

Kathleen King

Sep 2, 2016

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[www.sunsetcoalition.org](http://www.sunsetcoalition.org)

September 2, 2016

Kathleen King  
Major Project- Department of City Planning  
200 N. Spring Street, Room 750  
Los Angeles, CA 90012  
Env-2016-2319-EIR  
Email: Kathleen.king@lacity.org

RE: Notice of Preparation Comments Re Mount St. Mary's University ENV-2016-2319-EIR

Dear Ms. King,

Thank you for the opportunity to comment on the scope of the proposed Draft Environmental Impact Report (DEIR) for Mount St. Mary's University's (MSMU) expansion project in the Brentwood-Pacific Palisades area of the City of Los Angeles in Los Angeles County. These comments are submitted on behalf of Sunset Coalition, a group of concerned neighbors and organizations from Brentwood to the Palisades dedicated to reducing traffic and environmental impacts on Sunset Blvd and surrounding neighborhoods.

Sunset Coalition represents Residential Neighbors of Archer, Bundy Canyon Association, Brentwood Hills Homeowners Association, Mandeville Canyon Association, Bel Air Skycrest Property Owners' Association, Brentwood Residents Coalition and many other residents in the 90049 zip code, including residents living in the vicinity of Mount St. Mary's University, who will be most affected by the proposed expansion project.

### **Introduction and Summary**

Mount St. Mary's University Chalon campus is located in a residential neighborhood in the Santa Monica Mountains, at 12001 Chalon Road, Los Angeles. The Notice of Preparation (NOP) incorrectly states that the campus is located approximately one mile north of Sunset Boulevard. In reality, in order to get to the Chalon campus, one must travel more than two miles from

Sunset Boulevard to the entrance of the campus on very narrow, steep and winding residential streets with limited visibility and virtually no sidewalks.

However, the even more challenging part of the vehicle routes to and from MSMU is the heavily congested one mile stretch of Sunset Boulevard between Bundy Ave and the I-405. One of the intersections along that stretch, at Barrington Ave and Sunset Boulevard is in fact so gridlocked on a daily basis that Councilmember Bonin called it “one of the worse choke points in the city”.

MSMU proposes to build a 38,000 SQ FT Wellness Pavilion, a new outdoor pool and a “parking deck” with 279 parking spaces. Notice of Preparation also states that the project does not include a request to change the permitted student enrollment of 2,244. However, this is incorrect and is in violation of the July 1984 CUP, where upon building of a new parking structure Mount St. Mary’s University was allowed to have 1,072 students. Currently, according to a letter from Nov 2, 2015, issued by the University’s president, there are under 1,600 students at the Chalon campus.

Over the years, Mount St. Mary’s University has exhibited tremendous intensification of use, some of it without disclosure and permitting. In addition, the University has practiced and continues to have a blatant disregard for the concerns and safety of its residential neighbors, regardless of the many complaints that have been submitted to the City. The neighborhood has had to endure years of worsening traffic, speeding student and delivery vehicles, noise and light pollution.

It is important to mention that two other schools in the vicinity, Brentwood School and Archer School, are also planning on starting massive expansion projects (at three campuses) at about the same time and the cumulative impacts of these will have a tsunami effect on this residential neighborhood. Everyone living in Brentwood or commuting on Sunset Blvd is essentially looking at several years of multiple and concurrent, massive construction projects with many severe and negative impacts imposed on this area.

This is why Sunset Coalition believes that MSMU Draft Environmental Impact Report must consider all cumulative and long-term impacts of the proposed expansion project, as is required by CEQA. After review of the Initial Study for Mount St. Mary’s University’s proposed project, we discovered many issues and concerns that need to be addressed in the DEIR. The Initial Study acknowledges *Potentially Significant Impacts* in many areas and the proposed Draft Environmental Impact Report must be comprehensive, detailed and thorough in order to comply with CEQA.

We are especially concerned with the overlapping timing of the MSMU proposed expansion with other projects in the area, construction traffic and noise impacts and post construction operational use impacts, especially increases in enrollment and events. In addition, the Initial Study lists *Potential Significant Impacts* in the following areas: Aesthetics, Air Quality, Biological

Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Noise Levels, Transportation and Circulation, Utilities and Services Systems and many others. The DEIR must analyze each category identified by Mount St. Mary's University as having *Potential Negative Impact*.

### **Background as to Traffic Issues and Impacts**

Mount St. Mary's University is located in a complex and congested location, with its only access to and from being the most gridlocked portions of Sunset Boulevard. There are several other educational institutions in the area, which also contribute to the existing traffic and noise and air pollution. The University's current operations create many negative impacts forced upon the residential neighborhood and the proposed expansion would only make the situation worse.

MSMU's contribution to traffic impacts on the residential roads between Sunset and the Chalon campus was problematic in 1984, more so in 1996, and is currently severe. Student and staff vehicles, MSMU buses, delivery and service vehicles, etc. constitute a substantial portion of all weekday and weekend traffic flows on those narrow, winding roads.

Traffic on Sunset Boulevard between the I-405 Freeway and as far west of Bristol Avenue is currently very heavily congested on weekdays, particularly when the seven adjacent schools and MSMU are in session, both eastbound and westbound from early in the morning until midday, and eastbound from about 3:00 pm until about 8:00 pm in the evening. As just one example, when the queues of waiting vehicles behind the traffic signals at Barrington Avenue and to the west are full, trip time for the one mile from N. Kenter Avenue to Barrington is approximately 60 minutes. This concern has been echoed by Councilmember Bonin during the Feb 6, 2016 Traffic Charette when he said "It can take folks an hour to drive a mile and that's not an exaggeration, It's really, really bad."

The MSMU construction vehicle traffic will have significant impacts on traffic flows on Sunset Boulevard westbound from the I-405 Freeway (and backed up east of the I-405) to Cliffwood Avenue and beyond, on weekday mornings from whatever time its vehicles begin to arrive, until whatever time the last MSMU construction vehicles leave the I-405. These vehicles will increase trip time on Sunset of residents of Brentwood and Pacific Palisades, as well as hundreds of people who commute from the San Fernando Valley to jobs in Pacific Palisades and Santa Monica using Sunset.

Similarly, the MSMU construction vehicle traffic will have significant impacts on eastbound traffic flows on Sunset Boulevard from Santa Monica and Pacific Palisades to the I-405 Freeway on weekdays from whatever time its vehicles begin to leave the MSMU Chalon worksite until whatever time the last MSMU construction vehicles leave the worksite. The largest increases in

trip time will be for drivers who need to pass through the most signaled intersections, namely residents and commuters from Pacific Palisades, and commuters from Santa Monica.

### **Meaningful Metrics and New Traffic Analysis Technology**

Westside residents are frankly not very interested in Level of Service (LOS) or street segment bi-directional 24-hour traffic flows. Those studies, although outdated, should be included in the MSMU DEIR, however, so that independent traffic experts can review them, and herein below we will specify additional road segments and intersections that are likely to be impacted by the combined construction traffic of the three school projects mentioned above and should therefore be included in studies in the MSMU DEIR.

