

A RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SANTA MONICA COMMUNITY COLLEGE DISTRICT MAKING CEQA
FINDINGS NECESSARY TO APPROVE DEVELOPMENT OF THE SANTA
MONICA COLLEGE MADISON THEATER PROJECT, ADOPTING STATEMENT
OF OVERRIDING CONSIDERATIONS, ADOPTING A MITIGATION
MONITORING PLAN, AND APPROVING MADISON THEATER PROJECT

WHEREAS, an Environmental Impact Report (“EIR”) has been prepared
which analyzes the environmental effects of the Madison Theater Project; and

WHEREAS, the Board of Trustees of the Santa Monica Community
College District reviewed the Final EIR in full compliance with the California
Environmental Quality Act (“CEQA”) and the State and Santa Monica College
CEQA Guidelines, while acting in its capacity as Lead Agency pursuant to State
CEQA Guidelines Section 15051(a); and

WHEREAS, on August 4, 2003, the Board of Trustees certified that the
EIR for the Santa Monica College Madison Theater Project was prepared in full
compliance with CEQA and the State and Santa Monica College CEQA
Guidelines.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE SANTA
MONICA COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE AS
FOLLOWS:

SECTION 1. Consistent with Sections 1405(l) and (m) of the Santa
Monica College CEQA Guidelines and Sections 15091 and 15092 of the State
CEQA Guidelines, and as detailed in Final EIR Sections V.A, V.B, V.C, V.D, V.G,

and V.I, the Board of Trustees finds that the Madison Theater Project will have less than significant impacts on aesthetics (except for aesthetics during construction), air quality, historical resources, hydrology and water quality, fire, parks and recreation, schools, solid waste, water conservation, waste water, noise from road traffic, noise from on-site equipment, noise from patrons, and noise from performance events within the theater. The Board of Trustees further finds that the Madison Theater Project will have less than significant adverse neighborhood effects, except as set forth in Sections 2(e) and 3(d) herein.

SECTION 2. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, the Board of Trustees finds that most environmental impacts resulting from the project can be reduced to a level that is less than significant. More specifically, the potentially significant environmental effects, as identified in this Section 2, can feasibly be eliminated or substantially reduced to below a level of significance. However, significant adverse environmental effects in the areas of land use, parking lot noise, and traffic cannot feasibly be avoided or mitigated below a level of significance. Nor can the neighborhood effects in the areas of land use, parking lot noise, and traffic feasibly be avoided or mitigated below a level of significance. Nevertheless, these impacts are found to be acceptable due to overriding considerations as discussed in Section 6 below.

(a) The Final EIR determined that without mitigation, the project could have a potentially significant effect on aesthetics during construction. The Final EIR

concluded that construction activities would adversely affect the aesthetic quality of the Madison campus and the immediate surrounding area on a short term and temporary basis. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section V.A of the Final EIR, the Board of Trustees finds that the following mitigation measures have been required of the project, which will mitigate or reduce the impact of the project on aesthetics during construction to below a level of significance:

1. Construction equipment, debris, and stockpiled materials shall be enclosed within a fenced off area visually shielded from the surrounding properties.
2. The project contractors shall post an informative and clearly noticeable sign on site that provides a contact number for logging complaints associated with construction site upkeep, debris and litter control during the construction period.
3. All barricades and fences shall be installed and maintained with public safety and community appearance in mind. Barricades shall be maintained in appearance throughout the construction period. If plywood barricades are used, they shall be painted a neutral color and marked for no posting. Both the plywood and chain link shall be checked daily for defects and/or required repairs. Graffiti shall be removed immediately upon discovery and covered with new paint.

4. Trash dumpsters used during construction shall be placed on-site, not on the public right-of-way.

(b) The Final EIR determined that without mitigation, the project could have a potentially significant effect on construction noise. Specifically, construction noise levels are expected to range from 74 to 85 dBA at a distance of 80 feet from the construction area on a short-term and intermittent basis throughout the construction period. Noise levels at the closest noise sensitive locations will therefore temporarily exceed the construction noise criteria during certain periods of construction at certain locations. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in Section V.F of the Final EIR, the Board of Trustees finds that the following mitigation measure has been required of the project, which will mitigate or reduce the impact of the project on construction noise to below a level of significance:

1. The College shall require all construction personnel to implement the following noise control measures to the maximum extent feasible during the construction period:
 - a. All equipment operating on site shall have properly operating mufflers.
 - b. Siting of cranes, hoists, or other semi-stationary heavy equipment shall be as far from noise-sensitive uses as in practical, consistent with construction requirements.

- c. Electrically powered equipment shall be used instead of equipment driven by internal combustion engines where feasible.
- d. Equipment should not be left idling for long periods. Instead, it should be switched off.
- e. An area should be designated for delivery of materials and equipment to the site. This area shall be located as far from residential properties as is practical, consistent with construction requirements. This area shall be protected by a temporary barrier blocking the line-of-sight from the source to any operable residential window.

(c) The Final EIR determined that without mitigation, the project could have a potentially significant effect with regard to loading dock noise. Specifically, the theater loading dock is proposed on the west side of the building. The loading dock doors are located approximately 150 feet from residential properties to the west, across Tenth Street. The potential for activities at the loading dock to significantly impact neighboring residential properties depends upon many operational factors, including the time of day/night and the degree to which noisy activities can be avoided. There is a potential for significant noise impacts, particularly if loud activities were allowed to occur at night time. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in the Final EIR at Section V.F, the Board of Trustees finds that the following mitigation

measures have been required of the project, which will mitigate or reduce the impact of the project on loading dock noise to below a level of significance:

1. Any party using the theater's loading dock shall be required to sign a contract agreeing to the following conditions.
2. In consideration of the theater's neighbors, noise from loading and unloading activities should be minimized using best practical means.

