

**AGENDA  
PLANNING COMMISSION**

**Thursday, September 1, 2022**

**7:00 PM**

**City Hall Council Chambers  
232 W. Sierra Madre Boulevard  
Sierra Madre, California 91024**



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**THIS MEETING WILL BE HELD IN PERSON**

The Brown Act provides the public with an opportunity to make public comments at any public meeting. Public comment may be made by e-mail to [PublicComment@CityofSierraMadre.com](mailto:PublicComment@CityofSierraMadre.com) by 3:00PM on the day of the meeting. Emails will be acknowledged at the Commission meeting and filed into the public record. Public comments received electronically will also be posted on the City website for public viewing and transparency.

The meeting will be streamed live on the City's website at [www.cityofsierramadre.com](http://www.cityofsierramadre.com), on Foothills Media website at <http://www.foothillsmedia.org/sierramadre> and broadcast on Government Access Channel 3 (Spectrum)

**ROLL CALL**

Chair Denison, Vice-chair Hutt, Dallas, Pevsner, Spears

**APPROVAL OF AGENDA**

Majority vote of the Commission to proceed with Commission business

**REPORT OUT FROM CLOSED SESSION**

City Attorney Report from Closed Session

**APPROVAL OF MINUTES**

August 18, 2022 Planning Commission meeting minutes

**COUNCIL LIAISON REPORT**

Report from City Council Liaison to the Planning Commission

**COMMUNITY INPUT**

At this time, any person may address the Planning Commission concerning an item that is not on the agenda. The Commission welcomes your attendance and participation. When addressing the Commission, please begin by providing your name and address for the record. Please keep comments to no more than three minutes to assure an orderly and timely meeting.

Copies of the Agenda are available for your convenience on the City's website. State legislation (Govt. Code Section 54954.2) limits the Commission's ability to take action on specific requests. Govt. Code Section 54954.2 limits the placement of items on the Agenda for action 72 hours prior to meetings, except for specific findings.

No action or discussion may be undertaken by the Planning Commission on any item if not posted on the agenda, except that Commissioners or staff may briefly respond to statements made or questions posed by the public, or a Commissioner or staff liaison may ask a question for clarification, or make a brief report on his or her own activities. A Commissioner or the Commission itself may provide a reference to staff to report back to the Commission at a subsequent meeting concerning any matter or may direct staff to place a matter of business on a future agenda.

## **PUBLIC HEARING**

### **1. CONDITIONAL USE PERMIT 22-03 (CUP 22-03) A REQUEST TO ALLOW ADAPTIVE REUSE OF THE VILLA DEL SOL D'ORO (VILLA) FOR PRIVATE RENTAL EVENTS ON PROPERTY LOCATED AT 200 NORTH MICHILLINDA AVENUE**

Applicant: Julia Fanara, Head of School, Alverno Heights Academy  
Address: 200 North Michillinda Avenue  
(Continued from July 21, 2022 public hearing)

The Planning Commission will consider Conditional Use Permit 22-03 (CUP 22-03) to allow the Villa to host private rental events on the premises. Pursuant to Chapter 17.82.060.B.4, a change of use is permitted subject to a conditional use permit granted by the Planning Commission pursuant to Section 17.60, to facilitate adaptive reuse of historic landmarks.

### **2. CONDITIONAL USE PERMIT AMENDMENT 21-19, AND ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION TO UPDATE THE ALVERNO HEIGHTS ACADEMY MASTER PLAN**

Applicant: Julia Fanara, Head of School, Alverno Heights Academy  
Address: 200 North Michillinda Avenue  
(Continued from July 21, 2022 public hearing)

The Planning Commission will consider a Conditional Use Permit Amendment (Resolution 11-10 amended by Resolution 21-19) and Addendum to the Mitigated Negative Declaration (MND) to update the Alverno Heights Academy Master Plan to allow the construction of permanent classroom buildings to accommodate transitional kindergarten to eight (TK-8<sup>th</sup>) grade instruction and other campus improvements, pursuant to Planning Commission Resolution 21-19.

## **PLANNING COMMISSION REPORTS**

Reporting of Planning Commissioner's activities related to City business.

## **PLANNING & COMMUNITY PRESERVATION DEPARTMENT REPORTS**

Forecast and status of projects for upcoming meetings.

## **GENERAL INFORMATION**

To receive updates regarding The Meadows at Bailey Canyon proposed residential development please visit the following webpage: [www.cityofsierramadre.com/meadows](http://www.cityofsierramadre.com/meadows)

To receive information regarding projects under staff review, please visit the following webpage: [www.cityofsierramadre.com/projects](http://www.cityofsierramadre.com/projects)

## **ADJOURNMENT**

The Planning Commission will adjourn to a meeting to take place on **September 15, 2021**.

### **INFORMATION TO THE PUBLIC**

The Planning Commission will consider the last item at 10:30 p.m. and they will adjourn the meeting by 11:00 p.m. The Planning Commission will continue all unfinished business to an adjourned meeting on the following Thursday at 7:00 p.m. or to a different time and date certain.

Copies of the Agenda are available for your convenience at the rear of the Council Chambers. State legislation (Govt. Code Section 54954.2) limits the Planning Commission's ability to take action on specific requests. Govt. Code Section 54954.2 limits the placement of items on the Agenda for action 72 hours prior to meetings, except for specific findings.

No action or discussion may be undertaken by the Planning Commission on any item if not posted on the agenda, except that Commissioners or staff may briefly respond to statements made or questions posed by the public, a Council member or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. A Commissioner or the Planning Commission itself may provide a reference to staff to report back to the Planning Commission at a subsequent meeting concerning any matter or may direct staff to place a matter of business on a future agenda.

### **REQUIRED FINDINGS**

Conditional Use Permit and Variance considerations are "quasi-judicial" decisions made by the Planning Commission. As such, these decisions may be challenged in court. Accordingly, courts require an adequate "record" to exercise judicial review. This means that the documentation supporting the approval or denial of a project must include an explanation of how the Planning Commission processed the raw information and evidence considered in reaching its decision. The California Supreme Court has laid down distinct, definitive principles of law detailing the need for findings when a public agency approves or denies a project while acting in a "quasi-judicial" roll. This decision is based upon the case, *Topanga Assoc. For a Scenic Community V. County of Los Angeles* ("Topanga"). The "Topanga" court outlined the following 5 purposes for making findings:

- Provide a framework for making principled decisions, enhancing the integrity of the administrative process;
- Facilitate orderly analysis and reduce the likelihood the agency will randomly leap from evidence to conclusions;
- Serve a public relations function by helping to persuade the parties that the administrative decision making is careful, reasoned, and equitable;
- Enable the parties to determine whether and on what basis they should seek judicial review and remedies; and,
- Apprise the reviewing court of the basis for the agency's decision.

For more information on the necessary "Findings" that the Planning Commission must make, please contact the Development Services Department at (626) 355-7138.

(Source: Curtin's California Land Use & Planning Law, Daniel)

If you require special assistance to participate in this meeting, please call the City Manager's Office at 626-355-7135 at least 48 hours prior to the meeting.