What residents, commuters and all others who use the painfully congested Sunset Boulevard both during the morning commute and the afternoon and evening commute care about is trip time, and particularly the projected increases in trip time during each hour of a typical weekday when the schools on the Sunset Boulevard corridor are in operation that will be caused by construction vehicle traffic from MSMU and the other overlapping projects mentioned herein.

We are extremely concerned that the combined construction traffic (which in the case of Archer is projected to be compressed into the hours between 7:00 AM and 3:00 PM) will cause an increase on the order of 50% of trip time during non-peak hours, and some possible increase during peak hours unless Brentwood School and MSMU are required to cease construction traffic movement by 3:00 PM each weekday during the school year.

New technology allows relatively inexpensive benchmarking of trip time (on Sunset Boulevard, for example) during each hour of the day, by using satellite technology that accesses cellular phones. Such trip time information, for example, can be obtained inexpensively from Google.

Similarly, the concerns of Westside residents, commuters and others who use Sunset are not limited to a single “peak hour”, but how long it takes to get from place to place every hour of the day when Sunset is congested. As to MSMU’s construction project, and increased intensity of use, it is important to inform the residents and the city’s decision makers about the projected increase in trip time for each hour when an increase is likely.

Here is an example of how trip time impacts are far more meaningful than LOS or “peak hour” studies: Anytime when the queues behind the signaled intersections on Sunset from N. Kenter Avenue to Barrington Avenue are rated F (Failed) on the LOS system, the trip time to drive that distance is the same. But is that the “peak hour”? Not if one is driving from the Pacific Palisades eastbound to the I-405 Freeway or other points to the east.

The key is how many intersections west of Barrington are Failed. The more Failed intersections, the longer that person’s trip time will be. Every five minutes they wait in queues even west of N. Kenter, more vehicles are entering the forward queues from the side streets still ahead.

Modeling of increases in trip times: Once baseline trip time data is collected for the periods mentioned below, computer modeling should be done to estimate the increases in trip times that will be caused by the MSMU construction vehicles, and cumulative with those from overlapping projects, based on the projected flows of various construction vehicles (see the attached sample pages from Archer Appendix C-1 and Appendix C-2), to estimate the frequency of passage of construction vehicles at each signaled intersection on Sunset, and taking into account the use of flagmen at the Archer driveway entrances, particularly for departing vehicles which will need to frequently interrupt three lanes of Sunset traffic to turn eastbound toward the I-405 Freeway.

### **Updated Baseline Traffic Studies**

It is essential that current baseline traffic studies be included as to (1) all intersections and segments of Sunset Boulevard that will or may be impacted by MSMU construction traffic, and (2) all road segments between Sunset and MSMU's Chalon Campus.

Westbound traffic on Sunset: Updated manual traffic count studies should be made during a school day at all signaled intersections on Sunset Boulevard from Veteran Avenue (east of the I-405 Freeway) to at least Cliffwood Avenue, for each weekday hour from 7:00 am to 3:00 pm, when it is expected that Archer's construction traffic will end. In addition, the construction vehicle schedule for Brentwood School and Caruso Project should be included in this analysis.

Eastbound traffic on Sunset: Updated manual traffic count studies should be made during a school day at all signaled intersections on Sunset Boulevard from Allenford Avenue to the first signaled intersection east of the I-405 Freeway, for each weekday hour from 7:00 am to 8:00 pm, which is when eastbound congestion typically eases.

Residential streets between MSMU Chalon campus and Sunset Blvd.: MSMU should survey the residents of the Bundy Canyon area north of Sunset, to determine their experiences of times of day when those residents observe traffic problems on their streets, and should collect meaningful baseline traffic data for the periods and directions of heaviest traffic, based on those surveys. "24-hour bi-directional traffic flows" are not the relevant metric.

### **Construction vehicle traffic:**

The MSMU construction phase is proposed to begin in "late fall" of 2017, and its construction would completely overlap with the massive construction project at the Archer School for Girls (currently projected to begin in May 2017), and phases of an expansion project at the Brentwood School (East and West Campus) and Caruso Project in Pacific Palisades.

All projects will use Sunset Boulevard for all construction vehicles arriving and leaving their respective construction sites, to and from the I-405 Freeway to the east. Archer's plan calls for

all construction vehicles to enter and leave the Archer worksite via Archer's two un-signalized driveways that open directly onto Sunset Boulevard, and permits unlimited use of flagmen to halt traffic in one or both directions as needed to facilitate entry and exit of the construction vehicles to and from Sunset.

In its DEIR, Archer included detailed schedules, by week, of the expected onsite construction activities (and the numbers and types of onsite construction equipment) and construction vehicles, by type. Particularly because of the overlap in construction activities, it is essential that the MSMU DEIR include a detailed schedule of construction activities and onsite equipment, by week, similar to Archer Appendix C-1, and construction vehicles, by type, by week, similar to Archer Appendix C-2.

In addition, in order that the cumulative impact of the construction traffic from the MSMU project can be determined, it is essential that the MSMU DEIR include an updated schedule of the Archer construction vehicle traffic (Archer is now planning to work concurrently on several portions of its project) and a combined schedule to reflect the total number of projected construction vehicles by week and by type.

MSMU should make reasonable inquiry of Archer School and its construction firm, Matt Construction, to obtain the needed information, and should make similar inquiry of Brentwood School and its contractor, as well as Caruso Project and its contractor, as to its projected construction vehicle trips, by week and by type, for the period that MSMU projects it will be involved in construction, and for any reasonably possible extension into a subsequent period.

### **Mitigation of Traffic Impacts**

At a Traffic Charrette organized by Councilmember Mike Bonin on Feb 6, 2016, a number of traffic experts were brought together to discuss the problems of severe congestion Sunset Boulevard and to consider innovative and modern ways to improve the situation. Councilmember Bonin reported that he has retained two of those experts to work with him to mitigate traffic congestion on Sunset. Although no report has been provided from those two experts, MSMU should consult with all experts currently familiar with traffic on Sunset to enumerate and analyze.

We concur in and adopt the requests for detailed analysis of baseline and projected traffic flows on all local street segments between Sunset and MSMU's Chalon campus, modeling increases in trip time, slower emergency response, accidents and other impacts.

### **Operational Traffic Impacts – Increase in Enrollment and Events**

We are very concerned that MSMU is operating its Chalon campus with an enrollment far beyond that permitted by its most recent Conditional Use Permit. Its current and projected enrollment and intensity of use are of great concern not only to residents on the narrow

winding residential streets that lead for two miles from Sunset to MSMU and constitute the only routes of egress and ingress to MSMU, but also on Sunset Boulevard, with impacts on the 55,000 residents of Pacific Palisades and Brentwood. The DEIR must address the enrollment issues and how the University is planning on being in compliance with their existing CUPs.