Measures should including the following:

- a. Truck engines should not be left idling at any time.
- b. Listening to loud radios, or similar devices, should be avoided.
- c. Items being loaded or unloaded should not be deliberately dropped in a manner that would create unnecessary noise.
- d. As far as is practical, use of the loading dock shall be restricted to the hours between 8:00 a.m. to 10:00 p.m. If use of the loading dock outside of these hours is considered essential, then the theater user shall monitor noise level transfer at the closest residential property line on 10th Street. Noise levels shall be monitored using a calibrated sound level meter. In the event of any measured noise level attributable to activities at the loading dock exceeding a level of 50 dBA, then the noise monitoring person shall immediately instruct the persons using the loading dock to desist from the activity causing the noise level excess. If measured ambient noise levels are above 50 dBA during the monitoring period, then audibility of loading dock

activities from the monitoring position will be used as the appropriate noise limit.

(d) The Final EIR determined that without mitigation, the project could have a potentially significant effect on parking. Specifically, there is the potential that theater parking demand, in combination with parking demand generated by other uses and activities at the Madison campus site, could exceed available parking supply absent proper parking management and Madison Theater scheduling. Consistent with Sections 1405(l) and (m) of the Santa Monica College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in the Final EIR at Section V.H, the Board of Trustees finds that the following mitigation measures have been required of the project, which will mitigate or reduce the impact of the project on parking to below a level of significance:

1. The College shall prepare and implement a parking operations plan for the Madison campus. The parking operations plan shall ensure there is at all times a sufficient supply of on-campus parking for all persons utilizing the campus. The plan shall satisfy this requirement through a combination of measures, including: (1) limits on the scheduling of classroom activities prior to and during theater use to ensure classroom-related parking in combination with theater-related parking does not exceed campus parking capacity, (2) limits on theater ticket sales to ensure there is adequate parking for Madison Theater users after accounting for parking demand

- generated by other campus users, and (3) expanding the on-campus parking supply by use of an attendant/stacked parking system.
2. The parking operations plan shall provide that attendance at any and all events in the theater will not generate parking demand in excess of parking supply after accounting for non-theater parking demand during the time period affected by the theater event. When necessary to ensure that this requirement is met, the plan shall require that theater admissions shall be subject to a “cap” or maximum limit.
 3. The parking operations plan shall incorporate a provision requiring notification to theater users that the neighborhood in which the Madison campus is located is protected by a preferential parking district which generally prohibits parking by nonresidents. Such notification will direct theater users to park on-campus and not utilize off-campus parking.
 4. The parking operations plan shall include the name and phone number of a College contact person available to address any questions, comments or complaints about parking at the Madison campus.
 5. The parking operations plan shall be reviewed and modified as necessary prior to the commencement of each academic session to account for any changes in parking demand due to changes in non-theater activities or anticipated theater events planned for the Madison campus.
 6. The parking operations plan shall be available for public review.

7. The College shall maintain statistical information showing parking demand for theater and non-theater uses at the Madison campus during each academic session. This information shall be available for public review.

(e) The Final EIR determined that without mitigation, the Madison Theater Project could have potentially significant neighborhood effects in the following specific areas as set forth in Sections 2(a) through 2(d) herein: aesthetics during construction (Section 2(a)); construction noise (Section 2(b)); loading dock noise (Section 2(c)); and parking (Section 2(d)). Consistent with Sections 1405(l) and (m) of the College CEQA Guidelines and Sections 15091 and 15092 of the State CEQA Guidelines, and as detailed in the Final EIR at Section V.J, the mitigation measures set forth in Sections 2(a) through 2(d) herein (Sections V.A, V.F and V.H of the Final EIR) will mitigate or reduce these neighborhood effects of the project to below a level of significance.

SECTION 3. Consistent with Sections 1405(l), (m) and (n) of the Santa Monica College CEQA Guidelines and Sections 15091, 15092 and 15093 of the State CEQA Guidelines, and as detailed in the Final EIR at Sections V.E, V.F and V.H, the Board of Trustees finds that the significant environmental effects identified below cannot feasibly be avoided or mitigated to below a level of significance. Nevertheless, their impacts are found to be acceptable due to overriding considerations as discussed in Section 6 herein.

(a) The Final EIR determined that without mitigation, the project's inconsistency with the allowable height for the R3 zone in which the theater is situated would

constitute a significant impact. The Final EIR identifies no feasible mitigation measures to reduce the height of the proposed theater.

(b) The Final EIR determined that without mitigation, the project would generate activities in the parking lot in the late evening hours during theater departure periods. Based on representative noise surveys at similar College theater events, and employing conservative assumptions, a “worst case” factor for increased noise levels at the Madison parking lot was projected to be 4 dBA, with noise levels at the neighboring property line due to the increased number of cars ranging from 0 dBA to 4 dBA. On this basis, and assuming maximum attendance at the theater, a significant impact to the neighboring residential properties on Tenth Street and a possible impact to the neighboring residential properties on Eleventh Street would result during night time theater departure periods. The Final EIR identifies no feasible mitigation measures to reduce parking lot noise during theater departure periods.

