



Planning Commission **STAFF REPORT**

*Ken Goldstein, Chair
Gina Frierman-Hunt, Vice-Chair
Matthew Buckles, Commissioner
Manish Desai, Commissioner
Leslee Hinton, Commissioner
John Hutt, Commissioner
Bob Spears, Commissioner*

*Vincent Gonzalez, Director –
Planning & Community Preservation*

DATE: May 19, 2016

TO: Planning Commission

FROM: Leticia Cardoso, Planning Manager

SUBJECT: Conditional Use Permit 15-25 (CUP 15-25) to allow the operation of a child care center (Large Family Day Care Home) for a maximum of 14 children at the property located at 59 N. Sunnyside Avenue. Pursuant to Code Section 17.60.028, a CUP is required to allow child care centers that exceed four children.

Executive Summary

The applicants, Timothy and Courtney Vanis, are requesting that the Planning Commission consider a Conditional Use Permit (CUP) to allow the operation of a child care center (Large Family Day Care Home) for a maximum of 14 children at the property located at 59 N. Sunnyside Avenue. Pursuant to Code Section 17.60.028, a CUP is required to allow child care centers that exceed four children.

Staff recommends that the Planning Commission approve Conditional Use Permit 15-25 (CUP 15-25) pursuant to Resolution 16-04, subject to conditions of approval.

BACKGROUND

The subject property is a 13,011-square-foot rectangular lot located in the R-1 Zone (One Family Residential) with a General Plan Land Use Designation of RL (Residential Low Density Density). The site is a corner lot located on the southwest corner of West Montecito and North Sunnyside. The adjacent properties to the north, east, west and south are also zoned R-1 and developed with single-family residential uses.

The existing 2,458-square-foot single-story residence built in 1910 includes a 464-square-foot garage accessed from a driveway off N. Sunnyside Avenue.

The applicants, Courtney Vanis, a credentialed elementary school teacher, and Timothy Vanis, reside on the subject property where they have operated a child care center, Sunnyside School House, since 2013 as a State licensed small family day care home to serve a maximum of 8 children over the age of 2, including their two school-aged children.

Pursuant to the City's Municipal Code Section 17.08.020, child care center is broadly defined as "a facility with an organized daytime program for the supervision and care of children who are not related to the person operating such facility", regardless of the number of children that are served by the facility, or whether it is operated in a residential setting such as the one proposed by the applicants. State law, however, classifies child care that is provided in the residence of the owner/operator as a small or large family day care home. More specifically, pursuant to Section 1596.78 ("Family day care home") of the State Health and Safety Code, a small family day care home is a home that provides family day care for a maximum of 8, including children under the age of 10 years who reside at the home, whereas a large family day care home is a home that provides family day care for up to 14 children, also including children under the age of 10 years who reside at the home.

State Law – Small and Large Family Day Care Homes

State law limits local jurisdictions' regulatory authority over child care businesses operated out of a residential building. Family daycare homes are regulated by the State of California Department of Social Services (CDSS) pursuant to the State Health and Safety Code.

With respect to small family day care facilities, Section 1597.45 states that "the use of a single-family residence for a small family day care home shall be considered a residential use of property for the purposes of all local ordinances", and local jurisdictions "shall not impose any license, fee, or tax for the privilege of operating a small family day care home." Consequently, local jurisdictions cannot impose use restrictions that are not required of other single family residences in the same zone to allow operation of a small family day care home.

Regarding large family day care homes, Health and Safety Code Section 1597.46 does not allow local jurisdictions to prohibit them on lots zoned for single-family dwellings, but it does allow them to regulate this type of use through non-discretionary or discretionary permits. The law also requires that a use permit be granted if the large family day care home complies with local ordinances, if any, prescribing reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control relating to those homes.

City of Sierra Madre Code Requirements

Section 17.60.030 (“Conditional use permits – When required”) of the City’s Municipal Code requires a conditional use permit for child care centers that serve four or more children¹. However, the code does not include specific zoning requirements addressing the operation of large family day care homes, other than parking requirements for child care centers under Section 17.68.020.D (“Parking spaces required – Miscellaneous”).

PROPOSED PROJECT

The proposed project involves the expansion of Sunnyside School House from a licensed small family day care into a licensed large family day care home to serve a maximum of 14 children from 2 to 5 years of age, including the applicants’ two school-aged children. According to the applicants, this would help accommodate the high demand for quality childcare and preschool in the community as evidenced by a growing waiting list; the conditional use permit would allow the number of children to double from the current 8 to 14, including the applicant’s children. The applicants do not plan on increasing the number of employees, neither are they required to do so under their State license as stated in their application materials.

