

PLANNING COMMISSION RESOLUTION 22-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIERRA MADRE TO CONSIDER A CONDITIONAL USE PERMIT TO ALLOW FOR THE ADAPTIVE REUSE OF THE "VILLA" (VILLA DEL SOL D'ORO), FOR PRIVATE RENTAL EVENTS AT 200 NORTH MICHILLINDA AVENUE

THE PLANNING COMMISSION OF THE CITY OF SIERRA MADRE DOES HEREBY
RESOLVE:

WHEREAS, an application for a Conditional Use Permit was filed by:

**Julia Fanara, Head of School
Alverno Heights Academy
200 North Michillinda Avenue
Sierra Madre, CA 91024**

WHEREAS, the request can be described as:

A request to allow the adaptive reuse of the Villa for the purpose of hosting private rental events at the Villa pursuant to the conditions of approval, herein.

WHEREAS, the Planning Commission has received the report and recommendations of staff;

WHEREAS, public hearings were held before the Planning Commission on July 21, 2022, August 4, 2022, September 1, 2022, and October 6, 2022, with all testimony received being made part of the public record;

WHEREAS, the project is exempt pursuant to CEQA Guidelines Sections 15061(b)(3), 15304(e), and 15323, because the activity, given the temporary nature of the events and limits of the approvals, there is no reasonable possibility that the activities will have a significant impact on the environment, due to cumulative impacts, unusual circumstances, or otherwise; and the project is a minor temporary use of land having negligible or no permanent effects on the environment.

NOW THEREFORE, in consideration of the evidence received at the hearing on October 6, 2022, and for the reasons discussed by the Commissioners at said hearing, the Planning Commission DOES HEREBY RESOLVE to approve Conditional Use Permit 22-03 pursuant to the following findings and conditions of approval included therein as EXHIBIT A:

CONDITIONAL USE PERMIT FINDINGS

The Planning Commission must make the following findings for the approval of a Conditional Use Permit for the adaptive reuse of the Villa for special events:

The Planning Commission must make the following findings for the approval of a Conditional Use Permit for the adaptive reuse of the Villa for special events pursuant to Section 17.60.040 - Burden of Proof:

1. **That the site for the proposed use is adequate in size, shape and topography;** Alverno Heights Academy is situated on a 12.10-acre campus, one of the largest school sites in the City. The Villa is sited at the center of the campus, and the collection of buildings cover less than 13%

of the site. The school gently slopes 30 feet from Grandview Avenue to Highland Avenue, in a distance of 670 feet.