(c) The Final EIR determined that without mitigation, the project would result in significant impacts on traffic. Specifically, the Final EIR identified significant adverse traffic impacts at five intersections (Ninth Street/Santa Monica Boulevard; Tenth Street/Wilshire Boulevard; Tenth Street/Santa Monica Boulevard; Twelfth Street/Santa Monica Boulevard; and Euclid Street/Santa Monica Boulevard) and five street segments (Arizona Avenue, west of Tenth Street; Arizona Avenue, east of Tenth Street; Arizona Avenue, east of Eleventh Street; Eleventh Street, south of Arizona Avenue; and Eleventh Street, south of Santa Monica Boulevard).

The Final EIR determined there are no feasible mitigation measures available to mitigate the potential impacts on the five street segments. The Final EIR identified potential mitigation measures for the five intersections, consisting of the restriping of these intersections to improve traffic flow. However, all such mitigation measures are within the control of the City of Santa Monica and the City has informed the College that such mitigation measures are not acceptable to the City. In particular, the City notified the College that the City “does not believe the proposed mitigation of additional lane marking will effectively increase capacity,” concluding that the City does “not believe that striping would be an effective mitigation measure.” The City further indicated that the proposed restriping, which would eliminate some on-street parking spaces at one of the five affected intersections (10th Street and Wilshire Boulevard), would not be implemented by the City because “it is unacceptable to remove on-street parking.” Consequently, there are no feasible mitigation measures to address the traffic impacts at these five intersections.

(d) The Final EIR determined that without mitigation, the project would result in significant adverse neighborhood effects in the following specific areas as set forth in Section 3(a) through 3(c) herein: land use (Section 3(a)); parking lot noise (Section 3(b)); and traffic (Section 3(c)). The Final EIR did not identify feasible mitigation measures to reduce these impacts below a level of significance, as more fully explained in Sections 3(a) through 3(c) herein.

SECTION 4. In addition to the mitigation measures contained in the Final EIR that address potentially significant environmental effects, the Final EIR also contains measures identified as mitigation measures that are not required to reduce otherwise significant environmental impacts to less than significant levels. Rather, these mitigation measures are proposed in areas where the Final EIR determined the project would have less than significant impacts absent any mitigation. Nevertheless, the College shall implement these mitigation measures as part of the Madison Theater Project, which consist of the following:

(a) The Final EIR includes the following air quality construction phase mitigation measures, notwithstanding the Final EIR's conclusion that the project will have less than significant construction phase impacts on air quality absent any mitigation:

1. The construction area and vicinity (500-foot radius) shall be swept (preferably with water sweepers) and watered at least twice daily. Site-wetting shall occur often enough to maintain a 10 percent surface soil moisture content throughout all earth-moving activities.
2. All unpaved roads, parking and staging areas shall be watered at least once every two hours of active operations.
3. Site access points shall be swept/washed within thirty minutes of visible dirt deposition.

4. On-site stockpiles of debris, dirt or rusty material shall be covered or watered at least twice daily.
5. All haul trucks hauling soil, sand and other loose materials shall either be covered or maintain two feet of freeboard.
6. All haul trucks shall have a capacity of no less than twelve and three-quarter (12.75) cubic yard.
7. At least 80 percent of all inactive disturbed surface areas shall be watered on a daily basis when there is evidence of wind-driven fugitive dust.
8. Operations on any unpaved surfaces shall be suspended when winds exceed 25 mph.
9. Traffic speeds on unpaved roads shall be limited to 15 miles per hour.
10. Operations on any unpaved surfaces shall be suspended during first and second stage smog alerts.

(b) The Final EIR includes the following hydrology (surface water run-off and drainage) mitigation measure, notwithstanding the Final EIR's conclusion that the project will have less than significant hydrology impacts absent any mitigation:

1. Prior to the commencement of any land disturbing activity, the College shall obtain a National Pollutant Discharge Elimination System (NPDES) statewide General Construction Activity Stormwater Permit regulated by the State Water Resource Control Board. Coverage under this permit shall not occur until the applicant has complied with the terms of such permit including the development of an adequate Storm Water Pollution Prevention Plan (SWPPP) for the project.

(c) The Final EIR includes the following police services-related mitigation measure, notwithstanding the Final EIR's conclusion that the project will have less than significant impacts on police services absent any mitigation:

1. The College shall prepare and the Santa Monica College Police Department ("SMCPD") shall implement a security plan addressing policies for crime prevention, crowd noise and traffic control measures for the Madison Campus before, during and after theater events.

(d) The Final EIR includes the following water conservation and waste water mitigation measures to reduce demand on water services and generation of waste water, notwithstanding the Final EIR's conclusion that the project will have less than significant impacts on water usage and waste water generation absent any mitigation:

1. Automatic sprinkler systems used to irrigate landscaping shall be programmed to operate during the cooler periods of the day (evening and early morning) to minimize water loss from evaporation, thereby ensuring the efficient use of irrigation water. Landscape irrigation schedules should be adjusted to accommodate the seasons.
2. Selection of drought-tolerant, low water consuming plant varieties shall be used to reduce irrigation water consumption in new landscaped areas.
3. Efficient irrigation systems shall be used where feasible in long piping systems (where water must be run for considerable periods before hot water is received at the outlet).
4. Plumbing fixtures shall be selected which reduce potential water loss from leakage due to excessive wear of washers.