A detailed project description provided by the applicants is included herein for reference as Exhibit C.

Project Site

The site plan, included herein for reference as Exhibit B, shows the indoor and outdoor areas that are designated for the day care use at the subject property. The indoor area is limited to 1,163 square feet of the first floor of the residence, and includes a bathroom, breakfast room, craft room, entry and playroom. The 3,410 square foot outdoor area located along the north side of the property includes a covered patio, sand box and fenced in lawn area of the backyard for use as a play area for the children.

It is important to note that the applicants are not proposing to make any physical modifications to the property to accommodate the proposed increase in the number of children.

¹ This is inconsistent with State law which does not allow local jurisdictions to impose a use permit for those day care homes that serve less than 8 children. For purposes of aligning the City’s ordinance with State law requirements, the Planning Commission should consider revising this threshold when considering amendments to Chapter 17.60 of the SMMC.

Hours of Operation

According to the applicants, the proposed large family day care would offer full-day and half-day programs. The proposed hours of operation are as follows:

- Regular school year (mid-September through end of June): 8:30 a.m. to 5 p.m. (full-day) and 8:30 a.m. to 12:30 p.m. (half-day), Monday through Friday.
- Summer Program (mid-July through early September): 9:00 a.m. to 5 p.m. Monday through Thursday.

According to the information provided by the applicant, the children have scheduled play time outdoors in the designated area from 8:30 to 9:00 a.m., 10:15 to 11:30 a.m. and 3:00 to 4:30 p.m.

Drop-off and Pick-Up – Time and Location

During the regular school year, the proposed increase in the number of children would result in the doubling in the number of cars dropping them off in the morning from 6 to 12 vehicles. The number of children being picked up would also double, however, since the facility offers full-day and half-day programs, the number of cars picking up would be split between 12:30 and 1 p.m. for half-day programs from 3 to 6 children, and 4:30 to 5 p.m. for full-day students also from 3 to 6 children.

During the summer program, the total number of children being dropped off or picked up would not change, but the drop off times would change to 9 to 9:30 a.m. and half-day pick up would be from 2:00 to 2:30 p.m.

Regarding the drop off/pick up location, the designated location is along the curb in front of the house on Sunnyside Avenue and on the driveway, as indicated on the site plan included herein as Exhibit B. A condition of approval has been added to the Resolution requiring that drop-off and pick-up shall be restricted to the designated areas indicated on the site plan and only within the time ranges noted above, and that a flyer be provided to each existing and new client notifying them of the above rules.

Parking

Pursuant to Code Section 17.68.020.D (“Parking spaces required – Miscellaneous”), child care centers require one space for every 400 square feet of gross floor area. Based on the 1,163 square feet of indoor area designated for day care use, 3 spaces would be required for this use. In addition, the single-family residential use requires 2 covered spaces, which is currently provided in the 646-square-foot (19 feet X 34 feet) garage. Since the residents also operate the business, it would be reasonable to require a total of 3 spaces which can be satisfied with the 2-car garage and an additional uncovered space on the driveway designated as staff parking, as shown on the attached site plan.

Regarding noise, the City's Noise Ordinance applicable citywide would also apply to the proposed project since the Municipal Code does not specifically include noise requirements for day care homes. With regards to the existing small family day care use, staff has confirmed with the City's Police Department that it does not have a record of noise-related complaints associated with this use.

W MONTECITO AVE

N SUNNYSIDE AVE

W SIERRA MADRE BLVD

PARK AVE

101, 93, 83, 126, 558, 550, 526, 518, 510, 500, 486, 480, 470, 565, 555, 549, 541, 533, 525, 515, 503, 491, 471, 60, 650, 646, 634, 618, 610, 59, 649, 647, 633, 627, 615, 83, 608, 59, 41, 65, 647, 633, 609, 595, 585, 560, 542, 534, 530, 520, 500, 480, 468, 460, 555, 547, 537, 531, 521, 505, 499, 499, 499, 499, 491, 60, 634, 610, 600, 590, 550, 540, 522, 506, 500, 506, 500, 500, 500, 506, 478, 470

Subject property indicated by arrows

ANALYSIS/ FINDINGS

The granting of a CUP is subject to the following findings pursuant to Code Section 17.60.040:

A. That the site for the proposed use is adequate in size, shape, topography, and location; in that the project site is rectangular in shape and is of adequate size, shape and topography to accommodate the proposed use as shown on the site plan provided by the applicants. The property has been used since 2013 as a small family day care home for a maximum of 8 children, and the City does not have any records of complaints regarding the use at this location. Moreover, the site is located in the R-1 Zone, which allows large family day care uses.