As mentioned before, the Notice of Preparation for MSMU proposed expansion nonchalantly mentions that “The Project does not include a request to change the permitted student enrollment limitations...may never be used to increase the enrollment cap of 2,244 students.” Neither the NOP nor the Initial Study offer the grounds for this fictitious enrollment number. Mount St. Mary’s University is supposed to operate under the conditions outlined in the July 1984 CUP when a parking structure for 268 parking spaces was approved by the City. The condition for calculating enrollment cap was based on using a ratio of 4 students to one parking space, which resulted in an enrollment cap of 1,072 students.

In 1984 MSMU had enrollment of about 750 students and the traffic conditions at that time were already severe. The Initial Study Traffic Analysis (attached to this letter) for the July 1984 CUP states that the “impact of traffic generation” was “not significant, **provided that no enrollment increase is allowed.**” In August 1995, James Crisp, a MSMU residential neighbor, raised the MSMU enrollment issues and other violations by filing a complaint with the City and requesting a revocation of use permits (attached). The MSMU president replied in a Nov 7, 1995 letter (attached) stating that the Chalon campus had 1,025 students and therefore wasn’t in violation of the existing conditions.

It is worth noting that the MSMU president also admitted that the University was violating use permits by allowing rental of the onsite Chapel for weddings. While the request for revocation of use permits was denied at that time, Bob Rogers, Principal City Planner, in his Jan 1995 letter (attached) to Councilmember Braude, states that “Should additional evidence be submitted regarding uses not permitted by the conditional use grants or **excessive traffic**, this office will give further consideration to initiation of revocation proceedings.”

Given this background, it is clear that the increased enrollment at MSMU is not only a violation of existing conditions, but also has a direct and negative impact on local traffic, noise and air pollution and safety. The MSMU Draft Environmental Report must address the enrollment issues and the plan for complying with existing use grants.

Pursuant to Public Resources Code section 21092.2, we request notification of future hearings and notices about this project.

Kathleen King

Sep 2, 2016

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Thank you for your consideration of our comments.

Sincerely,

*David Wright*

David Wright

Co-chair, Sunset Coalition

info@sunsetcoalition.org

cc: Councilman Mike Bonin, CD11  
Director of Land Use & Planning, Tricia Keane, CD11

Attachments:

1. Archer School Construction Activity Schedule
2. Archer School Round Trips per Vehicle Classification
3. Initial Traffic Analysis July 1984 CUP
4. Aug 29, 1995 Letter from James Crisp to Councilmember Braude
5. Nov 7, 1995 Letter from MSMU President to City Planner, Bob Rogers
6. Jan 25, 1996 Letter from City Planner, Bob Rogers to Councilmember Braude



## **Appendix C-1**

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### Construction Activity Schedule



**The Archer School for Girls**  
**Archer Forward: Campus Preservation and Improvement Plan**  
**Construction Activity Schedule**

North Wing Renovation and Phase 1: Site Preparation and Excavation and Haul												
Month 1 through Month 16												
Month	North Wing Renovation Month 1 through Month 16						Phase 1: Site Preparation and Excavation and Haul Month 11 through Month 16					
	Work	Primary Activities	Workers Onsite	Parking Location	Large Deliveries and Exports	Large Equipment On Site	Work	Primary Activities	Workers Onsite	Parking Location	Large Deliveries and Exports	Large Equipment On Site
1	Clearing and Grading	Village Demo	15	Onsite	Trash Removal, Grading/Service Equipment	1 Loader, 3 Trucks, 1 Track Loader, 2 Back Hoe Trenchers						
2	Demo Electrical	Clearing & Grading - Village Demo, Utilities	15	Onsite	Demo Trash, Grading/Service Equipment	2 Loaders, 6 Trucks, 1 Track Loader, 2 Back Hoe Trenchers						
3	Demo Electrical Village Site Improvements	Demo Utilities Grading Village	20	Onsite	Grading & Service Equipment, Form Lumber, Concrete Ready-Mix and Demo Trash	2 Loaders, 10 Trucks, 1 Track Loader, 1 Excavator, 1 Concrete Pump, 1 Back Hoe Trencher						
4	Demo Caissons Electrical Village Site Improvements	Demo Pour Caissons Utilities in Village	20	Onsite	Concrete, Excavation Equipment, Drill Rig & Svcs. Truck, Concrete Ready-Mix and Modulers	1 Loader, 3 Trucks, 2 Excavators, 1 Stinger, 1 Back Hoe Trencher, 1 Drill Rig, 1 Concrete Pump, 6 Modulers						
5	Foundations	Concrete/Block, Retaining Walls and Bldg. Foundations	25	Offsite	Concrete Block, Ready-Mix, Rebar, Structural Steel and Aggregate	3 Trucks, 1 Stinger, 1 Concrete Pump, 1 Erection Crane, 1 Loader & Personnel Lift, 1 Back Hoe Trencher						
6	Bldg. Structure	Erect Structure	20	Offsite	Structural Steel, Lumber and Service Truck	2 Trucks, 1 Fork Lift, 1 Erection Crane, 3 Welding Trucks, 3 Personnel Lifts						
7	Bldg. Structure	Erect Structure	25	Offsite	Structural Steel, Lumber, Equipment Deck, Service Truck and Rental Equipment	2 Trucks, 1 Fork Lift, 1 Erection Crane, 4 Welding Trucks, 4 Personnel Lifts						
8	Bldg. Structure	Erect Structure	25	Offsite	Structural Steel, Lumber, Equipment Deck and Service Truck and Rental Equipment	4 Trucks, 1 Fork Lift, 1 Erection Crane, 4 Welding Trucks, 4 Personnel Lifts						
9	Bldg. Mechanical Bldg. Structural	Erect Structure Mechanical/ Plumbing	25	Offsite	MEP Supplies, Equipment Delivery & Elevator Equipment	3 Trucks, 1 Fork Lift, 2 Personnel Lifts, 1 Crane						

## **Appendix C-2**

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### Round Trips per Vehicle Classification



**The Archer School for Girls**  
**Archer Forward: Campus Preservation and Improvement Plan**  
**Round Trips per Vehicle Classification<sup>1</sup> (RTVC)**

