorize a development program for construction, operation, and maintenance of 394,137 net new square feet of development and grading in excess of 100,000 cubic yards within approximately 365 acres of existing core campus area on an 830-acre site in the A-1-1-DP (Light Agricultural-One Acre Minimum Required Area-Development Program) zone.
- A Parking Permit to authorize minimum parking requirements of one parking space per full time equivalent (FTE) student for a maximum of 3,500 FTE students.

LOCATION AND ACCESS

The Pepperdine University Campus is located to the west of the City of Malibu Civic Center near the intersection of Malibu Canyon Road at Pacific Coast Highway (PCH). Access to the campus is through two entrances, John Tyler Drive to the Southwest at PCH, and Seaver Drive at Malibu Canyon Road north of PCH.

SITE DESCRIPTION

All development proposed is located within the existing core-campus boundaries (approximately 365 acres) including the existing stockpile and debris basin located at the northerly portion of the core-campus boundary. The subject core-campus area is naturally hilly and sloping within the coastal fringe of the Santa Monica Mountains, includes flat to sloping terraced pads for existing and proposed development, and overlooks the Pacific Ocean above the City of Malibu

which fans out to the east and west. Approximately 465 acres of the property is comprised of undisturbed open space surrounding the core-campus to the north, northeast and northwest. Approximately 115 acres of undisturbed open space, or 15% of the property, is located at the most northerly portion of the site within Significant Ecological Area (SEA) No. 5. The closest development proposed is one half mile south of the SEA southerly boundary. The Malibu Country Estates residential community is located adjacent and southwest of the campus. Malibu Canyon Road is located adjacent to the southeast. In addition to the Malibu Knolls residential community above the Malibu Civic Center, church, elementary school, other commercial uses, and vacant properties are located to the southeast of the site in the City of Malibu. PCH, Malibu Bluffs State Park, and the Malibu Road Community are located directly south of the Pepperdine property. Deer and other native animals inhabit the surrounding property and pass through or occupy portions of the unfenced areas. Oak trees are located onsite and are to remain untouched and un-encroached upon by the proposed development. Native and non-native species of plants are located on the site. Three local drainages, partially altered by existing improvements, run through the development area. Existing access from PCH and Malibu Canyon Road connect to the existing internal circulation system.

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning (Department) determined by way of an Initial Study and identified in the Notice of Preparation sent to agencies, that an Environmental Impact Report (EIR) was necessary for the Project. The areas of potential environmental impact addressed in the Draft EIR (DEIR) include the following:

- Geotechnical Hazards
- Hydrology and Water Quality
- Fire Hazards
- Noise
- Air Quality
- Biota
- Cultural Resources
- Visual Qualities
- Traffic and Access
- Public Services including Fire Protection and Sheriff Protection services
- Public Utilities including Water Supply, Sewage Disposal, and Solid Waste
- Land Use

Global Climate Change was also analyzed in the DEIR.

The following areas required no further environmental review as described in the Initial Study.

- Mineral Resources
- Agriculture Resources
- Education
- Other Factors - General
- Population/Housing/Employment
- Parks and Recreation
- Public Utilities including Electricity/Gas
- Environmental Safety

As identified in the DEIR, after implementation of the required mitigation measures, the Project would result in no significant and unavoidable impacts to the environment with the exception of special event traffic as follows:

Traffic and Access

The Project would decrease traffic on the surrounding roadway network following completion of both Phase I and II of the project. The conversion of commuter students to resident students facilitated by the housing program plus the

onsite facilities provided by upgraded athletic, recreation, wellness, support programs, etc., would reduce the number of trips to and from the campus. Thus, on average the Project would generate reduced impacts to the local roadway system. However, the DEIR conservatively evaluates potential worst-case impacts that could occur resulting from well-attended events at the proposed Athletics/Events Center that are scheduled to start or end during peak hour periods. During these limited instances the Project would result in significant and unavoidable impacts at eight intersections as identified in the Traffic section of the DEIR.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Hearing Examiner Hearing by mail, newspaper, property posting, library posting and on the Department's website. Newspaper notices were originally published on October 27, 2010 in La Opinion and October 28, 2010 in the Malibu Times. Due to changes of hearing location and date, newspaper notices were also published in the L.A. Daily news on November 2, 2010, in La Opinion on November 3, 2010, and in the Malibu Times on November 4, 2010. Notices to property owners located within a 500-foot radius of the property boundaries, and to two local libraries, were mailed on October 28, 2010. Notices were verified to be posted on the subject property and were made available on the Department's website on October 28, 2010. On November 9, 2010 a Notice of Completion and Availability (NOC) of a DEIR was posted at the County Recorder's office. On November 10, 2010 the NOC was sent by mail to required agencies including the State Clearing House and other interested parties. The NOC is also posted on the Project site and on the Department's website.

