



*John Capoccia, Mayor
Rachelle Arizmendi, Mayor Pro Tem
Gene Goss, Council Member
John Harabedian, Council Member*

City of Sierra Madre Agenda Report

*Sue Spears, City Clerk,
Michael Amerio City Treasurer*

TO: Honorable Mayor and City Council

FROM: Aleks R. Giragosian, Assistant City Attorney

REVIEWED BY: Gabe Engeland, City Manager

DATE: April 28, 2020

SUBJECT: **CONSIDERATION OF RESOLUTION NO. 20-18 APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SIERRA MADRE AND THE CONGREGATION OF THE PASSION, MATER DOLOROSA COMMUNITY, REGARDING THE ADMINISTRATION OF PROCEEDINGS TO ADOPT A SPECIFIC PLAN AND DEVELOPMENT AGREEMENT AND AMEND THE GENERAL PLAN AND CORRESPONDING LAND USE MAP AND THE ZONING CODE AND CORRESPONDING ZONING MAP FOR THE PROPOSED CONSTRUCTION OF SINGLE-FAMILY RESIDENCES AT 700 NORTH SUNNYSIDE AVENUE, SIERRA MADRE, CALIFORNIA 91024**

STAFF RECOMMENDATION

Staff recommends the City Council adopt Resolution No. 20-18 approving the attached Memorandum of Understanding with the Congregation of the Passion, Mater Dolorosa Community on the terms negotiated by the parties.

ALTERNATIVES

In the alternative, the City Council may (1) direct staff to renegotiate specific terms of the Memorandum of Understanding or (2) deny Resolution No. 20-18.

BACKGROUND

The Congregation of the Passion, Mater Dolorosa Community, is a California charitable corporation that operates a 90-guest retreat center in Sierra Madre (“Applicant”). The Applicant is the owner of property located at 700 North Sunnyside Avenue, Sierra Madre, CA 91204 (“Property”). The Applicant desires to construct up to 42 single-family detached residential units on approximately 20 acres of its Property (“Project”). The configuration of the residential units is noted as an attachment to the Memorandum of Understanding (“MOU”).

Beginning in December 1997, the City Council took steps to rezone the Property from “Residential Single-Family” to “Institutional.” Single-family homes or other stand-alone residential uses are not permitted in the Institutional zone. Given the Property’s current land use designation and zoning, the proposed Project cannot be built. Some permitted uses in the Institutional zone include hospitals, communal residential facilities, assisted living facilities, multi-use fields, and schools.

The Project will require the City Council to adopt a Specific Plan, amend the General Plan and Land

Use Map, and amend the Zoning Code and Zoning Map. Before approving any entitlements, the City must prepare an Environmental Impact Report (“EIR”) under the California Environmental Quality Act (“CEQA”). The Applicant also proposes entering into a Development Agreement to facilitate its Project application. The proceedings tied to the Specific Plan, General Plan, Zoning Code, CEQA, and Development Agreement are collectively referred to as the “Proceedings.”

ANALYSIS

The city and the Applicant negotiated an MOU with the City to memorialize the parties’ concessions and to outline the process for the consideration of the Proceedings. The MOU anticipates the Proceedings will last a year and will require community feedback, Planning Commission review, and City Council approval.

The MOU outlines the respective parties’ rights and obligations. Under the MOU, the Applicant must:

- (1) submit a Specific Plan, Development Agreement, General Plan, and Zoning Code application and the requisite fees;
- (2) deposit funds to reimburse the City for staff time and the cost of contracting with a CEQA and Specific Plan consultant;
- (3) Prepare an Environmental Impact Report and complete any required technical studies or analyses including:
 - (a) Historical Resources Technical Report,
 - (b) Arborist Report and Tree Inventory Summary,
 - (c) Traffic Impact Study,
 - (d) Hydrology and Water Quality Study,
 - (e) Utilities and Services System Study, and
 - (f) Greenhouse Gas Study;
- (4) Dedicate to the City open space hillside land north of the existing retreat center;
- (5) Dedicate to the City a turnkey park between 3 and 3.5 acres in the Project area;
- (6) Improve West Carter Avenue between North Lima Street and the gate of the Property;
- (7) Ensure the Project has a net zero water impact; and
- (8) Underground all utilities.

In exchange, the City must:

- (1) Contract with a qualified, independent, third-party CEQA and Specific Plan consultant;
- (2) Organize two public workshops to answer residents’ questions and receive feedback regarding the Project, Proceedings, and MOU;
- (3) Freeze all development impact fees, connection and capacity charges, and any other fees or charges associated with the Project;
- (4) Provide a dedicated member of planning staff to be a point of contact to assist in processing Project-related permit applications;
- (5) Consider an application for a Community Facilities District to maintain the dedicated park area, Bailey Canyon Park, and the dedicated open space area;
- (6) Create a trust account to segregate funds related to the proceedings; and
- (7) Negotiate the terms of a Development Agreement with the Applicant.

Attached to the MOU is a timeline of the Proceedings listing the actions each party must undertake to satisfy their respective obligations and those actions’ corresponding deadlines. Attached to this agenda

report as Attachment C is a list of opportunities for the public to participate in the Proceedings.

FISCAL IMPACT

By entering into this MOU, the City will be reimbursed for approximately \$420,000 in fees and costs that may not otherwise be recovered through the standard application fee for the adoption of a Specific Plan and Development Agreement and the amendments of the General Plan and Zoning Code.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Notice was also published through the City's website at www.cityofsierramadre.com.

ATTACHMENTS

- Attachment A: City Council Resolution No. 20-18
- Attachment B: Memorandum of Understanding
- Attachment C: Opportunities for Public Participation