SECTION 5. The Final EIR determined that the CEQA-mandated environmentally superior alternative is the Reduced Density Alternative, consisting of a 375 seat theater. As analyzed in Section VI.C of the Final EIR, the Reduced Density Alternative would result in impacts equal to or less than the impacts of the proposed project as well as the other alternatives considered. In addition, the No Project Alternative would result in impacts that would be equal to or less than the impacts of the proposed project. However, neither the Reduced Density Alternative nor the No Project Alternative are feasible because they do

not satisfy the project objective of integrating teaching, practice and performing into a single mid-sized state-of-the-art multi-purpose facility that would accommodate theater, dance, voice, instrument, chamber orchestra, lectures and film with a seating capacity of up to 500 persons. Nor do the Reduced Density Alternative or the No Project Alternative meet the project objective of providing a theater that will operate as an integral component of classroom, workshop, and mentor program instruction in music, theater and dance as part of an integrated “Performing Arts Center.” The Board of Trustees finds that a theater containing a minimum of 500 seats plus an orchestra area is essential for the theater to achieve these project objectives.

SECTION 6. As fully described in the Final EIR at Sections V.E, V.F, and V.H, the Final EIR found that the proposed project would result in significant and unavoidable adverse impacts in the areas of land use, parking lot noise, and traffic. Consistent with Section 15093 of the State CEQA Guidelines, the Board of Trustees hereby makes and adopts a Statement of Overriding Considerations and finds that the educational, social, cultural and economic benefits of the Madison Theater Project outweigh its unavoidable environmental impacts based upon the following reasons:

(a) The Madison Theater Project will address a significant deficiency in the College’s facilities to support its performing arts and related educational and community-serving programs. At present, the College has a significant deficiency of facilities for music (both voice and instrument), dance, and theater performances. The College also has a significant deficiency of facilities for the

public performance of visiting artists in music, dance, theater, and lecture. These public performances are both a component of the educational offering to the College's students and a service to the community.

The College's existing theater classroom, on the main campus, was built in 1952 and is severely deficient in terms of accessibility, dressing rooms, bathrooms, set design, storage, and stage elements. A renovation of this building is underway to remedy these deficiencies. The building will continue to operate as a theater classroom (the theater space is used exclusively by the theater arts program for set design, lighting classes, rehearsals, and classroom lectures) and is not available for music, dance, or public performances of visiting artists.

The College's only auditorium is on the main campus. The 240-seat auditorium includes only a rear projection booth and a stage area. The stage area is flat (providing poor visibility) and is concrete (unsuitable for dance). There are no side wings, back of stage areas, or fly towers. There are no bathrooms or dressing rooms. The auditorium has poor acoustics, and is deficient for individual voice, choral, and instrument. The auditorium is severely deficient for orchestra. The Madison Theater addresses these deficiencies by incorporating state-of-the-art staging, projection, acoustics and support facilities.

The seating capacity of the College's main campus auditorium is severely deficient. Santa Monica College is comparable in size to El Camino College (Marsee Fine Arts Theater, capacity 2,000), Pasadena City College (Sexson

Auditorium, Capacity 1,950), Long Beach City College (City College Auditorium, Capacity 1,000), and East Los Angeles College (East Los Angeles Theater, capacity 1,950) and yet lacks a comparably-sized auditorium. The 500-seat Madison Theater is more than double the size of the College auditorium while not as large as the theaters on these comparable campuses.

The seating capacity of Santa Monica College's auditorium is also substantially less than that of local community colleges much smaller in size than the College, including Glendale College (Main Stage Auditorium, capacity 399) and West Los Angeles College (Fine Arts Auditorium, capacity 450). The 500-seat Madison Theater will be only slightly larger than the auditoriums at these smaller community colleges.

The Madison Theater Project will serve as a versatile facility for regularly scheduled classes and lectures, teaching and presenting college arts-related programs, special educational events and presentations that create a special arts education opportunity for students and the community, presenting professional arts programming, and presenting community programming. In doing so, the theater will become an integral component of classroom, workshop, and mentor program instruction in music, theater, and dance at the Madison campus site. Through careful attention to components and details, the theater has been specifically designed to accommodate the special staging requirements of theater, dance, voice, instrumental, chorale, symphony orchestra, lectures, and film. The theater will also contain appropriate loading facilities as there will not be any on-site set construction facilities.

(b) The Madison Theater Project will assist the College in meeting the needs of its students with respect to new state standards for arts education in California, which reflect state policy favoring improved arts educational opportunities. Specifically, on January 10, 2001, the State Department of Education adopted Visual and Performing Arts Content Standards. These standards describe what every student should know and be able to do in the visual and performing arts, prekindergarten through grade twelve in five strands: artistic perception; creative expression; historical and cultural context; aesthetic valuing; and connections, relationships and applications. The standards were adopted to prepare for the Fall 2003 implementation of a new entrance requirement for University of California and an existing requirement of the California State University (approved in 1999) of year-long coursework in dance, drama/theater, music, or visual arts; and the Fall 2004 implementation of a new requirement for teacher accreditation (approved in 2001) to include training in the teaching of visual and performing arts.

(c) The College serves as a community college from which many students transfer to University of California and California State University schools. The Madison Theater Project will assist college students in meeting the transfer requirements of the University of California and California State University, which are instituting a new policy that officially includes the arts as a college preparatory subject for all high school students who wish to enter the state's higher education institutions. This requirement will take effect in Fall 2003, and may be met by any two semesters of coursework in any of the categories. By

2006 all students entering the UC/CSU system must satisfy the visual and performing arts requirement by completing an appropriate single course in a yearlong sequence in dance, music, theatre or the visual arts.