B. 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; in that North Sunnyside Avenue is approximately 60 feet wide which is a standard width for residential areas. The site has been used as a small family day care home for 8 children since 2013 and the City has no record of any complaints regarding traffic or parking.

According to the Circulation Section of the General Plan, Sunnyside Avenue is classified as a local street where traffic volumes should not exceed 2,500 trips per day, or 200-300 vehicles per hour. Based on a traffic count conducted at 111 North Sunnyside Avenue by the City's Police Department on May 27, 2014 between 10:30 am to 2:00 p.m., there was a total volume of 200 vehicles in both directions, so well within the allowed traffic volumes for the subject street classification. Consequently, the proposed use is not expected to generate a significant traffic impact on the neighborhood or City streets as it would result in an increase from the current 6 trips per day to a maximum of 14 trips per day.

C. That the proposed use is neither detrimental to the public health, safety and general welfare, nor will unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties; in that the site has been used as a licensed small family day care home since 2013, and the City has no record of any complaints associated with this use. The proposed large family day care home will also require State licensing, including State agency inspections, as well as inspection and sign off by the City's Fire Department. Therefore the increase in the maximum number of children allowed from the current 8 to 14 is not expected to be detrimental to the public health, safety and general welfare.

The drop off and pick up times are limited during the day, and the day care use would not include weekends and holidays. The outdoor use of the property is also limited

during the day, and it would occur away from structures on the adjacent properties. Conditions of approval limiting drop-off/pick-up times and outdoor play times have been included in the Resolution to ensure that the use does not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties.

D. That there is a demonstrated need for the use requested; in that the applicants have a waiting list of children who reside in Sierra Madre who need full- or part-time care in a family day care home, and the maximum number of children allowed to be served in a residential setting without a conditional use permit is not adequate to accommodate this unmet need.

E. That the proposed use is consistent with the general plan, zoning and any applicable design standards; in that the proposed use as a large family day care is allowed by conditional use permit in any zone in the city, including the R-1 Zone where the use would be located. The applicants are not proposing any physical modifications to the property, therefore design standards are not applicable in this context.

F. That the use at the location requested would benefit the public interest and convenience; in that large family day care homes serve the child care needs of the residents of the city when they are consistent with City ordinances and State certification requirements.

Additional burden of proof for permits for certain noted projects pursuant to Code Section 17.20.041.

Before a conditional use permit is granted, the application shall show, to the reasonable satisfaction of the reviewing authority, the existence of the following facts:

A. That the height, bulk, scale, mass and siting of the proposed project be compatible with the existing neighborhood, landforms and surroundings.

The proposed use does not involve any addition of floor area or any physical modifications to the existing property. Therefore, this finding does not apply.

B. That the proposed project reflects the scale of the neighborhood in which it is proposed and that it does not visually overpower or dominate the neighborhood and is not ill-proportioned so as to produce either architecture or design that detracts from the foothill village setting.

The proposed use does not involve any addition of floor area or any physical modifications to the existing property. Therefore, this finding does not apply.

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- C. That the proposed project neither unreasonably interferes with public views or the views and privacy of neighbors, produces unreasonable noise levels, nor causes material adverse impacts.**

The proposed use does not involve any addition of floor area or any physical modifications to the existing property, so there are no impacts to public views or the view of neighbors. In terms of privacy, the majority of the outdoor play area is located at the northern portion of the lot along West Montecito Avenue, and approximately 10 feet away from the closest residential structure on the adjacent lot to the west, which is separated by a 5-foot-high property line wall and tall hedges from the play area. Therefore, it is not expected to reasonably interfere with the privacy of neighbors. Regarding noise levels, the City's ordinances do not specifically address noise levels from family day care homes as children's noise levels are typically associated with residential uses. Therefore the City's Noise Ordinance would apply if any unreasonable noise levels were produced by the proposed family day care use.

- D. That the proposed project exhibits a coherent project-wide design, and each structure or portion thereof (especially additions) on the site is compatible with other portions of the project, regardless of whether the same are publically visible.**

The proposed use does not involve any addition of floor area or any physical modifications to the existing property. Therefore, this finding does not apply.

- E. For proposed projects seeking relief from development standards, where allowed, to accommodate characteristics of an identifiable architectural style (such as additional height pursuant to Section 17.20.020(A)), that the proposed project adheres to the norms of such identifiable architectural style and that such style is consistently carried through on all elevations of the building, regardless of whether the same are publically visible.**

This finding is not applicable as the applicant is not seeking relief from development standards.