2. **That the site has sufficient access to streets which are adequate, in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;** AHA is served by a major arterial street, Michillinda Avenue and is surrounded on three sides by local arterials, Grandview Avenue to the north, Wilson Street to the East, and Highland Avenue to the south. Parking is contained on campus which has 114 parking stalls. Staff and guest ingress and egress for special events occurs from the Highland Gate. Catering trucks use the Michillinda gate. The City approved a parking plan and directional sign program for special events. Also, the school previously installed an onsite directional sign program under the 2011 TUP requirements.
3. **That the proposed use will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties;** in that the imposed conditions of approval were developed to protect the surrounding and adjacent properties from impacts due to the operation of the Villa for private rental events. In addition, such events would also be subject to the City's Noise ordinance and Fire code requirements. The use of the Villa for private rental events would comply with all public health and safety matters regarding maximum capacity, emergency exiting, security personnel will be assigned for each event to ensure the safety of the Villa, the persons attending the events, and the campus. Therefore, the private rental use will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties.
4. **That there is a demonstrated need for the use requested;** The Villa is a listed City Historic Landmark and is eligible for the National Register of Historic Places as document by a 2005 Historic Resources Report prepared by Sapphos Environmental, Inc. The Villa requires significant investment to operate and maintain and restore the Villa and its historic grounds. The City's historic preservation ordinance encourages the Planning Commission to work in partnership with the property owner to create financial incentives for the preservation of the Villa (SMMC Section 17.82.020.E.6). Approval of the Conditional Use Permit will implement Policy L47.7 by assisting Alverno Heights Academy in generating revenues to the support of the Villa operations, maintenance, and restoration. Loss of revenues from the special events will jeopardize the use of the Villa for both secular and non-secular uses, including Catholic religious' events for the school and for special events.
5. **That the use will, as to location and operation, be consistent with the objectives of the General Plan;** Objective L36 of the General Plan is *"to provide for the development of private institutional uses in areas where institutional uses currently exist and ensure that they are compatible with and complement adjacent land uses."* The school has occupied the site for over 60 years and the proposed use of the Villa for special events, will be compatible with and complement adjacent land uses. It is common for schools to be in residential areas and the size of the site is more than adequate for the intensity of the use of the school and by the greater Sierra Madre community. The school has also complied with General Plan objectives by providing the City and its residents with facilities for governmental, entertainment, athletic and cultural events. Permitting special events in the Villa will implement Policy L47.3 of the Sierra Madre General Plan by removing constraints to the use of an important city historic landmark allowing for its adaptive reuse. Policy L47.8 allows for adaptive re-use of significant architectural and historical structures provided that the use is compatible with the neighborhood in which it is located and with the approval of the Planning Commission. Furthermore, the special event use is allowed in the Villa through a conditional use permit for religious events and assembly uses in the Institutional zone (SMMC Sections 17.38.030 A.3 and A.11). Additionally, 17.82.060.B.4 – allows for a change of use, subject to a conditional use permit granted by the planning commission pursuant to Section 17.60 to facilitate adaptive reuse of historic landmarks.

6. **That the public interest, convenience, and necessity require that the use be permitted at the location requested;** The City of Sierra Madre has determined the importance of protecting and preserving historic resources for the community at large in order to preserve the small town atmosphere of Sierra Madre (SMMC Section 17.82.020.). Furthermore, the adaptive reuse of the Villa preserves the Historic Villa for the public benefit, including use by civic organizations and the City of Sierra Madre.

Permitting special events in the Villa will implement Policy L47.3 of the Sierra Madre General Plan by removing constraints to the use of the Villa, a local historic landmark by allowing for the adaptive reuse of the structure.

Findings for Adaptive Reuse of Historic Landmarks

Pursuant to 17.82.065, the Planning Commission must make the following additional findings to approve the adaptive reuse of any historic if a conditional use permit is issued in accordance with Chapter 17.60 and if all of the following additional findings are made:

- A. **The proposed use will be consistent with the historic preservation objectives of the general plan;** in that the proposed project involves conversion of a historic landmark for use as an entrepreneurial business. As such, it complies with Policy L47.8 which allows for adaptive reuse of significant architectural and historical structures provided that the use is compatible with the neighborhood in which it is located.
- B. **The proposed use will not be detrimental to the historic or architectural character of the historic landmark;** and in that the applicant is not proposing any changes to the exterior of the building in connection with the entrepreneurial business. Moreover, the use of the Villa will provide a source of revenue to maintain and preserve this historic landmark in the future.
- C. **The proposed use is compatible with the neighborhood in which it is located;** in that the proposed entrepreneurial business use of the Villa for special events is limited in the hours of operation and frequency of use. A third-party monitor will ensure compliance with the limitations imposed by the conditions of approval and other City ordinances. Off-street parking is provided on the property to avoid impacts to street parking, and the City has imposed conditions to appropriately minimize the impacts of such events to the neighborhood.