To meet the UC/CSU admissions requirement guidelines, the College's courses in the visual and performing arts are intended to provide students with an experience in the arts that implements the intent of the California State Board of Education-approved Visual and Performing Arts Content Standards.

As UC President Richard Atkinson noted in a letter dated November 12, 2002, to the chair of the California Alliance for Arts Education, "Faculty and staff at the University agree that this requirement sends a message to K-12 students and to the broader educational community that the arts are crucial to the development of a well-rounded student and citizen."

(d) By expanding the College's performing arts facilities, the Madison Theater will help students improve their academic achievement. There is substantial evidence that student engagement in the arts improves academic achievement. A recent report from the National Art Education Association (NAEA) confirms that students enrolled in arts study score higher on both their Verbal and Math SAT tests than those who were not enrolled in arts courses. These findings were revealed in a recent College Board publication, Profile of College-bound Seniors National Report.

(e) The Madison Theater will provide an important new venue to enhance the College's educational and community partnerships in the performing arts and arts

education. The Santa Monica area is home to many professionals active in visual and performing arts and is home to many members of the public who are active theatergoers and cultural arts patrons. As a consequence, the Madison Theater Project is anticipated to serve as the cornerstone of educational partnerships and provide substantial community benefit.

Current College programming already includes a partnership with LA Opera and an on-going Opera Camp for children ages 9-15 in coordination with the Santa Monica Malibu Unified School District (“SMMUSD”) and with the provision of multiple scholarships; the Henry Mancini jazz clinic, with the participation of Malibu High School; visiting artists from the Kirov with over 1,000 SMMUSD and local private school children in attendance; a partnership with the SMMUSD Fine Arts Coordinator to bring school children to an ongoing series of free concerts at the Madison campus and other sites; the premiere of a new composition performed by the Los Angeles Master Chorale as part of the World Festival of Sacred Music for more than 700 school children; a Youth Arts Festival; and new performing arts partnerships with the Santa Monica Pier Restoration Corporation and Miles Playhouse. The Madison Theater will facilitate continuation and expansion of these collaborative efforts in the performing arts and arts education.

(f) The Madison Theater will provide opportunities for local residents, in Santa Monica and in neighboring communities, to attend both student and professional performing arts events, thus enriching the arts and cultural opportunities available in the Santa Monica community.

(g) The Madison Theater will add a significant missing piece to the Santa Monica community's array of performing and fine arts facilities, thus enhancing Santa Monica's reputation as a community which values the arts. The Madison Theater will, in combination with Santa Monica's other arts venues, programs and resources, make a substantial contribution to the local economy and Santa Monica's reputation as a visitor-serving community. The economic benefits of the arts in Santa Monica are documented in a report prepared for the City of Santa Monica by the independent research firm AMS Planning & Research in 1997 entitled, "Economic Impact Report of the Arts in Santa Monica." According to this City report, the "arts, culture and entertainment industries in Santa Monica account for up to \$1.27 billion in economic activity and 26,000 jobs." More particularly, this City report made the following findings:

- There are at least 467 arts, culture and entertainment-related non-profit and commercial organizations and businesses active in Santa Monica.
- Arts, culture and entertainment-related organizations directly employ at least 8,585 full-time, part-time and contracted workers in Santa Monica.
- Total annual revenues of Santa Monica's arts, culture and entertainment-related organizations and businesses are estimated to be at least \$407 million.

- The induced or secondary economic impact of the arts, culture and entertainment-related businesses in Santa Monica adds \$863 million annually to the estimated gross revenues and approximately 18,200 persons to the employment estimates.
- Arts, culture and entertainment-related businesses paid local tax and business license fees of over \$1 million in 1994-1995.
- An estimated 3,714,000 people attended arts festivals and art galleries in Santa Monica in 1994-1995.
- Art Galleries and dealers indicated an annual attendance of 1 million.
- Non-profit organizations reported at least 158,400 attendances.
- The cultural sector is growing and expects to continue to grow over the next three years.
- The City of Santa Monica's policies have a significant impact on arts, culture and entertainment-related businesses.

The Madison Theater will make a particularly valuable contribution to neighboring small businesses, including local restaurants, which will benefit from

the additional customers generated by the Madison Theater. The City of Santa Monica will also benefit from the additional tax dollars generated by theater patrons.

(h) By promoting and encouraging enhanced opportunities in the performing arts and arts education, the Madison Theater will contribute to the role of the arts in facilitating a better understanding of, and appreciation for, diverse cultures and heritages, which has educational, social and economic benefits. According to State Senator Jack Scott (Dr. Scott is the former president of Pasadena City College), who chairs the California State Legislature Joint Committee on the Arts:

“When we view diversity as an advantage we maximize the opportunities for economic and social success -- avoiding any drain on previous time and financial resources in dealing with divisions in our society. In fact, our diversity holds out promise for extraordinary economic advances and gains, as we support and expand the best assets each culture offers to our state. This precept is essential for any long-term strategic plan for California’s health, vitality and success. Clearly, the arts have become intricately woven into California’s economy, culture and identity. Despite increased funding, the state is in danger of squandering its arts advantage. Just as every nation that sends a mission to California includes its Minister of Culture, California should similarly promote the arts when doing business abroad. Our

challenge will be to find the most appropriate ways to foster and increase arts opportunities through the state. As one of the most multiethnic places in the world, California has a tremendous asset in its diversity and its impact on arts in the state.”