- F. For proposed projects that require discretionary review due to exceeding size thresholds (pursuant to Sections 17.20.025(C), 17.30.040(B), or similar), that the proposed is a superior project that would enhance its neighborhood and exhibit exceptional design through a combination of most, if not all, of:**

- 1. Innovative, thoughtful and/or noteworthy architecture that is responsive to the specific site, rather than standard, generic, or "cookie-cutter" plans;**

2. Where applicable, adaptive reuse or other preservation and restoration of historic structures;
3. Preservation of the natural landscape to the extent possible by such means as minimizing grade changes and retaining protected and specimen trees;
4. Siting of structures in keeping with landforms and so as to maximize open space, public views, and neighbor views and privacy;
5. High quality architectural details and building materials compatible with the overall project design; and
6. Sustainable building and landscaping practices, especially water-saving features.

This finding is not applicable as the conditional use permit is not requested to exceed the thresholds established in Sections 17.20.025.C or 17.30.040.B.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter, the Sierra Madre Public Library, and on the City's website.

ENVIRONMENTAL

Pursuant to Section 15274 ("Family Day Care Homes"), the California Environmental Quality Act (CEQA) does not apply to establishment or operation of a large family day care home which provides in-home care for up to fourteen children.

ALTERNATIVES

The Planning Commission can:

1. Approve the application for Conditional Use Permit 15-25, pursuant to Resolution 16-04.
2. Deny the application for Conditional Use Permit 15-25, and direct staff to draft a Resolution for the Commission's consideration at the next meeting, specifying those findings that cannot be made.
3. Continue the subject project, and provide the applicant with direction.

RECOMMENDATION

Staff recommends that the Planning Commission approve CUP 15-25 pursuant to Resolution 16-04, subject to conditions of approval.

Prepared By:



Leticia Cardoso
Planning Manager

Attachments (7):

1. Exhibit A: Planning Commission Resolution 16-04
2. Exhibit B: Site & Floor Plans
3. Exhibit C: Project Description
4. Exhibit D: Planning Application
5. Exhibit E: Site photos
6. Exhibit F: Sierra Madre Police Department – Traffic Volume Sample Survey
7. Exhibit G: Vicinity Map

EXHIBIT A

Planning Commission Resolution 16-04

PC RESOLUTION 16-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIERRA MADRE APPROVING CONDITIONAL USE PERMIT 15-25 TO ALLOW THE OPERATION OF A LARGE FAMILY DAY CARE HOME (IN-HOME CHILD CARE CENTER) FOR A MAXIMUM OF 14 CHILDREN AT THE PROPERTY LOCATED AT 59 N. SUNNYSIDE AVENUE.

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

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

**Timothy and Courtney Vanis
59 N. Sunnyside Avenue
Sierra Madre, CA 91024**

WHEREAS, the request for a CONDITIONAL USE PERMIT can be described as:

A request for a conditional use permit to allow the operation of a Large Family Day Care Home (in-home child care center) for a maximum of 14 children at the property located at 59 N. Sunnyside Avenue. Pursuant to Code Section 17.60.028, a CUP is required to allow child care centers that exceed four children;

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

WHEREAS, notice was duly given of the public hearing on the matter, which public hearing was held before the Planning Commission on May 19, 2016, with all testimony received being made part of the public record;

WHEREAS, pursuant to Section 15274 ("Family Day Care Homes"), the California Environmental Quality Act (CEQA) does not apply to establishment or operation of a large family day care home which provides in-home care for up to fourteen children.

NOW THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at said hearing, the Planning Commission now finds as follows:

A. That the site for the proposed use is adequate in size, shape, topography, and location; in that the project site is rectangular in shape and is of adequate size, shape and topography to accommodate the proposed use as shown on the site plan provided by the applicants. The property has been used since 2013 as a small family day care home for a maximum of 8 children, and the City does not have any records of

complaints regarding the use at this location. Moreover, the site is located in the R-1 Zone, which allows large family day care uses.

B. 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; in that North Sunnyside Avenue is approximately 60 feet wide which is a standard width for residential areas. The site has been used as a small family day care home for 8 children since 2013 and the City has no record of any complaints regarding traffic or parking.

According to the Circulation Section of the General Plan, Sunnyside Avenue is classified as a local street where traffic volumes should not exceed 2,500 trips per day, or 200-300 vehicles per hour. Based on a traffic count conducted at 111 North Sunnyside Avenue by the City's Police Department on May 27, 2014 between 10:30 am to 2:00 p.m., there was a total volume of 200 vehicles in both directions, so well within the allowed traffic volumes for the subject street classification. Consequently, the proposed use is not expected to generate a significant traffic impact on the neighborhood or City streets as it would result in an increase from the current 6 trips per day to a maximum of 14 trips per day.