APPROVED, the 6th day of October, 2022, by the following vote:

AYES: Chair Denison, Vice Chair Hutt, Commissioners Dallas, Pevsner, and Spears

NOES: 0

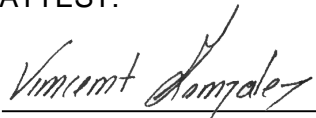
ABSTAIN: 0

ABSENT: 0



Tom Denison, Chair
Sierra Madre Planning Commission

ATTEST:



Vincent González, Director
Planning and Community Preservation Department

**ADAPTIVE REUSE OF THE VILLA
CONDITIONAL USE PERMIT 22-03 (CUP 22-03)**

CONDITIONS OF APPROVAL

GENERAL CONDITIONS

The applicant and property owner shall:

- 1.0 Comply with all applicable provisions of Federal, State and Los Angeles County law and regulations, including but not limited to the California Environmental Quality Act.
- 2.0 Comply with the requirements of the Institutional Zone Ordinance (Chapter 17.38) of the City's Municipal Code, as well as the Goals and Policies of the General Plan pursuant to Institutional Land Use as referenced below.

Policy L41.2 of the City's General Plan allows for the expansion of existing institutional sites provided that a comprehensive master plan is approved. The submittal of the CUP fulfills the requirement of Section 17.38.030.

- 3.0 Comply with all applicable provisions of the Sierra Madre Municipal Code, including but not limited to those Chapters pertaining to Zoning, Building and Construction, Vehicles and Traffic, and Health and Safety, and including all such provisions which may be contained in Uniform Codes which have been incorporated by reference within the Sierra Madre Municipal Code.
- 4.0 To the fullest extent permitted by law, the applicant and property owner shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorneys' fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance of this approval, or the activities conducted pursuant to this approval. Applicant and property owner shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.
- 5.0 Revocation of Conditional Use Permits (17.60.160)
- 5.1 Upon receipt of an alleged violation to the conditions of approval, the director shall meet with Applicant and Property Owner to discuss the allegation. If a violation is found to exist, Applicant and Property Owner shall be given sufficient time to propose and implement a corrective action plan prior to referral of the violation to the Planning Commission.
- 5.2 Upon recommendation by the Director, the Planning Commission shall conduct a noticed public hearing to determine whether the conditional use permit should be revoked. If the Planning Commission finds any one of the following facts to be present, it shall revoke the conditional use permit:
 - 5.2.1 That the permit was obtained by fraud;
 - 5.2.2 That the use for which such approval was granted has ceased to exist by reason of a voluntary abandonment;
 - 5.2.3 That the permit granted is being or has been exercised contrary to any conditions of approval imposed upon such permit, or in violation of any law; or
 - 5.2.4 That the use for which the approval was granted is being exercised so as to be detrimental to the public health or safety, or so as to constitute a public nuisance.