(i) The Madison Theater Project incorporates a series of mitigation measures delineated in the Final EIR and Section 4 herein in the areas of air quality during construction, hydrology (surface water run-off and drainage), police services, water conservation and waste water that are not required to mitigate otherwise significant environmental effects and yet will be implemented as part of this project. These mitigation measures will provide public benefits in these areas.

(j) In contrast to these extensive educational, cultural, social and economic benefits, the project’s three adverse environmental effects which cannot be mitigated below a level of significance are comparatively minor in nature.

Specifically:

- The project’s inconsistency with the maximum allowable height in the City of Santa Monica’s R3 zoning district relates solely to a small portion of the theater (i.e., the fly tower) that is set back substantially from neighboring properties. The height of the fly tower is essential for the proper functioning of the new theater facility for performing arts events.

- The Final EIR's finding that the project will have unmitigatable adverse noise impacts in the parking lot in the late evening hours during theater departure periods is based upon maximum theater attendance and a set of "worst case" assumptions about noise generation. These noise impacts, while significant under the Final EIR's threshold of significance for noise impacts, will be limited in frequency and duration. The EIR found the only feasible mitigation measure to mitigate this impact was to construct a block wall surrounding the perimeter of the surface parking lot. However, this measure was determined to be infeasible as it would result in adverse impacts associated with aesthetics and views (neighborhood compatibility) and public safety.
- The Final EIR's finding of significant adverse traffic impacts at five of the forty-two intersections studied stems from the Final EIR's use of the City's highly sensitive thresholds for measuring significant traffic impacts. The additional traffic caused by this project will constitute a very small percentage of both the overall traffic and the incremental additional traffic at these five intersections. In addition, the five intersections in question are unsignalized; the adverse traffic impacts at these five intersections are based upon delays experienced by cars entering major streets (i.e., Santa Monica Boulevard and Wilshire Boulevard) at unsignalized intersections. The City rejected proposed mitigation measures that would have

reduced the adverse traffic impacts at these five intersections to a less than significant level.

- The Final EIR's finding of significant adverse traffic impacts at five of the thirteen street segments studied also stems from use of the City's highly sensitive thresholds for measuring significant traffic impacts. For four of the five street segments in question, the increase of a single vehicle trip constitutes a significant adverse impact. The additional traffic caused by this project will constitute a very small percentage of both the overall traffic and the incremental additional traffic at these five street segments.

SECTION 7. Consistent with Public Resources Code Section 21081.6 (a provision of CEQA), the Board of Trustees adopts the Mitigation Monitoring Plan, which is attached to the Final EIR as Table VI-1 and which is incorporated herein by this reference as Exhibit "A", to mitigate or avoid significant effects of the Madison Theater Project on the environment and to ensure compliance during project implementation.

SECTION 8. Consistent with Public Resources Code Section 21081.6(a)(2) (a provision of CEQA), the documents which constitute the record of proceedings for approving the Madison Theater Project are located in the office of Thomas J. Donner, Executive Vice President of Santa Monica College, located at 2714 Pico Blvd., Room 328, Santa Monica, CA 90405. The custodian

of these records is Thomas J. Donner, Executive Vice President of Santa Monica College, who may be reached at (310) 434-4947.

SECTION 9. The Madison Theater Project is hereby approved. Based upon the record of the proceeding, the Board of Trustees finds that the Madison Theater Project advances the mission of Santa Monica College “to create a learning environment that both challenges our students and supports them in achieving their educational goals” and to “prepare our students to contribute to the global community as they develop an understanding of their personal relationship to the world’s social, cultural, political, economic, technological, and natural environments.” (Adopted Mission Statement.) The Madison Theater Project will also further Santa Monica College’s adopted goals in the area of promoting student success, advancing academic excellence, developing community partnerships and providing a supportive physical environment. Therefore, in accordance with Government Code Section 53094 and in full compliance therewith, the Board of Trustees hereby renders the City of Santa Monica’s zoning ordinance inapplicable to the Madison Theater Project. Notification of this action shall be communicated to the City of Santa Monica within 10 days of the date of adoption of this Resolution.