C. That the proposed use is neither detrimental to the public health, safety and general welfare, nor will unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties; in that the site has been used as a licensed small family day care home since 2013, and the City has no record of any complaints associated with this use. The proposed large family day care home will also require State licensing, including inspection and sign off by the City's Fire Department, therefore the increase in the maximum number of children allowed from 8 to 14 is not expected to be detrimental to the public health, safety and general welfare.

The drop off and pick up times are limited during the day, and the day care use would not include weekends and holidays. The outdoor use of the property is also limited during the day, and it would occur away from structures on the adjacent properties. Conditions of approval limiting drop-off/pick-up times and outdoor play times have been included in the Resolution to ensure that the use does not unreasonably interference with the use, possession and enjoyment of surrounding and adjacent properties.

D. That there is a demonstrated need for the use requested; in that the applicants have a waiting list of children who reside in Sierra Madre who need full- or part-time care in a family day care home, and the maximum number of children allowed to be served in a residential setting without a conditional use permit is not adequate to accommodate this unmet need.

E. That the proposed use is consistent with the general plan, zoning and any applicable design standards; in that the proposed use as a large family day care is allowed by conditional use permit in any zone in the city, including the R-1 Zone where the use would be located. The applicants are not proposing any physical modifications to the property, therefore design standards are not applicable in this context.

F. That the use at the location requested would benefit the public interest and convenience; in that large family day care homes serve the child care needs of the residents of the city when they are consistent with City ordinances and State certification requirements.

Additional burden of proof for permits for certain noted projects pursuant to Code Section 17.20.041.

Before a conditional use permit is granted, the application shall show, to the reasonable satisfaction of the reviewing authority, the existence of the following facts:

A. That the height, bulk, scale, mass and siting of the proposed project be compatible with the existing neighborhood, landforms and surroundings.

The proposed use does not involve any addition of floor area or any physical modifications to the existing property. Therefore, this finding does not apply.

B. That the proposed project reflects the scale of the neighborhood in which it is proposed and that it does not visually overpower or dominate the neighborhood and is not ill-proportioned so as to produce either architecture or design that detracts from the foothill village setting.

The proposed use does not involve any addition of floor area or any physical modifications to the existing property. Therefore, this finding does not apply.

C. That the proposed project neither unreasonably interferes with public views or the views and privacy of neighbors, produces unreasonable noise levels, nor causes material adverse impacts.

The proposed use does not involve any addition of floor area or any physical modifications to the existing property, so there are no impacts to public views or the view of neighbors. In terms of privacy, the majority of the outdoor play area is located at the northern portion of the lot along West Montecito Avenue, and approximately

10 feet away from the closest residential structure on the adjacent lot to the west, which is separated by a 5-foot-high property line wall and tall hedges from the play area. Therefore, it is not expected to reasonably interfere with the privacy of neighbors. Regarding noise levels, the City's ordinances do not specifically address noise levels from family day care homes as children's noise levels are typically associated with residential uses. Therefore the City's Noise Ordinance would apply if any unreasonable noise levels were produced by the proposed family day care use.

- D. That the proposed project exhibits a coherent project-wide design, and each structure or portion thereof (especially additions) on the site is compatible with other portions of the project, regardless of whether the same are publically visible.**

The proposed use does not involve any addition of floor area or any physical modifications to the existing property. Therefore, this finding does not apply.

- E. For proposed projects seeking relief from development standards, where allowed, to accommodate characteristics of an identifiable architectural style (such as additional height pursuant to Section 17.20.020(A)), that the proposed project adheres to the norms of such identifiable architectural style and that such style is consistently carried through on all elevations of the building, regardless of whether the same are publically visible.**

This finding is not applicable as the applicant is not seeking relief from development standards.

- F. For proposed projects that require discretionary review due to exceeding size thresholds (pursuant to Sections 17.20.025(C), 17.30.040(B), or similar), that the proposed is a superior project that would enhance its neighborhood and exhibit exceptional design through a combination of most, if not all, of:**
- 1. Innovative, thoughtful and/or noteworthy architecture that is responsive to the specific site, rather than standard, generic, or "cookie-cutter" plans;**
 - 2. Where applicable, adaptive reuse or other preservation and restoration of historic structures;**
 - 3. Preservation of the natural landscape to the extent possible by such means as minimizing grade changes and retaining protected and specimen trees;**

4. **Siting of structures in keeping with landforms and so as to maximize open space, public views, and neighbor views and privacy;**
5. **High quality architectural details and building materials compatible with the overall project design; and**
6. **Sustainable building and landscaping practices, especially water-saving features.**

This finding is not applicable as the conditional use permit is not requested to exceed the thresholds established in Sections 17.20.025.C or 17.30.040.B.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission APPROVES Conditional Use Permit 15-25, subject to the conditions of approval in Exhibit A, attached herein.