PREVIOUS CASES/ZONING HISTORY

In February, 1971 the Los Angeles County Regional Planning Commission (Planning Commission) approved Zoning Case No. 5687 to change zoning to allow the site to be used for post-secondary educational purposes. In July, 1972, the Planning Commission approved Conditional Use Permit (CUP) No. 133 to establish the initial Pepperdine University campus in unincorporated Los Angeles County in the Malibu area, and Variance No. 82 to establish a parking ratio of one space per full time equivalent student. In February, 1987, CUP No. 2432 was approved by the Planning Commission to establish a conceptual Long Range Development Plan (LRDP) and associated Specific Plan for Development (Plan) for long range development of the campus, and approve construction of the first phase of the LRDP including a contingency approval of the Malibu Mesa Waste Water Treatment Plant expansion. In July, 1987, Zone Change (ZC) No. 85007 was adopted by the Board of Supervisors (Board) to establish the Development Program Zone (DPZ) and conditionally adopt the conceptual Plan to provide a tiered process for expansion of the campus and implementation of the LRDP during the future years. The approvals required submission and approval of future conditional use permits and appropriate environmental documents to analyze and mitigate the impacts at each phase of development. Future analysis of traffic and sewage generation and the identification and costs of any necessary public infrastructure expansions to accommodate the Plan were specified by the Board. In April, 1990, the Executive Director of the California Coastal Commission (Coastal Commission) effectively certified the LRDP which included up to 1.2 million square feet of development in addition to development existing at that time, and a total enrollment cap of 5,000 full time equivalent students (FTE). In May, 1999, the County Board approved CUP 97-191 to establish the graduate student campus and cap enrollment at 3,500 FTE students. Over time to date, various CUP's were approved by the Planning Commission to provide for further build out of the LRDP. Required final actions by the Coastal Commission were obtained to authorize implementation, and/or revised implementation, of all County approvals. The current request is to complete and make minor revisions to the LRDP to enable build out of the campus as contemplated by the LRDP.

STAFF EVALUATION

Project consistency with the County of Los Angeles General Plan, compliance with the County Zoning Ordinance and development standards, neighborhood impact and land use compatibility, and evaluation of the applicant's ability to

meet the Conditional Use Permit and Parking Permit Burdens of Proof will be determined subsequent to the Hearing Examiner public hearing. The Hearing Examiner Public hearing is established primarily to receive public testimony on the merits of the Project prior to Project consideration by the Planning Commission.

Project Issues

A number of issues regarding the proposed project were raised by public agencies in response to the Notice of Preparation of an EIR and through the agency Screencheck DEIR review process. These issues have been addressed in the DEIR. Several issues have been identified as areas of controversy through the public review periods regarding the Initial Study/Notice of Preparation and the current DEIR. Comments include issues related to overall scale of the Athletics/Events Center, hours of operation of new and existing facilities, addition of athletic and recreation field lighting, event traffic and access particularly via John Tyler Drive, addition of new student housing on campus, public safety, construction impacts, and noise.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

County Department comments and conditions will be finalized subsequent to the Hearing Examiner public hearing and prior to consideration by the Planning Commission.

PUBLIC COMMENTS

Members of the Public

Five (5) members of the public provided written comments regarding the project at the time of this report.

Comments in Favor

Six (6) comments in favor of the project were received at the time of this report including statements of public benefit to the Malibu area as follows: use of reclaimed water; constructing LEED certified, or equivalent, buildings; decreasing student commuters and enhancing student life on campus; increased recycling; and use of drought tolerant vegetation.

Comments Opposed

No comments opposed were received at the time of this report.

REMAINING PROCEDURES

Since the DEIR public comment period does not close until January 10, 2011, mitigation measures and draft conditions pertaining to the Project will be completed following the Hearing Examiner public hearing. Once the DEIR comment period closes, the Department will review public comments received, will draft responses to those comments, and draft the Final EIR and Mitigation Monitoring and Reporting Program. Staff will also prepare California Environmental Quality Act (CEQA) Findings, draft Findings and Conditions pertaining to the Project related entitlements, and submit documentation to the Planning Commission for consideration prior to the Planning Commission hearing to be set at a future date.

Prepared by: Mr. Kim K. Szalay, MPL, AICP, Principal Regional Planning Assistant

Reviewed by: Samuel Z. Dea, Supervising Regional Planner

Attachments:

DEIR

Site Plans

Elevations

Conceptual Grading Plans

Land Use Map

SZD:KKS

11/29/10