MITIGATION MONITORING PLAN

EXHIBIT A

**Table VI -1
Mitigation Monitoring Program**

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
V.A.1 Views/Light & Glare						
1. Construction equipment, debris, and stockpiled materials shall be enclosed within a fenced off area visually shielded from the surrounding properties.	<ul style="list-style-type: none"> • Construction Plan approval. • Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> • Prior to and during construction. 	SMC			
2. The project contractor shall post an informative and clearly noticeable sign on site that provides a contact number for logging complaints associated with construction site upkeep, debris and litter control during the construction period.	<ul style="list-style-type: none"> • Construction Plan approval. • Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> • Prior to and during construction. 	SMC			
3. All barricades and fences shall be installed and maintained with public safety and community appearance in mind. Barricades shall be maintained in appearance throughout the construction period. If plywood barricades are used, they shall be painted a neutral color and marked for no posting. Both the plywood and chain link shall be checked daily for defects and/or required repairs. Graffiti shall be removed immediately upon discovery and covered with new paint.	<ul style="list-style-type: none"> • Construction Plan approval. • Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> • Prior to and during construction. 	SMC			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
4. Trash dumpsters used during construction shall be placed on-site, not on the public right-of-way.	<ul style="list-style-type: none"> Construction Plan approval. Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> Prior to and during construction. 	SMC			
V.A.2 Shade/Shadow						
No mitigation measures are required.						
V.B Air Quality						
1. The construction area and vicinity (500-foot radius) shall be swept (preferably with water sweepers) and watered at least twice daily. Site-wetting shall occur often enough to maintain a 10 percent surface soil moisture content throughout all earth-moving activities.	<ul style="list-style-type: none"> Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> During construction. 	SMC			
2. All unpaved roads, parking and staging areas shall be watered at least once every two hours of active operations.	<ul style="list-style-type: none"> Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> During construction. 	SMC			
3. Site access points shall be swept/washed within thirty minutes of visible dirt deposition.	<ul style="list-style-type: none"> Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> During construction. 	SMC			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
4. On-site stockpiles of debris, dirt or rusty material shall be covered or watered at least twice daily.	<ul style="list-style-type: none"> Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> During construction. 	SMC			
5. All haul trucks hauling soil, sand and other loose materials shall either be covered or maintain two feet of freeboard.	<ul style="list-style-type: none"> Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> During construction. 	SMC			
6. All haul trucks shall have a capacity of no less than twelve and three-quarter (12.75) cubic yard.	<ul style="list-style-type: none"> Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> During construction. 	SMC			
7. At least 80 percent of all inactive disturbed surface areas shall be watered on a daily basis when there is evidence of wind-driven fugitive dust.	<ul style="list-style-type: none"> Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> As needed during construction. 	SMC			
8. Operations on any unpaved surfaces shall be suspended when winds exceed 25 mph.	<ul style="list-style-type: none"> Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> As needed during construction. 	SMC			
9. Traffic speeds on unpaved roads shall be limited to 15 miles per hour.	<ul style="list-style-type: none"> Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> During construction. 	SMC			
10. Operations on any unpaved surfaces shall be suspended during first and second stage smog alerts.	<ul style="list-style-type: none"> Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> As needed during construction. 	SMC			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
V.C Historic Resources						
No mitigation measures are required.	N/A	N/A	N/A	N/A	N/A	N/A
V.D Hydrology and Water Quality						
1. Prior to the commencement of any land disturbing activity, SMC shall obtain a National Pollutant Discharge Elimination System (NPDES) Statewide General Construction Activity Stormwater Permit regulated by the State Water Resource Control Board. Coverage under this permit shall not occur until the applicant has complied with the terms of such permit including the development of an adequate Storm Water Pollution Prevention Plan (SWPPP) for the project.	<ul style="list-style-type: none"> NPDES permit approval. 	<ul style="list-style-type: none"> Pre-construction. 	SMC			
V.E Land Use						
No mitigation measures are required.	N/A	N/A	N/A	N/A	N/A	N/A
V.F Noise						
1. The project applicant shall require all construction personnel to implement the following noise control measures to the maximum extent feasible during the construction period: <ul style="list-style-type: none"> a. All equipment operating on site 	<ul style="list-style-type: none"> Field check to confirm measures are implemented. 	<ul style="list-style-type: none"> During construction. 	SMC			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
<p>shall have properly operating mufflers.</p> <p>b. Siting of cranes, hoists, or other semi-stationary heavy equipment shall be as far from noise-sensitive uses as is practical, consistent with construction requirements.</p> <p>c. Electrically powered equipment shall be used instead of equipment driven by internal combustion engines where feasible.</p> <p>d. Equipment should not be left idling for long periods, instead, it should be switched off.</p> <p>e. An area should be designated for delivery of materials and equipment to site. This area shall be located as far from residential properties as is practical, consistent with construction requirements. This area shall be protected by a temporary barrier blocking the line-of-sight from the source to any operable residential window.</p>						
<p><u>On-Site Noise</u></p> <p>Noise emissions from all items of mechanical equipment shall be controlled in accordance with</p>	<ul style="list-style-type: none"> Architectural Plan approval. 	<ul style="list-style-type: none"> Pre-construction. 	SMC			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
the City of Santa Monica Noise Ordinance. No site-specific noise mitigation measures are required.						
<p><u>Loading Dock</u></p> <p>Any party using the theater's loading dock shall be requested to sign a contract agreeing to the following conditions.</p> <p>2. In consideration of the theater's neighbors, noise from loading and unloading activities shall be minimized using best practical means. Measures should include the following:</p> <ol style="list-style-type: none"> a. Truck engines should not be left idling at any time. b. Listening to loud radios, or similar devices, should be avoided. c. Items being loaded or unloaded should not be deliberately dropped in a manner that would create unnecessary noise. d. As far as is practical, use of the loading dock should be restricted to the hours between 8:00 a.m. to 10:00 p.m. If use of the loading dock outside of these hours is considered essential then the theater user shall monitor noise level transfer at 	<ul style="list-style-type: none"> • Execution of event operations contract. 	<ul style="list-style-type: none"> • Ongoing throughout the life of the project. 	SMC			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
the closest residential property line on 10 th Street. Noise levels shall be monitored using a calibrated sound level meter. In the event of any measured noise level attributable to activities at the loading dock exceeding a level of 50 dBA then the noise monitoring person shall immediately instruct the persons using the loading dock to desist from the activity causing the noise level excess. If measured ambient noise levels are above 50dBA during the monitoring period, then audibility of loading dock activities from the monitoring position will be used as the appropriate noise limit.						
V.G.1 Police						
1. SMC shall prepare and SMCPD shall implement a security plan addressing policies for crime prevention, crowd noise and traffic control measures for the Madison Campus before, during, and after theater events.	<ul style="list-style-type: none"> Security Plan approval. 	<ul style="list-style-type: none"> Ongoing throughout the life of the project. 	SMC			
V.G.2 Fire						
No mitigation measures are required.	N/A	N/A	N/A	N/A	N/A	N/A