North Wing Renovation											
Month	Week	Daily Round Trips by Vehicle Classification									Total Daily Round Trips
		I	II	III	IV	V	VI	VII	VIII	IX	
1	1	2	2	1	0	0	0	0	0	0	5
	2	2	2	1	0	0	0	0	0	0	5
	3	4	4	3	2	7	2	0	0	1	23
	4	4	4	5	2	5	2	0	0	1	23
2	5	4	4	5	2	5	2	3	0	1	26
	6	4	4	6	2	5	2	1	0	1	25
	7	4	4	8	1	10	27	0	0	2	56
	8	5	4	4	1	10	27	0	0	2	53
	9	5	4	4	7	10	36	0	0	0	66
3	10	6	3	8	6	10	18	0	0	1	52
	11	4	4	8	2	5	2	0	0	1	26
	12	4	4	8	2	5	2	0	0	1	26
	13	4	2	10	2	3	2	0	0	1	24
4	14	4	4	12	2	5	2	0	0	1	30
	15	4	5	12	2	2	2	0	0	1	28
	16	4	4	14	6	2	3	10	2	3	48
	17	4	4	12	8	3	3	10	2	3	49
5	18	4	3	12	4	1	3	10	0	1	38
	19	4	6	11	3	3	3	10	0	1	41
	20	4	4	25	3	3	3	1	2	1	46
	21	2	2	35	2	0	1	0	2	1	45
	22	4	3	24	2	1	0	10	0	1	45
6	23	4	3	30	4	3	1	0	0	4	49
	24	4	4	36	3	3	1	0	0	2	53
	25	4	2	24	3	4	1	0	0	2	40
	26	4	3	37	3	3	1	0	0	2	53
7	27	4	2	29	3	2	2	0	0	2	44
	28	4	3	33	2	1	1	0	0	2	46
	29	4	4	36	1	1	1	0	0	2	49
	30	2	1	31	1	1	0	0	0	2	38
8	31	4	2	28	2	2	1	0	0	2	41
	32	4	2	25	3	1	1	0	0	2	38
	33	4	2	30	3	2	2	0	0	2	45
	34	1	1	16	1	1	0	0	0	2	22

Source:

**PAUL W. SPEER, INC.**7141 Valjean Avenue, Suite 102, Van Nuys, California 91406  
818.781.4910

INITIAL STUDY  
TRAFFIC ANALYSIS

EIR CASE NO.: 113-84-CU2 TRANSMITTAL DATE: 3-28-84

PROJECT DESCRIPTION: Cond. Use for 4 story, 80,000 sq. ft. parking structure for 244 cars located on the Mt. St. Mary's College property on 45.5 net acres, zoned RE40-1-H.

PROJECT LOCATION: 12001 - Cholon Rd.

EXISTING ZONES: RE40-1-H PLANNED ZONES: RE40-1-H

PROJECTED GENERATED TRIPS:       

Bundy Dr. ADT 290 TPH 35  
(Street)

(Street) ADT \_\_\_\_\_ TPH \_\_\_\_\_

CRITICAL INTERSECTIONS:

_____ & _____			_____ & _____		
_____			_____		
_____	AM	PM	_____	AM	PM
NB	_____	_____			
SB	_____	_____			
EB	_____	_____			
WB	_____	_____			

COMMENTS: \* Provided that no enrollment increase is allowed.

IMPACT OF TRAFFIC GENERATION:

~~NOT~~  
SIGNIFICANT

MAY BE  
SIGNIFICANT

MAY BE  
CUMULATIVE

TRAFFIC STUDY  
NEEDED

Prepared by: CPK

Date: 4/4/84

**JAMES J. CRISP, M.S**  
3692 LOWRY ROAD, LOS ANGELES, CA 90027-1436  
(213) 661-3312 FA (213) 667-2930

August 29, 1995

Honorable Marvin Braude  
Councilman, Eleventh District  
Room 275, Los Angeles City Hall  
200 North Spring Street  
Los Angeles, CA 90012-4801

RE: Revocation - Conditional Use Authority - Case No. CPC 4072 -  
Mount St. Mary's College

RE: Conditional Use Authority - Carondelet Center - Skilled Nursing Facility  
(Hospital) in the RE40-1-H Zone

On behalf of the Brentwood Homeowners Association, hereafter referred to as "BHA", and the Bundy/Norman Place Committee, hereafter referred to as "BNPC", I hereby request that formal revocation action be initiated in accordance with the provisions of Section 12.24-J of the Los Angeles Municipal Code to revoke the current conditional use authority for Mount Saint Mary's College on the basis that it has been operated and maintained in such a manner that it:

- (a) Adversely affects the health, peace and safety of persons residing and working in the surrounding area;
- (b) Jeopardizes or endangers the public health and safety of persons residing and working in the surrounding area;
- (c) Constitutes a public nuisance;
- (d) Results in repeated nuisance activities including but not limited to disturbances of the peace, loitering, littering, illegal parking, excessive loud noise and traffic violations; and,
- (e) Violates provisions of Article 2 of Chapter 1 of the Los Angeles Municipal Code and other city, state or federal regulations, ordinances or statutes.

I further request on behalf of the aforementioned community groups that the operation of the Carondelet Center as a skilled nursing facility (i.e., hospital) on a RE40-1-H zoned site be suspended unless and until a "Reduction in Site" has been issued and, conditional use authority approved for this purpose, all in accordance with the provisions of Section 12.24 of the Los Angeles Municipal Code.

Evidence to sustain the subject revocation request and need for conditional use authority for the Carondelet Center is offered as follows:

Background - Mount Saint Mary's College

On December 5, 1928, the City Council denied a report and recommendation from the Planning Commission under Case No. 3066 recommending that a 33 1/3 acre site be classified in the "B" zone thereby permitting the establishment of Mount Saint Mary's College by right. In lieu hereof, said City Council adopted a report from their City Planning Committee partially stating that "...in view of the special circumstances that attach to the property, and in order to protect the adjoining property to the fullest extent, that the action of said Board (i.e., Board of City Planning Commissioner's) in recommending that the property be placed in the "B" zone be not concurred in and that the City Attorney be instructed to prepare an ordinance under the terms of Section 4 of the Zoning Ordinance, allowing the establishment of said college on the property therein described..." subject to the following condition:

"...that the plans for the buildings and the location of same be approved by this Council prior to the issuance of building permits..."

On January 3, 1929 the City Council approved Ordinance No. 62642 granting an exception (i.e., variance) from the provisions of Ordinance No. 42,666 that became effective on October 19, 1921 which classified the City of Los Angeles into five zones ("A", "B", "C", "D", and "E"), with the subject property placed in the "A" zone by the adoption of Ordinance No. 58283 which became effective on September 2, 1927. It is important to note that the "A" Zone only permitted single family dwellings by right.

In concert with the adoption of the Comprehensive Zoning Plan for the City of Los Angeles on June 1, 1946 under Ordinance No. 90,500, said property was classified in the R1 One Family Zone being subsequently changed to the RE40-1-H Zone. Further, Ordinance No. 90,500 placed "Educational Institutions" under the authority of the Planning Commission as a Conditional Use (i.e., see Section 12.24); and, provided that "...any of the uses enumerated in this Section (i.e., Section 12.24) which are legally existing at the time it became effective, shall be deemed to have been approved by the Commission and nothing in this Section shall be construed to prevent the enlargement of existing buildings for such uses if all other regulations of this article are complied with, including the conditions of any special district ordinance, exception or variance heretofore granted authorizing said use."