- 5.3 If the revocation hearing is conducted by the commission, its decision shall be subject to review on appeal, taken in the time and manner set forth in Section 17.60.120 of this chapter.
- 6.0 Execute and deliver to the City's Department of Planning and Community Preservation an Affidavit of Acceptance of Conditions on a form to be provided by such Department within ten (10) days from the date of approval of the Master Plan. This approval shall not be effective for any purpose until the Applicant complies with this condition.
- 7.0 The conditions regarding film or photography activity and temporary uses apply to the property as a whole, inclusive of both the school and the Villa.
- 8.0 Applicant and Property Owner are prohibited from hosting any concurrent film or photography activity, temporary uses, or religious events, as defined herein, at the school and Villa. This prohibition shall not apply to academic, sporting, or religious events related to the school. For purposes of this condition only, "film or photography activity" does not include non-powered painting or cleaning activity.
- 9.0 Annual Meetings:
 - 9.1 Applicant and Property Owner shall initiate annual meetings with neighbors and the City to:
 - 9.1.1 Review implementation and enforcement of these conditions;
 - 9.1.2 Review Film Monitor and Event Monitor reports;
 - 9.1.3 Discuss noise mitigation measures; and
 - 9.1.4 Review the need for revisiting any of these conditions.
 - 9.2 Invitations to annual meetings shall be forwarded to the City Council, Planning Commission, and Director of Planning and Community Preservation. A City official shall attend the annual meeting at the discretion of the City Manager.
- 10.0 Quarterly Notice:
 - 10.1 Applicant and Property Owner shall provide a quarterly mailed notice to all residents within a 300-foot radius of the Villa regarding all temporary uses, film or photography activity, and religious events within a three-month period.
 - 10.2 Quarterly notices shall describe the type and nature of each event.
 - 10.3 Quarterly notices shall be forwarded to the City Council, Planning Commission, and the Director of Planning and Community Preservation.
 - 10.4 Temporary uses and film or photography activity that are not included in the quarterly notice must be noticed pursuant to Chapter 17.88 (Temporary Use Permits) and Chapter 5.36 (Film or Photography Activity), respectively. This condition does not increase the limitations on the number of temporary uses and film or photography activity.
- 11.0 Planning Commission shall hold a public hearing to review CUP 22-03 one year from approval date to determine compliance with these conditions and to hear any feedback from the annual meetings. Prior to the public hearing, the Planning Commission will be provided with the event monitor's reports, with all verified complaints and remediation actions taken by Applicant and Property Owner, noise readings, and logs of phone calls to the police department related to Alverno property. Planning Commission shall be granted flexibility to determine the timeframe of review, and unless otherwise designated, the public hearing shall be held on the first anniversary and every year thereafter. If the Planning Commission determines one or more of the conditions of approval have been violated, it may request that the Director of Planning and Community Preservation agendaize a public hearing regarding revocation of CUP 22-03, or it may propose a remediation plan to address the identified violations.

TEMPORARY USE CONDITIONS

All uses on the property must be consistent with all provisions of the Sierra Madre Municipal Code, including Chapter 17.88 (Temporary Use Permits), and the conditions of this Conditional Use Permit. In the event of a conflict with the terms of Sierra Madre Municipal Code Chapter 17.88, the conditions of this Conditional Use Permit shall control.

1.0 Frequency of Use/Level of Use

- 1.1 A total of no more than twenty-six (26) rental events per calendar year may be held.
- 1.2 No more than three (3) rental events per month may be held during the months of July through August and the month of December.
- 1.3 Rental events shall be limited to 200 guests.
- 1.4 Applicant and Property Owner need not apply for a temporary use permit for temporary uses authorized under this conditional use permit.
- 1.5 Applicant and Property Owner shall assign a parking attendant(s) to assist and direct the parking of vehicles in the Alverno campus parking areas for temporary uses and for anticipated at-or near-capacity events in the multi-purpose building. One parking attendant shall be assigned for temporary uses with 100 or less individuals expected in attendance, and two parking attendants shall be assigned for temporary uses with more than 100 individuals expected in attendance.

2.0 Time of Use

- 2.1 Rental events shall only be held on Fridays and Saturdays.
- 2.2 Friday or Saturday rental events shall begin no earlier than 8:00 a.m., including setup, and end no later than 10:00 p.m., including take down, with all music ending not later than 9:30 p.m.

3.0 Noise

- 3.1 No live bands shall be allowed.
- 3.2 Instrumentalists (stringed instruments only) may be used for wedding ceremonies only without the use of amplification devices (this includes use of microphones). Microphones may be used only during the presentation of wedding vows, toasts, processional music and recessional music.
- 3.3 No use of microphones outside, except that microphones may be used for the presentation of wedding vows, toasts, processional music and recessional music only.
- 3.4 Dancing is permitted inside the Villa and outdoor terrace. All music shall be played indoors within the Villa and all music speakers shall be oriented to project indoors.
- 3.5 Generators to be on Alverno grounds, with a minimum of 150' from the Alverno campus property line.
- 3.6 Sound dampening measures shall be provided to mitigate event noise including talking, cheering and singing. Additional artificial sound barriers shall be provided to dampen noise when windows and doors of the Villa are open. Such measures will be implemented pursuant to a mutually agreeable timetable between Applicant and Property Owner and the City.
- 3.7 All events shall be monitored for noise levels and shall not exceed 70 dBA at any time as measured from the Alverno campus property line. Should Chapter 9.32 of the Sierra

Madre Municipal Code be amended in such a way as to create noise standards for schools or institutional uses, all events shall not exceed the lower of 70 dBA or the amended noise standards.