The approval is final, unless appealed to the City Council in writing within ten (10) days following the adoption of this Resolution, pursuant to the provisions of Section 17.60.120 of the Sierra Madre Municipal Code.

The time in which to seek judicial review of this decision shall be governed by Code of Civil Procedure Section 1094.6. The Planning Commission Secretary shall certify to the adoption of this resolution, transmit copies of the same to the applicant and his counsel, if any, together with a proof of mailing in the form required by law and shall enter a certified copy of this resolution in the book of resolution of the City.

APPROVED, the 19th day of May, 2016, by the following vote:

AYES:

NOES: None

ABSTAIN: None

ABSENT: None

Ken Goldstein, Chair
Sierra Madre Planning Commission

ATTEST:

Planning Commission Resolution 15-25
May 19, 2016

Vincent Gonzalez, Director
Planning & Community Preservation Department

EXHIBIT A

**CONDITIONS OF APPROVAL
CUP 15-25**

General Conditions:

The applicants shall:

1. 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.

2. 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.

3. Execute and deliver to the City's Department of Planning & Community Preservation an Affidavit of Acceptance of Conditions on a form to be provided by such Department prior to submitting an application for a business license to the City. This approval shall not be effective for any purpose until the Applicant complies with this condition.

4. To the fullest extent permitted by law, fully protect the City, its employees, agents and officials from any loss, injury, damage, claim, lawsuit, expense, attorneys' fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this approval, or the activities conducted pursuant to this approval. Accordingly, to the fullest extent permitted by law, the applicants 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. Applicants 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.

Planning Conditions:

The applicants shall:

Planning Commission Resolution 15-25
May 19, 2016

1. Construct the project in substantial conformance with all applications and supporting materials presented to the Planning Commission on May 5, 2016. Inaccuracies and misrepresentations will be grounds for immediate revocation of the Conditional Use Permit.
2. Obtain a business license within one (1) year of the date of this approval; failure to do so will constitute an abandonment of the entitlement, and shall render this approval null and void.
3. Front yard shall not be used for child care purposes.
4. Drop-off and pick-up areas restricted to west side of Sunnyside and driveway area.
5. Drop-off and pick-up shall occur within a 30 minute period in the morning, mid-day and afternoon, Monday through Friday.
6. Hours of operation shall be Monday through Friday from 8:30 am to 5:00 pm.
7. A flyer should be provided to each existing and new clients informing them of the rules regarding drop-off and pick-up times and locations.
8. Use of the garage for day care use is prohibited.
9. The three parking spaces required for the child care use and single-family use must be maintained on site.
10. Homeowner and employees shall park on-site in the driveway and/or garage.
11. Obtain all required permits or licenses to operate as a large family day care from the State Department of Social Services.
12. Comply with Health & Safety Code Section 1597.46(e), any regulations adopted by the State Fire Marshal pursuant to that subsection, and any applicable amendments to those regulations.

Public Works Conditions:

The applicants shall:

1. Replace the entire sidewalk fronting the property along Sunnyside Avenue level the parkway. This will be required prior to the conditional use permit becoming effective. With regard to sidewalk replacement, the applicant can apply for the

sidewalk partnership program.

(end of conditions)

EXHIBIT B

Site & Floor Plans

PC RESOLUTION 16-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIERRA MADRE APPROVING CONDITIONAL USE PERMIT 15-25 TO ALLOW THE OPERATION OF A LARGE FAMILY DAY CARE HOME (IN-HOME CHILD CARE CENTER) FOR A MAXIMUM OF 14 CHILDREN AT THE PROPERTY LOCATED AT 59 N. SUNNYSIDE AVENUE.

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

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

**Timothy and Courtney Vanis
59 N. Sunnyside Avenue
Sierra Madre, CA 91024**

WHEREAS, the request for a CONDITIONAL USE PERMIT can be described as:

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

WHEREAS, notice was duly given of the public hearing on the matter, which public hearing was held before the Planning Commission on May 19, 2016, with all testimony received being made part of the public record;

WHEREAS, pursuant to Section 15274 ("Family Day Care Homes"), the California Environmental Quality Act (CEQA) does not apply to establishment or operation of a large family day care home which provides in-home care for up to fourteen children.

