

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 641 - 0142



May 20, 1999

TO: Commissioners and Interested Parties

FROM: Charles Damm, Senior Deputy Director
Gary Timm, District Manager
Barbara Carey, Coastal Program Analyst

SUBJECT: Notice of Impending Development 2-99, Pursuant to the Pepperdine University Certified Long Range Development Plan (LRDP) for Public Hearing and Commission Action at the meeting of June 7-11, 1999 in Santa Barbara.

SUMMARY AND STAFF RECOMMENDATION

The impending development consists of two elements, described in detail below. The notice was received in the South Central Coast Office on May 12, 1999 and deemed filed on the same day. The University has indicated that notice of the impending development has been mailed, pursuant to California Code of Regulations §13549(b), on May 20, 1999 and that the impending development will begin no sooner than June 20, 1999. Staff is recommending that the Commission approve as submitted Notice of Impending Development, finding it consistent with the certified Pepperdine University Long Range Development Plan (LRDP).

I. Procedure

§30606 of the Coastal Act and §13547 through §13550 of the California Code of Regulations govern the Coastal Commission's review of subsequent development where there is a certified LRDP. §30606 of the Coastal Act states that the University shall be responsible for notifying the Commission, other interested persons, organizations, and governmental agencies of the impending development and provide data showing the project's consistency with the certified LRDP. §13549(b) requires the Executive Director or his designee to review the notice of impending development (or development announcement) within ten days of receipt and determine whether it provides sufficient information to determine if the proposed development is consistent with the certified LRDP. The notice is deemed filed when all necessary supporting information has been received.

Within thirty days of filing the notice of impending development, the Executive Director shall report to the Commission the pendency of the development and make a recommendation regarding the consistency of the proposed development with the certified LRDP. Subsequent development where there is a certified LRDP cannot be denied. It can only be conditioned where necessary to bring the development into conformity with the certified LRDP, pursuant to §13550 of the California Code of Regulations and §30605 and §30607 of the Coastal Act.

After public hearing, by a majority of its members present, the Commission shall determine whether the development is consistent with the certified LRDP and whether conditions are required to bring the development into conformance with the LRDP. No construction shall commence until after the Commission votes to render the proposed development consistent with the certified LRDP.

II. Staff Recommendation: Motion and Resolution.

Staff recommends that the Commission adopt the following motion and resolution. A **YES** vote by a majority of the Commissioners present is necessary to pass the motion.

Motion: I move that the Commission determine that the development described in Notice of Impending Development 2-99, is consistent with the Certified Pepperdine University LRDP.

Resolution: The Commission determines that the proposed Impending Development 2-99, is consistent with the Certified Pepperdine University LRDP, as submitted, for the reasons discussed in the findings herein.

III. Findings and Declarations.

The Commission finds and declares as follows:

A. Background.

On September 12, 1989, the Commission denied the Pepperdine University LRDP as submitted and approved it with suggested modifications necessary to bring the LRDP into conformance with the Coastal Act. On February 7, 1990, the Board of Regents of the University acknowledged the receipt of the Commission's certification and agreed to the terms of the modifications to the LRDP. On April 12, 1990, the Commission concurred with the Executive Director's determination that the Board's action accepting the certification was legally adequate and sent such determination to the Secretary of Resources,

thereby effectively certifying the LRDP. Since that time, the LRDP has been amended eight times and the University has processed eleven notices of impending development.

As certified in the LRDP, Pepperdine University's ultimate buildout will accommodate 5,000 Full Time Equivalent Students (FTE), 500 faculty, 777 staff members, and 17 administrators. The latest (1997-1998) figures show an enrollment of 2,433 FTE students, and employment of 238 faculty members and 677 staff members. The impending development would not result in any additional students, faculty or staff.

The University has prepared a development announcement for construction of the two elements discussed herein which is signed by the Executive Vice President of the University for the proposed development. On May 4, 1994, the Board of Regents of Pepperdine University adopted a resolution which authorized the Executive Vice President of the University to have the legal authority to initiate impending development and to bind the University to any special conditions imposed with by the Commission associated with such a notice.

Staff would note that the Alumni Park Improvement proposed herein was previously proposed as part of NOID 1-98. Prior to the hearing, the University withdrew the park improvements from consideration (Another element relating to replacement of the wastewater flow equalization station was also withdrawn from NOID 1-98. The wastewater station was subsequently approved in NOID 1-99) The University indicated that the park improvements would be re-submitted.

