

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



W 33b

DATE: August 22, 2013

TO: Commissioners and Interested Parties

FROM: Charles Lester, Executive Director
John Ainsworth, Senior Deputy Director
Melanie Faust, Senior Coastal Program Analyst

SUBJECT: Pepperdine University Long Range Development Plan (LRDP) Amendment No. 1-11-A: Executive Director's determination that action by Pepperdine University, acknowledging receipt, acceptance, and agreement with the Commission's certification with suggested modifications is legally adequate. This determination will be reported to the Commission at the September 11, 2013 meeting in Eureka.

On December 13, 2012, the Commission approved LRDP Amendment No. 1-11 Part A with suggested modifications. The subject amendment would allow for the "Campus Life Project," a 12-year, phased infill project within the developed 230-acre, lower campus area of the 830-acre Malibu campus. The main components of the project include: (1) Student Housing – new and refurbished dormitory facilities and related structures; (2) an Athletics/Events Center (AEC) with more than 5,000 seats and NCAA-competition volleyball and basketball facilities; (3) a NCAA-competition soccer field created by upgrading the existing outdoor field; (4) a "Town Square" visitors center with underground parking and a landscaped quad for campus community gatherings; (5) an Intramural Recreation area created by – expanding a flat pad area and install an intramural playing field with changing room/bathrooms; and (6) converting the School of Law parking lot into a tiered parking structure, adding 433 parking spaces convenient to the AEC.

On June 6, 2013, the Executive Vice President of Pepperdine University, Gary A. Hanson, submitted a letter (attached) acknowledging receipt of the Commission's certification of LRDP Amendment No. 1-11-A and accepting and agreeing to all modifications suggested by the Commission. The Pepperdine University Board of Regents Executive Committee approved a resolution in May 4, 1994 authorizing the University's Executive Vice President to bind the University and accept on its behalf amendments and modifications to the LRDP suggested by the Commission. A copy of the authorizing resolution is also attached.

Pursuant to Section 13547 of the California Code of Regulations, Title 14, Division 5.5, the Executive Director must determine that the action taken by Pepperdine University acknowledging receipt and acceptance of, and agreement with, the Commission's certification of the above referenced LRDP amendment with suggested modifications is legally adequate and report that determination to the Commission. The certification shall become effective unless a majority of the Commissioners present object to the Executive Director's determination.

I have reviewed the University's acknowledgement and acceptance of, and agreement with the terms and suggested modifications of LRDP Amendment No. 1-11-A, as certified by the Commission on December 13, 2012, and find that the University's action is legally adequate to satisfy the terms and requirements of the Commission's certification. I therefore recommend that the Commission concur in this determination.

PEPPERDINE UNIVERSITY

EXECUTIVE VICE PRESIDENT
Received

June 6, 2013

JUN 07 2013

California Coastal Commission
South Central Coast District

Mr. Jack Ainsworth
Senior Deputy Director
California Coastal Commission
89 S. California St., Suite 200
Ventura, California 93001

RE: Acceptance of Coastal Commission Modifications to Pepperdine University's LRDP Amendment 1-11

Dear Mr. Ainsworth:

On December 13, 2012, the California Coastal Commission voted to unanimously approve LRDP Amendment 1-11, Part A, with three suggested modifications. Because the Commission's approval is subject to suggested modifications by the Commission, the University must act to accept the suggested modifications. Pursuant to the requirements of Section 13547 of the California Code of Regulations, the Executive Director must make a determination that the University's action to accept the modifications is legally adequate.

In May 1994, the Pepperdine University Board of Regents Executive Committee approved a resolution authorizing the Executive Vice President to bind the University and accept on its behalf amendments and modifications to the LRDP suggested by the Commission. A copy of the resolution is attached. (*See Attachment A.*) With respect to the modifications placed on LRDP Amendment 1-11, Part A, please be advised that with this letter, the University hereby accepts and agrees to the modifications suggested by the Commission at its hearing on December 13, 2012 and reflected in the Adopted Findings dated December 18, 2013. The University has updated its LRDP accordingly.