NOW THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at said hearing, the Planning Commission now finds as follows:

A. That the site for the proposed use is adequate in size, shape, topography, and location; in that the project site is rectangular in shape and is of adequate size, shape and topography to accommodate the proposed use as shown on the site plan provided by the applicants. The property has been used since 2013 as a small family day care home for a maximum of 8 children, and the City does not have any records of

complaints regarding the use at this location. Moreover, the site is located in the R-1 Zone, which allows large family day care uses.

B. 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; in that North Sunnyside Avenue is approximately 60 feet wide which is a standard width for residential areas. The site has been used as a small family day care home for 8 children since 2013 and the City has no record of any complaints regarding traffic or parking.

According to the Circulation Section of the General Plan, Sunnyside Avenue is classified as a local street where traffic volumes should not exceed 2,500 trips per day, or 200-300 vehicles per hour. Based on a traffic count conducted at 111 North Sunnyside Avenue by the City's Police Department on May 27, 2014 between 10:30 am to 2:00 p.m., there was a total volume of 200 vehicles in both directions, so well within the allowed traffic volumes for the subject street classification. Consequently, the proposed use is not expected to generate a significant traffic impact on the neighborhood or City streets as it would result in an increase from the current 6 trips per day to a maximum of 14 trips per day.

C. That the proposed use is neither detrimental to the public health, safety and general welfare, nor will unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties; in that the site has been used as a licensed small family day care home since 2013, and the City has no record of any complaints associated with this use. The proposed large family day care home will also require State licensing, including inspection and sign off by the City's Fire Department, therefore the increase in the maximum number of children allowed from 8 to 14 is not expected to be detrimental to the public health, safety and general welfare.

The drop off and pick up times are limited during the day, and the day care use would not include weekends and holidays. The outdoor use of the property is also limited during the day, and it would occur away from structures on the adjacent properties. Conditions of approval limiting drop-off/pick-up times and outdoor play times have been included in the Resolution to ensure that the use does not unreasonably interference with the use, possession and enjoyment of surrounding and adjacent properties.

D. That there is a demonstrated need for the use requested; in that the applicants have a waiting list of children who reside in Sierra Madre who need full- or part-time care in a family day care home, and the maximum number of children allowed to be served in a residential setting without a conditional use permit is not adequate to accommodate this unmet need.

E. That the proposed use is consistent with the general plan, zoning and any applicable design standards; in that the proposed use as a large family day care is allowed by conditional use permit in any zone in the city, including the R-1 Zone where the use would be located. The applicants are not proposing any physical modifications to the property, therefore design standards are not applicable in this context.

F. That the use at the location requested would benefit the public interest and convenience; in that large family day care homes serve the child care needs of the residents of the city when they are consistent with City ordinances and State certification requirements.

Additional burden of proof for permits for certain noted projects pursuant to Code Section 17.20.041.

Before a conditional use permit is granted, the application shall show, to the reasonable satisfaction of the reviewing authority, the existence of the following facts:

A. That the height, bulk, scale, mass and siting of the proposed project be compatible with the existing neighborhood, landforms and surroundings.

The proposed use does not involve any addition of floor area or any physical modifications to the existing property. Therefore, this finding does not apply.

B. That the proposed project reflects the scale of the neighborhood in which it is proposed and that it does not visually overpower or dominate the neighborhood and is not ill-proportioned so as to produce either architecture or design that detracts from the foothill village setting.

The proposed use does not involve any addition of floor area or any physical modifications to the existing property. Therefore, this finding does not apply.

C. That the proposed project neither unreasonably interferes with public views or the views and privacy of neighbors, produces unreasonable noise levels, nor causes material adverse impacts.

The proposed use does not involve any addition of floor area or any physical modifications to the existing property, so there are no impacts to public views or the view of neighbors. In terms of privacy, the majority of the outdoor play area is located at the northern portion of the lot along West Montecito Avenue, and approximately

10 feet away from the closest residential structure on the adjacent lot to the west, which is separated by a 5-foot-high property line wall and tall hedges from the play area. Therefore, it is not expected to reasonably interfere with the privacy of neighbors. Regarding noise levels, the City's ordinances do not specifically address noise levels from family day care homes as children's noise levels are typically associated with residential uses. Therefore the City's Noise Ordinance would apply if any unreasonable noise levels were produced by the proposed family day care use.

- D. That the proposed project exhibits a coherent project-wide design, and each structure or portion thereof (especially additions) on the site is compatible with other portions of the project, regardless of whether the same are publically visible.**

The proposed use does not involve any addition of floor area or any physical modifications to the existing property. Therefore, this finding does not apply.