B. Description of the Impending Development.

The impending development includes two elements within the existing developed campus (shown on Exhibit 1) as follows:

1. **Alumni Park Improvement.** Minor leveling of the playing field area in Alumni Park (Facility 301), including 1,370 cu. yds. of grading (170 cu. yds. cut and 1,200 cu. yds. of fill). The maximum change in grade would be less than four feet. The fill material used for the proposed improvement will come from the University's approved stockpile site. The proposed grading plan is shown in Exhibit 3.
2. **School of Law Student Lounge Expansion.** Remodeling and addition of 1,100 sq. ft. to the student lounge in the existing School of Law (Facility 257). A significant addition to the existing School of Law structure was approved under NOID 2-90. That approval included the construction of 46,000 sq. ft. of library, classroom, office, and utility space. The University states that the as-built square footage of the law school addition is 43,867 sq. ft., which is 2,133

sq. ft. less than the approved structure. As such, the School of Law structure, with the addition of the impending lounge area, will be within the overall square footage of the project approved under NOID 2-90.

C. New Development.

§30250(a) of the Coastal Act states that new development shall not overburden the public infrastructure and shall be located where it will not have significant individual or cumulative effects on coastal resources. The LRDP contains policies relating to traffic, visual resources, wastewater disposal, etc. which require new development to minimize individual and cumulative impacts on coastal resources.

The proposed addition to the law school student lounge and the playing field improvements will both accommodate existing students. No additional students, faculty or staff would be generated by these proposed projects. As such, the impending development would result in no adverse impacts to coastal access from the generation of additional traffic.