It is noted that in zoning language this provision granted "deemed-to-be approved" status to legally created land uses which subsequently came under Conditional Use authority at a later date, with this privilege continuing to the present day under current provisions of the Los Angeles Municipal Code (i.e., see Section 12.24-F on Page 369).

On March 7, 1950, Ordinance No. 96,222 was approved by the City Council substantially amending the Comprehensive Zoning Ordinance by permitting expansions and enlargements of existing conditional use sites by plan approval. These provisions remain in effect to the present time (i.e., see Section 12.24-F of the Los Angeles Municipal Code). Said ordinance also permitted hospitals or "special care facilities" by right in the R5 Zone and split conditional use authority for "Hospitals or Sanitariums" between the Planning Commission (over 100 beds) and Office of Zoning Administration (under 100 beds if located in the R1, R2, R3, R4, or C1 Zones).

On May 23, 1952, plans were approved for a 17 acre addition to the existing school site for future expansion and the construction of athletic facilities with City Plan Case No. 4072 issued for this purpose. Of particular importance is Condition No. 3 which partially states that:

3. *This grant shall only apply to school use involving educational subjects which are in conformance with the State Educational Code, religious services, or religious educational activities.*

Between this date and 1960 plans for said athletic facilities were approved, a Tract Map was recorded, and plans were approved for an addition to the chapel.

Ordinance No. 117,450, which became effective on December 18, 1960, removed any conditional use authority for hospitals from the jurisdiction of the Planning Commission with the Zoning Administrator retaining conditional use authority for hospitals or "special care facilities" with no limitation on number of beds. This authority is maintained to the present time under the provisions of Section 12.24C-49 of the Los Angeles Municipal Code.

Ordinance No. 128,417 became effective on October 26, 1964 requiring a "reduction of site" if any portion of a conditional use site is "...severed therefrom or utilized for other purposes...". This provision is still in effect at the present time.

Finally, on January 26, 1984, the Planning Commission approved plans for a faculty residence hall with a maximum of three dwelling units or 33 bedrooms, the relocation of 39 existing parking spaces and the construction of a 11 space parking garage with enrollment limited to 750 students; and, on July 12, 1984, plans were approved for a multi-level parking garage for 244 automobiles requiring 1/4 parking space for each student with on-site parking limited to 268 automobile parking spaces. This provision, in effect, limited enrollment to a maximum of 1072 students.

No further actions of record have been undertaken to the present time.



### Background - Carondelet Center

As stated previously, on March 7, 1950, Ordinance No. 96,222 was approved by the City Council substantially amending the Comprehensive Zoning Ordinance by permitting expansions and enlargements of existing conditional use sites by plan approval. These provisions remain in effect to the present time (i.e., see Section 12.24-F of the Los Angeles Municipal Code). Said ordinance also permitted hospitals or "special care facilities" by right in the R5 Zone and split conditional use authority for "Hospitals or Sanitariums" between the Planning Commission (over 100 beds) and Office of Zoning Administration (under 100 beds if located in the R1, R2, R3, R4, or C1 Zones).

Further, Ordinance No. 117,450, which became effective on December 18, 1960, removed any conditional use authority for hospitals from the jurisdiction of the Planning Commission with the Zoning Administrator retaining conditional use authority for hospitals or "special care facilities" with no limitation on number of beds. This authority is maintained to the present time under the provisions of Section 12.24C-49 of the Los Angeles Municipal Code.

Finally, Ordinance No. 128,417 became effective on October 26, 1964 requiring a "reduction of site" if any portion of a conditional use site is "...severed therefrom or utilized for other purposes...". This provision is still in effect at the present time.

In direct violation of the aforementioned provisions of the Los Angeles Municipal Code as contained in said ordinances, a 7+ acre parcel of land was removed from the existing school site and transferred to the Sisters of Saint Joseph in California on October 1, 1981 changing a former novitiate to a skilled nursing facility (i.e., hospital) with approximately 40 residents. As a independent entity under separate ownership, this skilled nursing facility (i.e., hospital) is in operation at the present time being identified as the Carondelet Center. While a Parcel Map was approved for said 7+ acre parcel of land being identified as Parcel A of PMLA 4304, said Carondelet Center has no legal right to exist under current provisions of the Los Angeles Municipal Code nor is there any evidence that any authority was ever requested.

Being under separate ownership, a "Reduction in Site" would have to have been approved thereby modifying existing conditional use authority for the college (i.e., see Section 112.24G-2 of the Code on Page 370) before said center was ever established. Following the approval of said "Reduction in Site" a conditional use for said center would have to have been approved by the Zoning Administrator since it is classified as a hospital (i.e., skilled nursing facility, special care facility, etc.). In addition, no assessment of required parking for said Carondelet Center has ever been made as a entity distinct from the college (i.e., see Section 12.24A-4(d) of the Code on Page 242). Finally, parking for the college and Carondelet Center cannot be shared being distinct land uses and separate ownerships (i.e., see Section 12.21A-4 of the Code on Page 239).

### Existing Conditions

Mount Saint Mary's College occupies a 45+ acre site of the northerly terminus of Bundy Drive, Chalon Road and Norman Place with the adjacent Carondelet Center occupying an adjacent 7+ acre site being classified in the RE40-1-H Zone. The sites are located approximately 2 miles north of Sunset Boulevard with access restricted to substandard local hillside streets and similar roads such as Barrington and Saltair Avenues. The use and nature of the Carondelet Center has been previously described. At the present time, Mount Saint Mary's College has approximately 576 on-site parking spaces at this location, the Carondelet Center has 103 on-site parking spaces, approximately 1935 students are currently enrolled at the college, over 100 faculty members and administrators are employed and the number of maintenance/service employees are unknown. Classes are taught seven days per week between 7:00a.m. and 9:30p.m. and campus facilities are rented/leased for all types of commercial activities ranging from conferences and seminars to workshops lasting in some instances, until midnight. Finally, large busses are routinely used to bring tours, faculty and visitors to and from the site on a regular basis.

### Traffic Generation

The local street system is critically deficient serving hillside residential areas being substandard in terms of dedication and alignment. No major or secondary highways serve the subject site and no street is even improved to collector status (i.e., 60 feet of dedication with 40 feet of improved roadway width). In another vein, a conference or seminar with 150 persons attending generates approximately 150 trips with a ratio of two persons per car; and, a four year educational institution such as the college in question generates approximately 2.37 trips per student per day (i.e., consult trip generation factors as issued by the Department of Transportation of the City of Los Angeles). At a student enrollment of approximately 1935 students, Mount Saint Mary's College would generate 4585 trips per day not counting those trips generated by seminars, conference, etc. This amount of traffic impact on a deficient street system raises the potential for accident or injury to an unacceptable level of risk; and, has direct traffic related impacts of accident, injury, noise, lighting and general disturbance on residential properties. While not removing all potential risk and disturbance, it has been suggested that the college voluntarily limit student instruction to day time hours Monday through Friday and terminate all commercial activities, including bus tours, thereby substantially mitigating the problem. However, these suggestions have been routinely dismissed.