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
V.G.3 Parks and Recreation						
No mitigation measures are required.	N/A	N/A	N/A	N/A	N/A	N/A
V.G.4 Schools						
No mitigation measures are required.	N/A	N/A	N/A	N/A	N/A	N/A
V.H.1 Traffic						
No feasible mitigation measures have been adopted.	N/A	N/A	N/A	N/A	N/A	N/A
V.H.2 Parking						
1. The College shall prepare and implement a parking operations plan for the Madison campus. The parking operations plan shall ensure there is at all times a sufficient supply of on-campus parking for all persons utilizing the campus. The plan shall satisfy this requirement through a combination of measures, including: (1) limits on the scheduling of classroom activities prior to and during theater use to ensure classroom-related parking in combination with theater-related parking does not exceed campus parking	<ul style="list-style-type: none"> Prepare and adopt a Parking Operations Plan to be kept on file and remain available for public review. 	<ul style="list-style-type: none"> Prior to issuance of occupancy permits Ongoing throughout the life of the project. 	SMC			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
capacity, (2) limits on theater ticket sales to ensure there is adequate parking for Madison theater users after accounting for parking demand generated by other campus users, and (3) expanding the on-campus parking supply by use of an attendant/stacked parking system.						
2. The parking operations plan shall provide that attendance at any and all events in the theater will not generate parking demand in excess of parking supply after accounting for non-theater parking demand during the time period affected by the theater event. When necessary to ensure that this requirement is met, the plan shall require that theater admissions shall be subject to a "cap" or maximum limit.	<ul style="list-style-type: none"> Prepare and adopt a Parking Operations Plan to be kept on file and remain available for public review. 	<ul style="list-style-type: none"> Prior to issuance of occupancy permits Ongoing throughout the life of the project. 	SMC			
3. The parking operations plan shall incorporate a provision requiring notification to theater users that the neighborhood in which the Madison campus is located is protected by a preferential parking district which generally prohibits parking by nonresidents. Such notification will direct theater users to park on-campus and not utilize off-campus parking.	<ul style="list-style-type: none"> Keep on file written confirmation of parking operations plan 	<ul style="list-style-type: none"> Prior to issuance of occupancy permits Ongoing throughout the life of the project. 	SMC			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
4. The parking operations plan shall include the name and phone number of a College contact person available to address any questions, comments or complaints about parking at the Madison campus.	<ul style="list-style-type: none"> Field check to confirm implementation of signage 	<ul style="list-style-type: none"> Prior to issuance of occupancy permits Ongoing throughout the life of the project. 	SMC			
5. The parking operations plan shall be reviewed and modified as necessary prior to the commencement of each academic session to account for any changes in parking demand due to changes in non-theater activities or anticipated theater events planned for the Madison campus.	<ul style="list-style-type: none"> Keep on file written confirmation of parking operations plan 	<ul style="list-style-type: none"> Prior to issuance of occupancy permits Ongoing throughout the life of the project. 	SMC			
6. The parking operations plan shall be available for public review.	<ul style="list-style-type: none"> Keep on file written confirmation of parking operations plan and it shall be located at a site available for public review 	<ul style="list-style-type: none"> Prior to issuance of occupancy permits Ongoing throughout the life of the project. 	SMC			
7. The College shall maintain statistical information showing parking demand for theater and non-theater uses at the Madison campus during each academic session. This information shall be available for public review.	<ul style="list-style-type: none"> Keep on file written confirmation of the statistical information and it shall be located at a site available for public review 	<ul style="list-style-type: none"> Ongoing throughout the life of the project. 	SMC			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
V.I.1 Water Conservation						
1. Automatic sprinkler systems used to irrigate landscaping shall be programmed to operate during the cooler periods of the day (evening and early morning) to minimize water loss from evaporation, thereby ensuring the efficient use of irrigation water. Landscape irrigation schedules should be adjusted to accommodate the seasons.	<ul style="list-style-type: none"> Field check to confirm compliance. 	<ul style="list-style-type: none"> Pre-construction design. Ongoing throughout the life of the project. 	SMC			
2. Selection of drought-tolerant, low water consuming plant varieties shall be used to reduce irrigation water consumption in new landscaped areas.	<ul style="list-style-type: none"> Field check to confirm planting in landscaped areas 	<ul style="list-style-type: none"> Ongoing throughout the life of the project. 	SMC			
3. Efficient irrigation systems shall be used where feasible in long piping systems (where water must be run for considerable periods before hot water is received at the outlet).	<ul style="list-style-type: none"> Approval of final landscape plan. Field check to confirm installation of the required fixtures 	<ul style="list-style-type: none"> Prior to issuance of building permits Prior to issuance of occupancy permits 	SMC			
4. Plumbing fixtures shall be selected which reduce potential water loss from leakage due to excessive wear of washers.	<ul style="list-style-type: none"> Approval of final architectural design plans. 	<ul style="list-style-type: none"> Prior to issuance of building permits. 	SMC			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Phase	Responsible Agency or Party	Compliance Verification		
				Initial	Date	Comments
V.I.2 Wastewater						
Implementation of the water conservation measures identified in Section V.I.1, above would reduce wastewater impact to less than significant levels. No additional mitigation measures are required.	N/A	N/A	N/A	N/A	N/A	N/A
V.I.3 Solid Waste						
No mitigation measures are required.	N/A	N/A	N/A	N/A	N/A	N/A
V.J Neighborhood Impacts						
See Sections V.B, Air Quality and V.F, Noise, above.	N/A	N/A	N/A	N/A	N/A	N/A