Both elements of the impending development would be located in the central, developed area of the existing campus. The proposed improvement to the Alumni Park playing field is a minor modification to an existing recreational facility approved under the LRDP. The grading proposed to level the playing field area will result in no change in grade over four feet. This element will not have any adverse impacts on visual resources. The proposed addition to the law school will be one-story in height and will constitute a small addition to a large structure in the developed area of campus. As such, this improvement will have no adverse visual impacts.

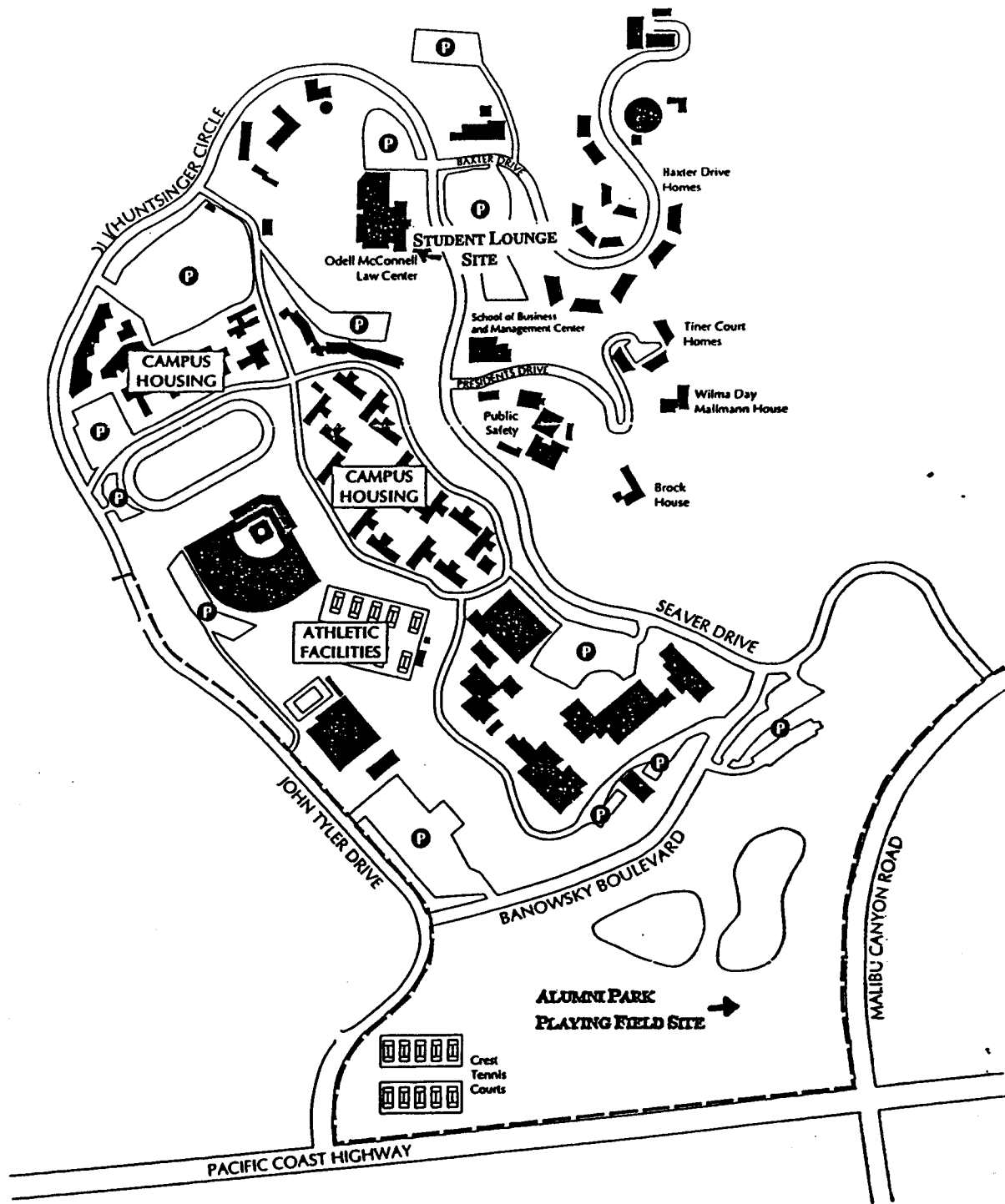
The LRDP also contains policies to address the cumulative impacts of sewage disposal relative to the build-out of the approved facilities. Based on Los Angeles County's method of calculating sewage generation estimates for land uses, the cumulative sewage generation for the campus, including existing and previously approved development is estimated at 275,928 gallons per day (gpd). The LRDP states that the total sewage capacity for the campus at buildout is limited to 300,000 gpd. 200,000 gpd may be treated at the Malibu Mesa Treatment Plant and, pursuant to the University's agreement with the Las Virgenes Water District, 100,000 gpd may be treated at the Tapia Plant. Notwithstanding the County's estimates for sewage generation, actual flow records maintained for the existing campus show that the current usage is 155,913 gpd average based on the nine month school year. Based on the actual flow records, the University's engineer has projected the cumulative total wastewater flows for all existing and impending development to be 170,648 gpd, well within the buildout capacity.