- 3.8 The Villa is in a residential area and guests should minimize noise and conversations while leaving the premises.

4.0 Alcohol

- 4.1 Applicant and Property Owner shall provide an ABC licensed caterer with specialized training in the service of alcoholic beverages to prevent problems with inebriated guests.
- 4.2 Alcohol will not be served the last hour of the event.
- 4.3 Applicant and property owner shall provide a sign to be prominently displayed (near the bar) at all events serving alcohol notifying guests that the Villa is located in a residential area with children and alcohol should be consumed responsibly.
- 4.4 Applicant, Property Owner, and on-site event monitors shall prohibit the consumption of alcohol beyond 10 feet of the Villa so that it is kept out of the parking lots and adjacent streets.
- 4.5 On-site event personnel shall be responsible for monitoring inebriated guests and shall take the appropriate measures to prevent such guests from roaming the neighboring residential streets.

5.0 Traffic and Parking

- 5.1 All rental event parking shall be located on the Alverno property and not on the surrounding streets.
- 5.2 Delivery trucks shall not be left idling in any parking lot on the Alverno property or the surrounding streets.
- 5.3 Delivery trucks and event guests shall not block residential driveways.
- 5.4 Deliveries and pickups for rental event furniture shall be made on weekdays before 6:00 p.m. On those occasions where pickups must occur on a Sunday because of a scheduled school-related or non-rental event on a Monday, the pickup shall commence no earlier than 12:00 noon on not more than four (4) occasions per year.
- 5.5 All guests, staff, and vendors are subject to the entering and existing requirements of Exhibit 1 – Traffic and Parking Management Plan, included herein. The Traffic and Parking Management Plan is designed to minimize impacts to the neighbors, by alternating event entering and exiting per the plan. The Traffic and Parking Management Plan shall be included as a component of the contracts with the vendors and the event monitor. Catering trucks shall use the Michillinda Avenue entrance/exit at all times.
- 5.6 The Applicant and Property Owner shall install signs placed in conspicuous on-site locations (i.e., near entrances and exits to the Villa, near vehicular entrances and exits, and adjacent to Alverno's parking lots), instructing event guests:
 - 5.6.1 To quietly and slowly exit via the Highland at Michillinda exit.
 - 5.6.2 The Villa is in a residential area and guests should take care not to speed.
 - 5.6.3 The Villa is in a residential area and guests should minimize noise and conversations while leaving the premises.

- 5.7 If sign notification does not eliminate speeding issues, possible solutions shall be addressed at quarterly meetings between applicant and neighbors.

6.0 Nighttime Lights

- 6.1 Lights in all parking lots shall shut off at 10:15 p.m.
- 6.2 Temporary event lighting shall be hooded or directed in such a manner as to not directly impact surrounding properties.
- 6.3 Pedestrian pathway lighting shall be directed downward and away from neighbors.

7.0 Litter and Garbage

- 7.1 Applicant and Property Owner shall provide clean up services staff on the Monday immediately following any rental or school event. The cleanup staff shall walk the property perimeter and pick up any trash from event that is found on sidewalks, walkways, streets and gutters.
- 7.2 All bottles shall be bagged and not deposited in outdoor trash bins after 10:00 p.m.

8.0 On-Site Event Monitor

- 8.1 All rental/non-school/non-City events shall have sufficient on-site event monitor staff present at such events at all times to ensure compliance with these conditions.
- 8.2 Applicant and Property Owner shall provide the Sierra Madre Police Department with emergency contact phone numbers of an Alverno Heights School staff member and the on-site event monitor or event manager for each private rental event. All persons provided as telephone contact shall be available at the telephone numbers provided for the duration of the event.
- 8.3 Applicant and Property Owner shall hire an on-site event monitor, subject to the approval of the City Manager or his or her designee.
- 8.4 Event monitor reports shall be posted on the Alverno Heights School's website and provided to the City Manager promptly upon receipt.
- 8.5 All on-site events monitors/staff shall have read these conditions and signed a statement indicating that he/she is aware of and will enforce these conditions.