At the Commission's request, with this acceptance we are also attaching the following two documents, which demonstrate how the University has incorporated the suggested modifications into its LRDP:

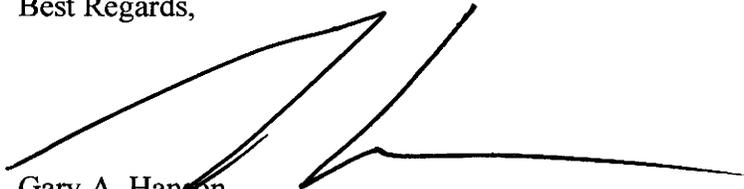
1. **PEPPERDINE UNIVERSITY LRDP: Policies and Amendments Compilation:** This document tracks the LRDP Specific Goals and Policies, as originally approved by the Commission in the LRDP in 1989 (certified in 1990), and as amended through all subsequent Commission-approved LRDP amendments and notices of impending developments (NOIDs). We have updated this compilation to reflect the new policies proposed by the Commission in Suggested Modifications 2 and 3 to LRDP Amendment A-11, Part A. (*See Attachment B.*)

2. **Pepperdine University Existing Long Range Development Plan Map:** This map reflects the location of the approved facilities listed in the Pepperdine University Long Range Development Plan Facility Spreadsheet. We have updated this map to reflect the new/modified facilities approved by the Commission in LRDP Amendment A-11, Part A. (See Attachment C.)

Though not formally submitted as an update to the University's LRDP, the University is also providing a Long Range Development Plan Facility Spreadsheet for reference purposes. (See Attachment D.) We anticipate that this document will provide additional detail concerning the status of previously approved facilities. This spreadsheet tracks all of the LRDP facilities as initially approved in the Specific Plan by the County and subsequently in the LRDP by the Commission in 1989 (certified in 1990), and as amended through all subsequent Commission-approved LRDP amendments and NOIDs. We have also updated this compilation to reflect the new/modified facilities approved by the Commission in LRDP Amendment 1-11, Part A.

We trust that this letter, along with the attached updated LRDP documents, and the additional reference document, provide the information necessary for the Executive Officer to make the determination that the University's action to accept the Commission's suggested modifications to LRDP Amendment 1-11, Part A is legally adequate. We also ask that you report such determination to the Commission at its next regularly scheduled public meeting on June 12, 2013, so that Pepperdine can move forward with its Campus Life Project. I would like to personally thank you and the rest of the Coastal Staff for the continued assistance throughout this process. Should you have any questions, please do not hesitate to contact Phil Phillips, vice president for Administration at (310) 506-7227, Rhiannon Bailard, associate vice president for Governmental & Regulatory Affairs at (310) 506-4702, or me directly.

Best Regards,



Gary A. Hanson
Executive Vice President and Assistant Corporate Secretary

Enclosures (4)

RESOLUTION

WHEREAS, on September 12, 1989, the California Coastal Commission (the "Commission") approved the Long Range Development Plan ("LRDP") for Pepperdine University, subject to certain modifications suggested by the Commission; and,

WHEREAS, on February 21, 1990, the Board of Regents of the University adopted a resolution accepting the Commission's action and suggested modifications (the "Resolution"); and,

WHEREAS, following receipt of the Resolution, the Executive Director of the Commission found the Resolution to be legally adequate and on April 20, 1990, the Commission concurred with and accepted the Executive Director's determination; and,

WHEREAS, since the adoption of the Resolution the University has sought amendments to the approved LRDP; and,

WHEREAS, the Executive Director and the Commission have required certification by the Board of Regents of the University authorizing certain University officers to bind the University to such amendments and to suggested modifications by the Commission,

NOW THEREFORE, BE IT RESOLVED, that the President and the Executive Vice President of the University, individually, each have the legal authority to bind the University to amendments to the LRDP and to accept modifications suggested by the Commission to the LRDP and to bind the University to such modifications, as evidenced in a writing executed by the President or Executive Vice President on behalf of the University; and,

BE IT FURTHER RESOLVED, that the Board of Regents of the University will continue to propose amendments to the LRDP; and,

BE IT FURTHER RESOLVED, that no other officer of the University is authorized to bind the University to any Commission action on the amendments to the LRDP or Commission suggested modifications; and,

BE IT FURTHER RESOLVED, there is no limitation on the authority of the President or the Executive Vice President to bind the University to a Commission suggested modification, provided that any such agreed to modification shall be evidenced by a writing executed by the President or the Executive Vice President; and,

BE IT FURTHER RESOLVED, that the President or the Executive Vice President is authorized to bind the

University with respect to any special condition imposed in connection with a Notice of Impending Development or any other special condition imposed by the Commission, provided that such agreement shall be evidenced by a writing executed by the President or the Executive Vice President; and,

BE IT FURTHER RESOLVED, that any written agreement entered into by the President or the Executive Vice President with respect to suggested modifications or special conditions shall be binding on the University and the University will take all necessary actions to satisfy such agreed to modifications or special conditions.

RESOLVED, this 4th day of May, 1994.