Pepperdine University
Notice of Impending Development 2-99
Page 5

The proposed project will not result in any additional wastewater flow. The proposed addition to the law school lounge will accommodate existing students. No additional enrollment is proposed or will result from this addition. Therefore, the proposed development is consistent with the LRDP policies regarding wastewater disposal.

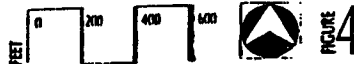
In conclusion, the Commission finds that the proposed development will have no adverse impacts, individually or cumulatively, on coastal resources and is consistent as submitted with the applicable policies of the LRDP.

EXHIBIT C
SITE MAP



PEPPERDINE UNIVERSITY MALIBU CAMPUS

ENVICOM CORPORATION



APPLICANT'S COPY

| |
|--------------------------|
| EXHIBIT 2 |
| NOID 2-99 |
| Location of improvements |

FIGURE 4

EXHIBIT D

NOTE:
NO STRUCTURAL FILL
REQUIRED. AREA TO BE
RELANIED WITH PREVIOUS
TURF COVER.

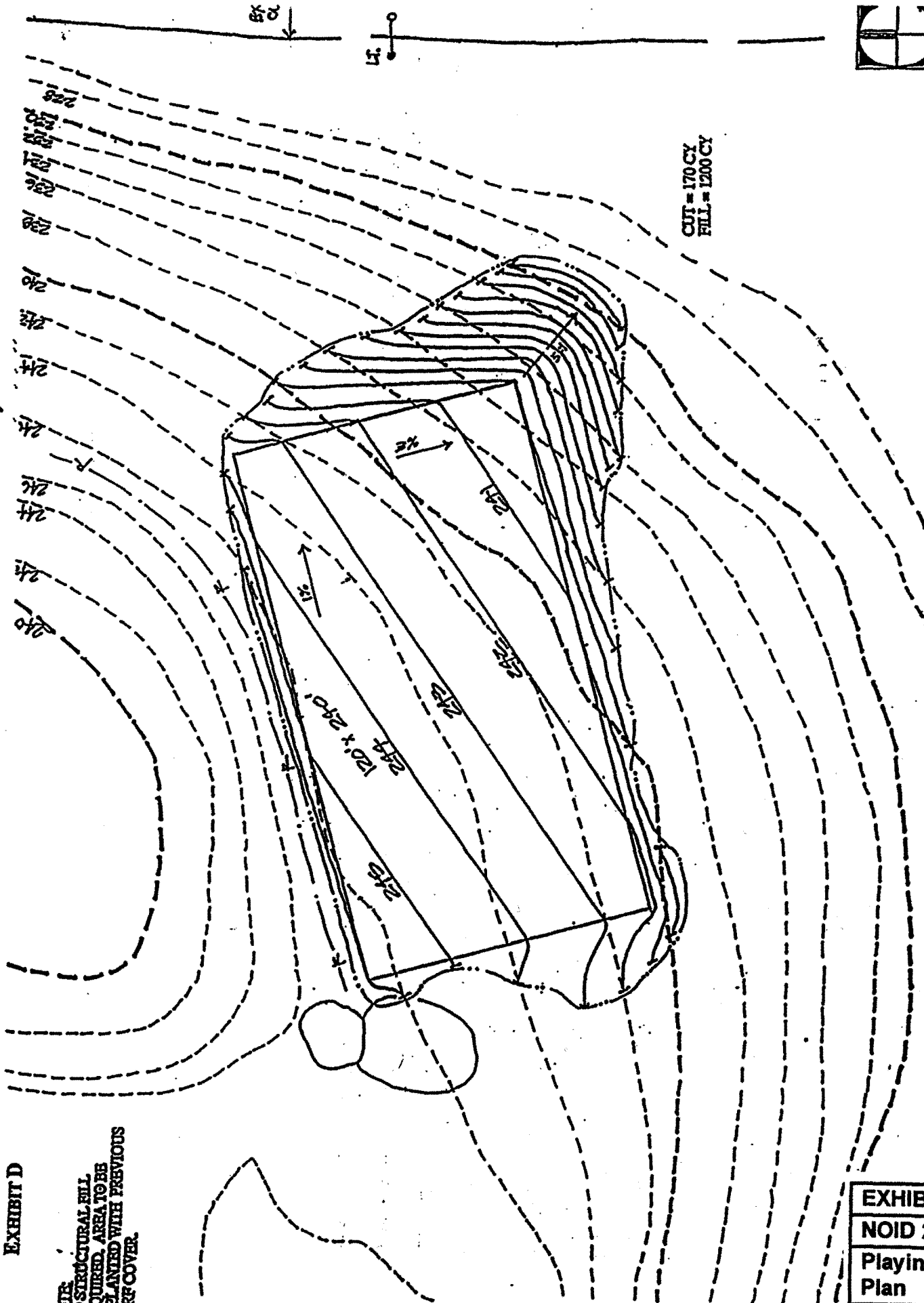


EXHIBIT 3
NOID 2-99
Playing Field Site
Plan

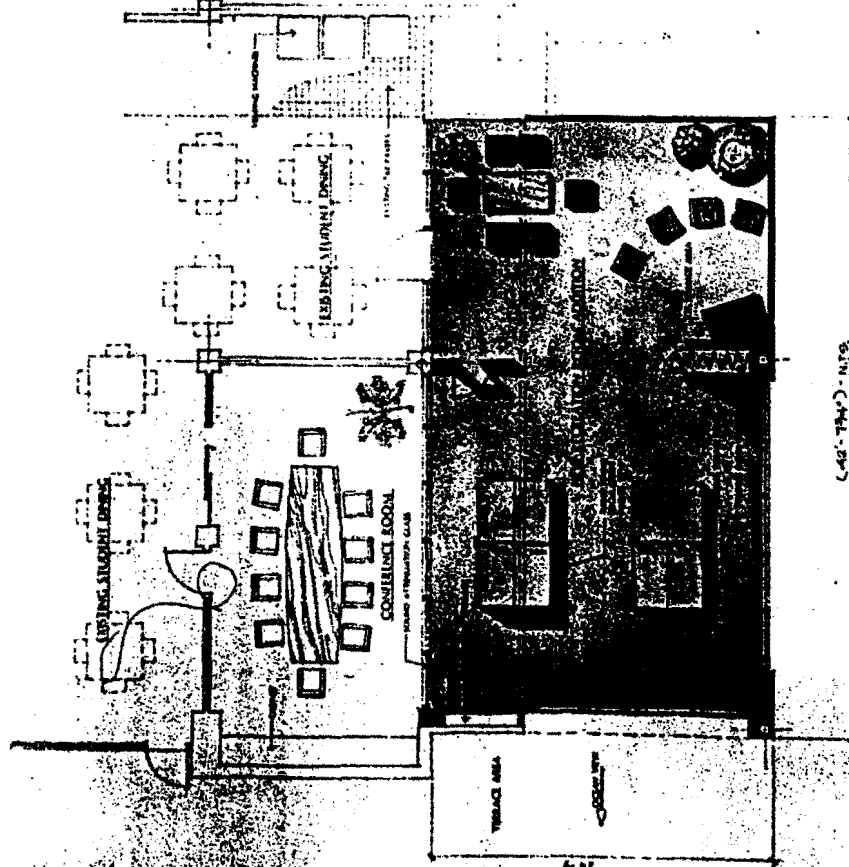
PEPPERDINE UNIVERSITY
ALUMNI PARK PLAYING FIELD

APPLICANT'S COPY

Scale 1"=40'-0"

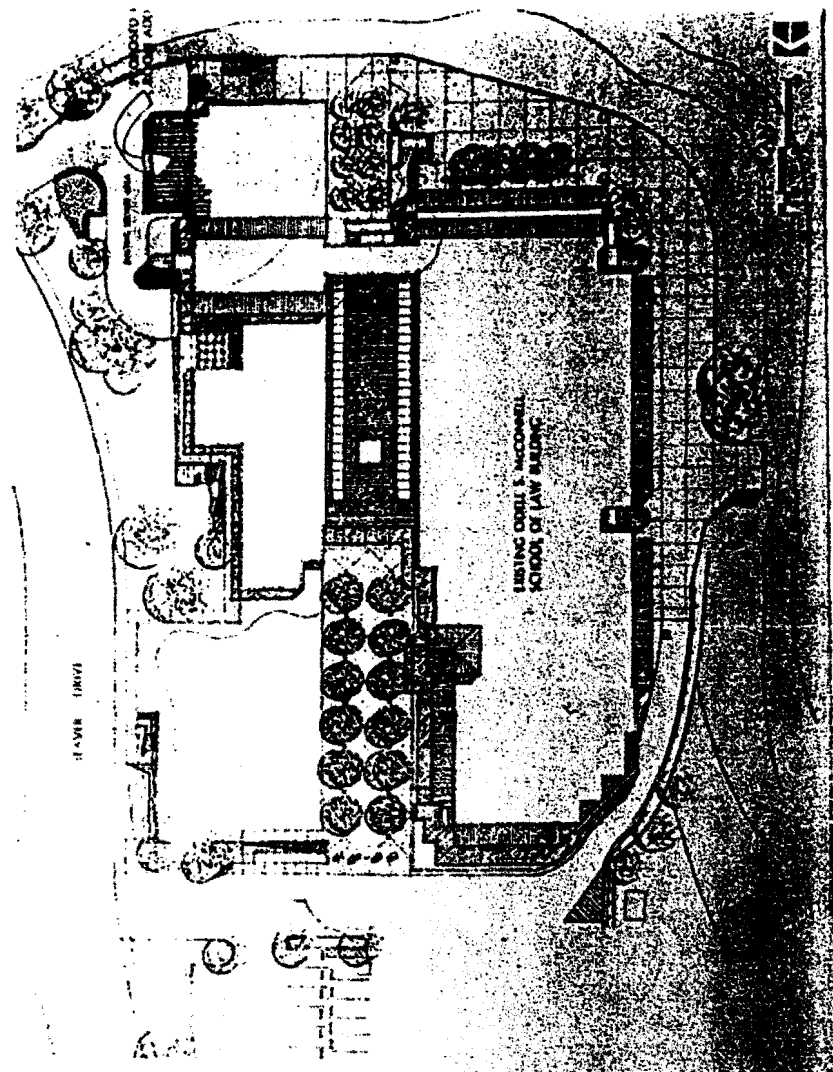


INTERIOR PERSPECTIVE
of RECREATION ROOM



FLOOR PLAN
SCALE 1/4" = 1'-0"

LEGEND:
 [Symbol] 1/2" BRICK / GYM WALL
 [Symbol] 1/2" BRICK WALL TO EXTERIOR
 [Symbol] EXISTING WALL TO BE DEMOLISHED



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|----------------------|
| EXHIBIT 4 |
| NOID 2-99 |
| Law School Additions |