9.0 Safety

- 9.1 Applicant and Property Owner's rental contract shall include a prohibition on sparklers and other fireworks as required under the City Code.

RELIGIOUS EVENTS CONDITIONS

- 1.0 "Religious events" are not-for-profit, non-school events that further Alverno's religious mission and are not subject to limits in Section 1.1 of the Temporary Use Conditions.
- 2.0 Religious events may occur on Sundays and shall begin no earlier than 12:00 p.m. and end no later than 6:00 p.m..
- 3.0 Religious events shall be restricted to 100 guests maximum.

- 4.0 Noise limitations for the religious events shall be regulated under Section 3.0 of the Temporary Use Conditions.
- 5.0 Religious events exclude weddings on Sundays.
- 6.0 Applicant and Property Owner will submit to the City an application for religious events to allow the City to confirm Applicant and Property Owner's accordance with this conditional use permit.

FILM OR PHOTOGRAPHY ACTIVITY CONDITIONS

- 1.0 All film or photography activity at the Villa or on the property must be consistent with all provisions of the Sierra Madre Municipal Code, including Chapter 5.36 (Film or Photography Activity), and the conditions of this Conditional Use Permit. In the event of a conflict between the terms of Sierra Madre Municipal Code Chapter 5.36 and the conditions of this Conditional Use Permit, the conditions of the Conditional Use Permit shall control.
- 2.0 Filming shall be limited to 45 days per year but are not subject to limits in Section 1.1 of the Temporary Use Conditions.
- 3.0 Film productions must be at least 7 days apart.
- 4.0 Generators to be on Alverno grounds, with a minimum of 150' from the Alverno property line.
- 5.0 Set lighting shall be hooded or directed in such a manner as to not directly impact surrounding properties.
- 6.0 Cost of third-party film monitor to be included in film permit.
- 7.0 Applicant and Property Owner shall ensure that the City has issued a filming permit prior to any film or photography activity on the Alverno campus.

(End of conditions)

Traffic and Parking Management Plan

Conditional Use Permit 22-03

Adaptive Reuse of the Villa Del Sol D'Oro

September 2022

The following traffic and parking management plan is authorized under CUP 22-03 for the Villa's special events. The CUP requires security guards, who assist in managing guest and vendor vehicles. The event's existing plan alternates with guests leaving the property from the Highland gate and the Michillinda gate. The rotation assures that there is no consecutive use of either the Highland gate or the Michillinda gate.

Gate Opening and Closing Procedures



Wilson Gate:

Opens at 8AM- closes between 2 and 3 PM

Wilson gate only for departing site rep, event monitor and guard and Wedding coordinator. Will be closed by 11PM at the latest



Michillinda Gate:

Opens at 2:00 PM (Or when guard arrives) closes 30 minutes after the ceremony.

Opens for departing guests/vendors 1 hour before event time ends.

Closed By 11:00 by guard or AHA rep



Highland Gate:

Opens at 12PM and closes 30 minutes prior to the ceremony and remains closed.

Guest Parking



Guest parking is provided in both the Michillinda and the Wilson parking lots. Vehicle access to these parking lots is provided via the campus' internal roads.