### Commercial Use of the Site

A review of all the records and evidence in this case indicate that no authority has ever been issued permitting use of the involved site for anything other than a "...school use involving educational subjects which are in conformance with the State Educational Code, religious services or religious education activities..." (i.e., see Plan Approval dated May 23, 1952 as previously discussed). Further, there is no evidence that any variance authority has ever been requested for this purpose.

Yet the college's advertising and publications demonstrate that its facilities are regularly used for such commercial purposes as:

- an 11-day "symphony orchestra camp" for children
- an adult weekend featuring a trip to the Hollywood Bowl and sessions on stress management, nutrition, and exercise habits (cost: \$165)
- a 3-day AFL-CIO Institute
- 5-day Yoga seminars which attract up to 500 devotees each day
- local musical theater performances
- 10-day Industrial Areas Foundation conventions
- a 3-day Hugh O'Brian Youth Foundation conference for 200 Central California high-school sophomores

The aforementioned activities and similar use of the property stand in violation of previous grants and authority and would never be permitted by right in this location being classified in the RE40-1-H Zone.

Further, use of the site for commercial use stands in direct violation of past and current provisions of the Los Angeles Municipal Code and there is no indication that any effort to reduce or eliminate these activities is being voluntarily undertaken at the present time. To the contrary, these commercial activities have been consistently promoted and expanded.

#### Attention to Citizen Concerns

Records and information received from the "BHA" and "BNPC" indicate that individuals and groups from the community have consistently tried to reach some degree of compromise or problem recognition from college representatives since at least 1989. All these efforts have failed with the college representatives taking no initiative to resolve concerns or mitigate potential and very real problems. Further, college representatives continue to ignore physical constraints imposed upon the use by location and the physical capacity of capital improvements to serve it; and continue to avoid any responsibility for conformance with past authority issued for school purposes as well as the legal dictates of the provisions of the Los Angeles Municipal Code which, in theory, equally apply to everyone. As an outstanding example of current management practices, a "Weekend College" program was began approximately 3 years ago offering classes exclusively on Saturday and Sunday. Therefore, revocation action is both needed and necessary with no other form of reasonable dialogue or solution available or acceptable to the parties involved.

### Conclusion

In view of the aforementioned evidence, it can only be concluded that revocation action should be undertaken in the subject case since the operation and management practices of Mount Saint Mary's College are:

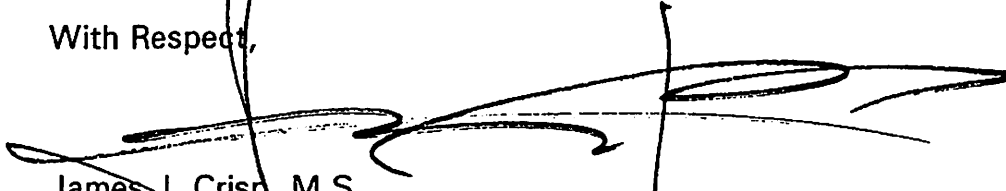
- (a) Adversely affecting the health, peace and safety of persons residing and working in the subject residential area by creating on-street congestion, noise, and disturbance of the peace, early and late night operation and the generation of traffic related impacts raising to the level of an actual invasion of privacy; and
- (b) Jeopardizing and endangering the public health and safety of persons residing and working in the subject residential area by increasing the risk of accident or injury to an unacceptable and unreasonable level of risk by generating unwarranted traffic levels on substandard local hillside streets; by use of the property for commercial purposes; and by conducting classes and staging events in the evenings and on weekends; and,
- (c) Creating a public nuisance which is having a detrimental economic effect on adjacent residential properties as well as disturbing the normally accepted principle of the right for a peaceful enjoyment of ones property; and,
- (d) Resulting in repeated nuisance activities as previously described with no evidence of concern or voluntary efforts of mitigation; and,
- (e) Violating past authority and current provisions of the Los Angeles Municipal Code by:
  - (1) Separating the Carondelet Center site from the Mount Saint Mary's College site without approval of the required "Reduction in Site"; and,
  - (2) Sharing parking between the Carondelet Center and Mount Saint Mary's College site without authorization being distinct and separate land uses under different ownerships; and,
  - (3) Utilizing the Mount Saint Mary's College site for commercial purposes such as conferences, seminars, workshops etc. with no variance authority issued for this purpose; and,
  - (4) Potentially and knowingly violating the Conditions of Operation imposed under a Plan Approval dated July 12, ~~1994~~ which limited parking on the site to 268 automobile parking spaces and enrollment to a maximum of 1072 students.

1984

Further that any maintenance and operation of the Carondelet Center be suspended unless and until a proper "Reduction in Site" has been approved and a conditional use has been granted by a Zoning Administrator for use of a RE40-1-H zoned site for hospital purposes.

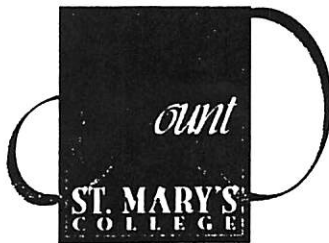
If you have any questions or concerns in this matter, please contact me at any time.

With Respect,

A large, stylized handwritten signature in black ink, appearing to read 'James J. Crisp', is written over the 'With Respect,' and extends across the middle of the page.

James J. Crisp, M.S.

cc: Brentwood Homeowners Association  
Bundy/Norman Place Committee  
Attn: David H. Breier, Attorney at Law  
Planning Commission, City of Los Angeles  
Office of Zoning Administration  
Honorable Richard Riordan, Mayor, City of Los Angeles



Office of the President

November 7, 1995

Mr. Bob Rogers  
Chief Hearing Examiner  
City of Los Angeles  
Department of City Planning  
221 So. Figueroa  
3rd Floor  
Los Angeles, CA 90012-2601

*on response  
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1079*

Dear Mr. Rogers:

I received your request that we provide you with information regarding a complaint letter sent by James Crisp to Councilman Marvin Braude, relative to Mount St. Mary's College (MSMC). We were surprised to see the requests and claims made in the letter, especially given the many steps that MSMC has taken to address neighborhood concerns.

The College is very appreciative of the special challenges of operating in a residential area. We do our best to minimize the disturbance college-related traffic can cause for a neighborhood, and try to be as responsive as possible when specific problems are brought to our attention.

A clarification is necessary before addressing the college-related complaints which are noted in the letter sent recently to your office. Carondelet Center and Mount St. Mary's College are two separately incorporated organizations. Issues with the Center need to be addressed separately. I understand that the Center has responded to you concerning issues involving that organization. I might just add here that there is no shared parking between the College and the Center.

College-related comments in the letter are also in need of basic clarifications, beginning with the "Existing Conditions" section. MSMC actually consists of two campuses operating different degree programs. Our second campus, the Doheny Campus, is located downtown near Adams and Figueroa, just down the street from the University of Southern California. Mr. Crisp's failure to note this fact led him to base much of his complaint on erroneous enrollment data. The total enrollment of the College was 1,935 students in the fall of 1994, but students attended different programs split between the two campuses.

On the Chalon Campus, the College enrolled 790 students in the weekday B.A. program, 744 of whom were full time. Our Weekend College program enrolled an average of 235 students for the 1994-1995 academic year. The remaining students were enrolled at our Doheny Campus. There is also a misconception concerning class times at the Chalon Campus: classes are taught only five days a week, with a few nursing classes starting at 7:00 a.m. and a few art classes ending at 9:00 p.m. The few evening classes are not held on Friday evenings for obvious reasons. The Weekend College meets only every third weekend when in session.

With regard to rentals, the College rents its facilities, mainly in the summer months, to selected outside groups which have educational purposes. The sole rentals not strictly for educational uses are for weddings and receptions held in our chapel. Normally only alumnae and current employees use our Chapel for weddings. During 1994 we accommodated some additional weddings owing to earthquake damage at St. Monica's church. However, that church has now been repaired and the usage is again restricted to alumnae and employees.

As I read the traffic analysis presented in the letter, I was concerned that the analysis appears to have been completed using an incorrect enrollment figure. As I noted above, the actual enrollment at the Chalon Campus is considerably lower than that of the entire College.

In the interests of good communication, I would like to draw your attention to some of the past and recent actions the College has undertaken in an effort to be a good neighbor and to address citizen concerns. The College:

1. Makes its facilities available for the neighborhood to vote for all elections.  
*no longer done so -*
2. Worked with the City of Los Angeles in June of 1995 to add speed bumps along local roads to help control traffic.
3. Worked with the City of Los Angeles in July of 1995 to add a stop sign at the corner of Bundy and Norman Place to help control traffic.
4. Maintains an open campus for all neighbors, which allows access to trails behind the campus as well as the campus itself. In addition, MSMC allows neighbors the use of our athletic facilities, which has resulted in upwards of forty people using our swimming pool and tennis courts on a regular basis.  
*no longer*
5. Committed \$17,500 of institutional funds to help construct left turn lanes off Sunset onto Saltair and Bundy. MSMC made this contribution in a spirit of support for the local community.

6. Attempted to hire off-duty police to patrol the local streets and to enforce the traffic laws. Regrettably, we were informed that off-duty police officers could not enforce traffic law when off duty.

7. Implemented this past summer a comprehensive plan to address various issues raised by our neighbors. A copy of this plan was submitted to at least two neighborhood representatives, and included:

A. Installation of speed hump-type barriers at the entrance/exit of the college to help move the flow of traffic to the right when exiting the College, in keeping with a traffic flow agreement made with neighborhood groups.

B. Installation of signs and warnings in the parking garage reminding all employees and students to respect the speed limits in the neighborhood and to leave the College via Bundy.

C. Having a member of the LAPD address all new and returning students during orientation concerning the seriousness of driving safely and within speed limits while approaching or leaving the College. The message of that talk is also being reinforced through staff meetings.

D. Increasing the incentives in our AQMD plan to encourage more faculty and staff to ride share or use public transportation. The monetary incentives for the current academic year were increased by 20% over last year. We have added monthly prize drawings as an additional incentive for those who partake in the plan.

E. Regular follow-up on calls from neighbors who report unsafe driving to the College. The College cannot legally punish either students or staff who are observed driving unsafely, but we do counsel them on the potential dangers of such behavior. If a College van is reported as driving unsafely, with enough information to identify the driver, i.e., time of day, direction, location, we take immediate action with that employee. We do not tolerate unsafe driving by College employees while on College business.

I hope that this brief outline of our action plan implemented at the beginning of the current academic year illustrates the seriousness with which MSMC takes its relationship with the local neighbors. It has always been the intention and practice of the College to abide by both the letter and the spirit of the municipal code.



Mr. Bob Rogers

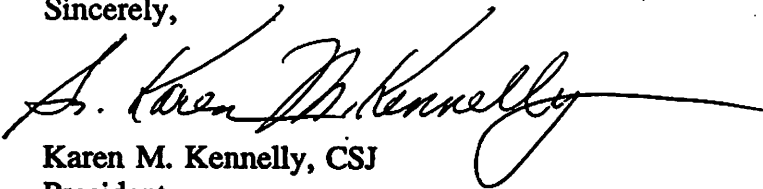
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November 7, 1995

We are grateful to have our College surrounded by this wonderful neighborhood and appreciate the concerns of those with whom our students share their home away from home and with whom our employees share their workplace.

If there is any further information which would be helpful to you please do not hesitate to ask.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen M. Kennelly", with a long horizontal flourish extending to the right.

Karen M. Kennelly, CSJ  
President

KMK:ss

cc: Honorable Councilman Marvin Braude  
Eleventh District  
Room 275, Los Angeles City Hall  
200 North Spring Street  
Los Angeles, CA 90012-4801

rogers/s

CITY OF LOS ANGELES  
CALIFORNIA



RICHARD J. RIORDAN  
MAYOR

DEPARTMENT OF  
CITY PLANNING  
221 N. FIGUEROA STREET  
LOS ANGELES, CA 90012-2601

CITY PLANNING  
COMMISSION  
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VICE-PRESIDENT  
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MARNA SCHNABEL  
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ROBERT H. SUTTON  
DEPUTY DIRECTOR  
(213) 580-1167  
FAX: (213) 580-1176  
INFORMATION  
(213) 580-1172

January 25, 1996

Honorable Marvin Braude  
Councilman, Eleventh District  
Room 275, Los Angeles City Hall  
200 North Spring Street  
Los Angeles, CA 90012-4801

RE: Requested Revocation of use permits - Mount Saint Mary's College and Carondolet Center

Dear Councilman Braude:

This communication is in response to your request to review a letter from Mr. Jim Crisp concerning revocation of the conditional use permit for Mt. St. Mary's College and the Carondolet Center. Mr. Crisp's letter discussed a number of issues and asserted a number of contentions. I have researched the issues and the regulatory history of the site. I have met with staff, the Chief Zoning Administrator and with staff of Mt. St. Mary's College, and have reviewed documents submitted on behalf of the Brentwood Homeowners Association, including most notably a comprehensive traffic study. I have outlined my analysis of the specific contentions and attached them to this letter for your review. Based on my research, there is insufficient evidence to support the initiation of a revocation action.

PUBLIC COUNTER & CONSTRUCTION SERVICES CENTER  
CITY HALL - 200 N. SPRING STREET, RM. 460S - (213) 485-7826  
VAN NUYS - 6251 VAN NUYS BLVD., 1ST FLOOR, VAN NUYS 91401 - (818) 756-8596

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However, it is recommended that the school meet with residents to try and resolve long simmering traffic issues. Should additional evidence be submitted regarding uses not permitted by the conditional use grants or excessive traffic, this office will give further consideration to initiation of revocation proceedings.