ADA Parking

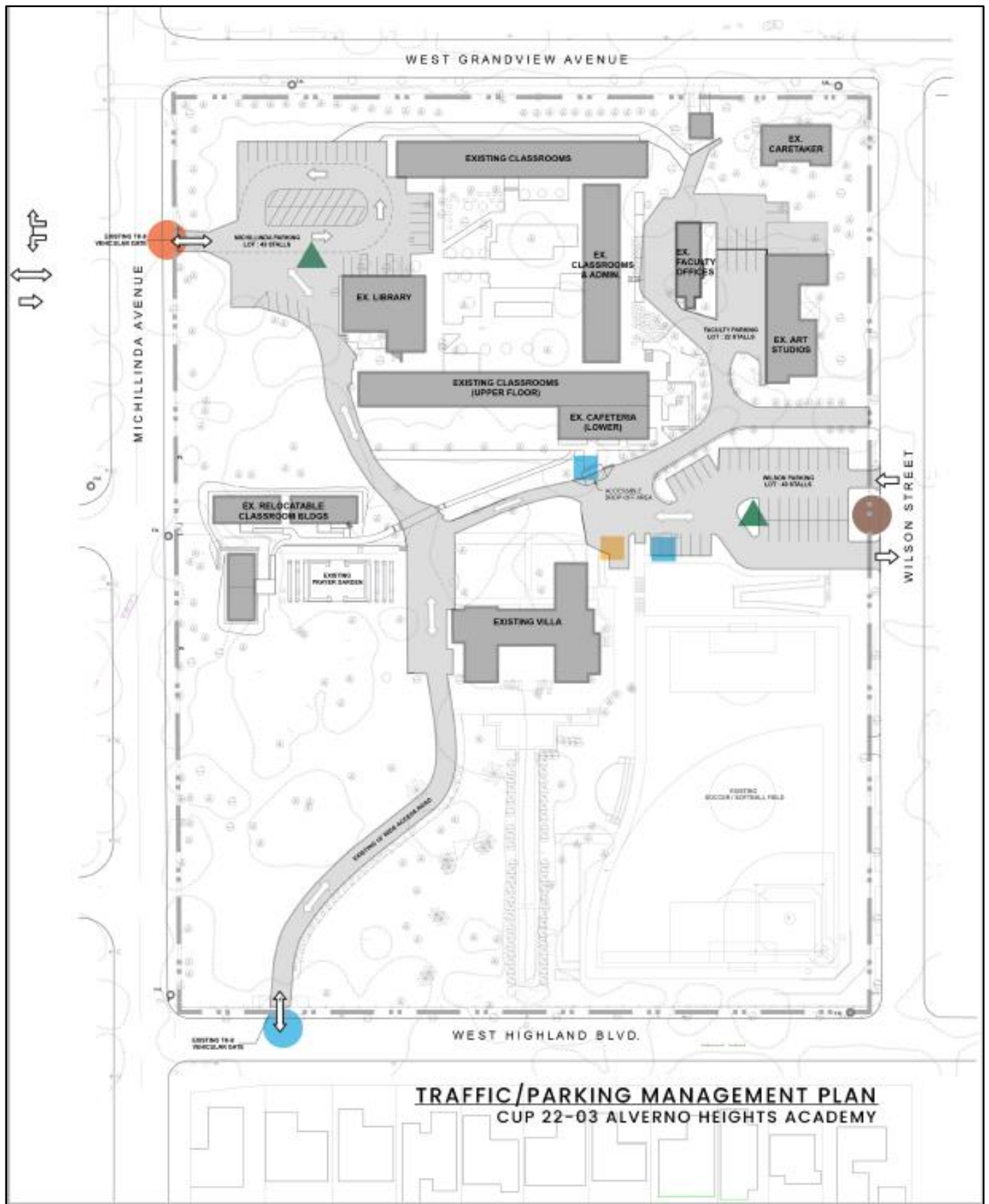


Two ADA parking stalls are located adjacent to the Villa in the Wilson parking lot. The Wilson lot also contains an ADA loading zone adjacent to the cafeteria.

Vendor Parking



Vendor parking is provided adjacent to the north/east side of the Villa.



TRAFFIC/PARKING MANAGEMENT PLAN
CUP 22-03 ALVERNO HEIGHTS ACADEMY