If I can be of further assistance, please contact me at (213) 847-3672.

Very truly yours,

  
Bob Rogers  
Principal City Planner

BR:jj

Attachment

cc: Mt. St. Mary's College  
James J. Crisp  
Con Howe  
Robert Janovici

ATTACHMENT  
CONTENTIONS

In his letter of August 29, 1995, Mr. Crisp raised the following issues concerning the operation of the two uses:

- (a) The uses adversely affect the health, peace and safety of persons residing and working in the surrounding area;
- (b) The uses jeopardize or endanger the public health and safety of persons residing or working in the area;
- (c) The uses constitutes a public nuisance;
- (d) The uses results in repeated nuisance activities including but not limited to disturbances of the peace, loitering, littering, illegal parking, excessive loud noise and traffic violations; and
- (e) Violate provisions of Article 2 of Chapter 1 of the Los Angeles Municipal Code and other city, state or federal regulations, ordinances or statutes.

The letter also states that the Carondolet Center at the southern tip of the campus operates illegally as a "skilled nursing facility (i.e., Hospital) and should be suspended until a "Reduction in Site" has been approved per Section 12.24 of the Los Angeles Municipal Code.

Further information was submitted in the Crisp letter as evidence to support the recommended actions relative to the following considerations:

- (a) The college has permitted activities not consistent with its conditional use permit authorizations; specifically:
  - (1) Commercial use of the campus
  - (2) Exceeding of enrollment and parking requirements
  - (3) Use of the Carondolet Center portion of the subject property as a "skilled nursing facility"
- (b) Failure to file for a "Reduction in Site" on the southern tip of the campus to separate the Carondolet Center from the conditional use site.
- (c) Increasing the risk of accident or injury to an unacceptable and unreasonable level of risk by generating unwarranted traffic levels on substandard local hillside streets.

## ANALYSIS

### A. Commercial Use of the Site

The request for revocation initiation asserts that a variety of classes offered at night and on weekends constituted a commercial use of the subject site, inconsistent with a 1952 conditional use approval for a 17 acre addition to the campus "for athletic purposes and future buildings. (NB: the original conditional use permit dates back to 1928 with another conditional use permit issued in 1984 for a faculty residence and parking garage). The action allows for the expansion with a limitation that the grant is for "school use involving educational subjects".

The request for revocation proceedings cites numerous classes such as a symphony orchestra camp, a three day AFL-CIO Institute and a five day Yoga seminar (see page 6 of James J. Crisp letter attached) as commercial uses of the campus and the frequent use of the school's chapel for weddings.

The educational content of classes at universities and colleges has historically and consistently been broadly defined to not limit intellectual curiosity and inquiry. The fact that a few of the classes cited obviously would not have been intended for undergraduates of the school is not contrary to the fact that such classes are routinely offered at other colleges in the area.

Representatives of the Mt. St. Mary's administration did admit that there were numerous weddings in the chapel for a short period following the Northridge earthquake, pending repairs to a Saint Monica Church. They indicate that weddings are now limited to registered students enrolled in the school's B.A. program or alumni of the institution.

### B. Exceeding Enrollment Limits and Parking Requirements

As indicated previously, there have been three conditional use permits granted on the property and numerous plan approvals for compliance with those three permits.

City Plan Case No. 3066 was the original grant in 1928 for a college "subject to plans for buildings and the location of buildings." In 1952, City Plan Case No. 4072 was approved for a 17 acre expansion. In neither case was there a limit imposed on enrollment. Note that in 1952 the enrollment for the school was 650.

In 1984, the City Planning Commission approved a conditional use permit to allow for a three unit residence hall with a total of 33 bedrooms and a parking garage. The Commission did not specifically limit enrollment in its approval, but in approving the plans for the parking structure, they imposed a condition requiring 1/4 parking space per student. In a Plan Approval, dated July 12, 1984, enrollment was limited to 1,072, based on 268 parking spaces.

In the letter from Mr. Crisp, it is stated that Mt. St. Mary's College has an enrollment of 1,935 students. This number is accurate but only for the combined enrollments of the Brentwood and Doheny (Downtown) campuses. School administrators state that the Brentwood campus has an enrollment of 790 students in the weekday B.A. program of whom 744 are full time with and an average of 235 students enrolled in the Weekend College Program.

A visit to the campus clearly established that there is no problem with overflow parking from the school using Bundy Drive to park. Because of very steep terrain in the area any off campus on-street parking would be at an elevation well below the campus and would require a very substantial uphill hike to the school.

C. Use of the Carondelet Center as a "Skilled Nursing Facility"

One of the contentions regarding the Carondelet Center is that it is used as a "skilled nursing facility". Such facilities require approval of the Zoning Administrator. No such permission has ever been granted.

Our investigation reveals that the facility is not a skilled nursing facility, but rather a convent housing elderly nuns. A letter from the State Department of Social Services, which has jurisdiction in such matters, cites that a convent does not need a community care license to care for nuns of the order as long as the care givers do not provide care for financial gain or bring individuals in from outside the Order to receive care. No evidence has been submitted that such circumstances exist.

D. Reduction in Site

The request for revocation asserts that the transfer of the Carondelet Center to the Sisters of St. Joseph in 1981 required a "reduction in site" from the conditional use permit. The Zoning Code in Section 12.24.G.2 states:

- "2. Reduction in Site. So long as the conditional use is continued, the entire approved site shall be retained for such conditional use, and no portion thereof shall be severed therefrom or utilized for other purposes unless the plans for the reduced site are first submitted to and approved by the Commission or by a Zoning Administrator, whichever has jurisdiction at the time."

Staff research indicates the existing convent housing elderly nuns replaced a noviate (training for nuns) in the late 1970's. Then as now, the convent and the noviate would have been considered as incidental to a Catholic college, such as Mt. St. Mary's.

While it is true that the Carondolet Center became separate in ownership, it maintained its use as a convent. The legal separation of the Center and Mt. St. Mary's sites was accomplished in 1981 with approval of Parcel Map LA No. 4304 presided over by the Deputy Advisory Agency, and a Zoning Administrator. This amounted to a reduction of the site.

**E. Unwarranted Traffic Generation.**

The request for revocation stated that unwarranted traffic generated by the college "increases the risk of accident or injury to an unacceptable and unreasonable level" for residents along the narrow, two mile segment of Bundy Drive, between Sunset Boulevard and the college. The letter states that the school's enrollment of 1,935 is estimated to generate 4,585 vehicular trips per day, not counting seminars, conferences, etc. Based on this, residents are asking that the college limit student instruction to daytime hours and terminate all commercial activity.

As previously indicated, the actual enrollment on the Brentwood campus is currently at 790 during the week and 235 for weekend students. Based on estimates in the Crisp letter of 2.37 trips per student, traffic would be calculated at 1,872, not 4,585 daily trips.