- E. For proposed projects seeking relief from development standards, where allowed, to accommodate characteristics of an identifiable architectural style (such as additional height pursuant to Section 17.20.020(A)), that the proposed project adheres to the norms of such identifiable architectural style and that such style is consistently carried through on all elevations of the building, regardless of whether the same are publically visible.**

This finding is not applicable as the applicant is not seeking relief from development standards.

- F. For proposed projects that require discretionary review due to exceeding size thresholds (pursuant to Sections 17.20.025(C), 17.30.040(B), or similar), that the proposed is a superior project that would enhance its neighborhood and exhibit exceptional design through a combination of most, if not all, of:**
- 1. Innovative, thoughtful and/or noteworthy architecture that is responsive to the specific site, rather than standard, generic, or “cookie-cutter” plans;**
 - 2. Where applicable, adaptive reuse or other preservation and restoration of historic structures;**
 - 3. Preservation of the natural landscape to the extent possible by such means as minimizing grade changes and retaining protected and specimen trees;**

4. **Siting of structures in keeping with landforms and so as to maximize open space, public views, and neighbor views and privacy;**
5. **High quality architectural details and building materials compatible with the overall project design; and**
6. **Sustainable building and landscaping practices, especially water-saving features.**

This finding is not applicable as the conditional use permit is not requested to exceed the thresholds established in Sections 17.20.025.C or 17.30.040.B.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission APPROVES Conditional Use Permit 15-25, subject to the conditions of approval in Exhibit A, attached herein.

The approval is final, unless appealed to the City Council in writing within ten (10) days following the adoption of this Resolution, pursuant to the provisions of Section 17.60.120 of the Sierra Madre Municipal Code.

The time in which to seek judicial review of this decision shall be governed by Code of Civil Procedure Section 1094.6. The Planning Commission Secretary shall certify to the adoption of this resolution, transmit copies of the same to the applicant and his counsel, if any, together with a proof of mailing in the form required by law and shall enter a certified copy of this resolution in the book of resolution of the City.

APPROVED, the 19th day of May, 2016, by the following vote:

AYES:

NOES: None

ABSTAIN: None

ABSENT: None

Ken Goldstein, Chair
Sierra Madre Planning Commission

ATTEST:

Planning Commission Resolution 15-25
May 19, 2016

Vincent Gonzalez, Director
Planning & Community Preservation Department

EXHIBIT A

**CONDITIONS OF APPROVAL
CUP 15-25**

General Conditions:

The applicants shall:

1. 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.

2. 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.

3. Execute and deliver to the City's Department of Planning & Community Preservation an Affidavit of Acceptance of Conditions on a form to be provided by such Department prior to submitting an application for a business license to the City. This approval shall not be effective for any purpose until the Applicant complies with this condition.

4. To the fullest extent permitted by law, fully protect the City, its employees, agents and officials from any loss, injury, damage, claim, lawsuit, expense, attorneys' fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this approval, or the activities conducted pursuant to this approval. Accordingly, to the fullest extent permitted by law, the applicants 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. Applicants 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.

Planning Conditions:

The applicants shall:

Planning Commission Resolution 15-25
May 19, 2016

1. Construct the project in substantial conformance with all applications and supporting materials presented to the Planning Commission on May 5, 2016. Inaccuracies and misrepresentations will be grounds for immediate revocation of the Conditional Use Permit.
2. Obtain a business license within one (1) year of the date of this approval; failure to do so will constitute an abandonment of the entitlement, and shall render this approval null and void.
3. Front yard shall not be used for child care purposes.
4. Drop-off and pick-up areas restricted to west side of Sunnyside and driveway area.
5. Drop-off and pick-up shall occur within a 30 minute period in the morning, mid-day and afternoon, Monday through Friday.
6. Hours of operation shall be Monday through Friday from 8:30 am to 5:00 pm.
7. A flyer should be provided to each existing and new clients informing them of the rules regarding drop-off and pick-up times and locations.
8. Use of the garage for day care use is prohibited.
9. The three parking spaces required for the child care use and single-family use must be maintained on site.
10. Homeowner and employees shall park on-site in the driveway and/or garage.
11. Obtain all required permits or licenses to operate as a large family day care from the State Department of Social Services.
12. Comply with Health & Safety Code Section 1597.46(e), any regulations adopted by the State Fire Marshal pursuant to that subsection, and any applicable amendments to those regulations.

Public Works Conditions:

The applicants shall:

1. Replace the entire sidewalk fronting the property along Sunnyside Avenue level the parkway. This will be required prior to the conditional use permit becoming effective. With regard to sidewalk replacement, the applicant can apply for the

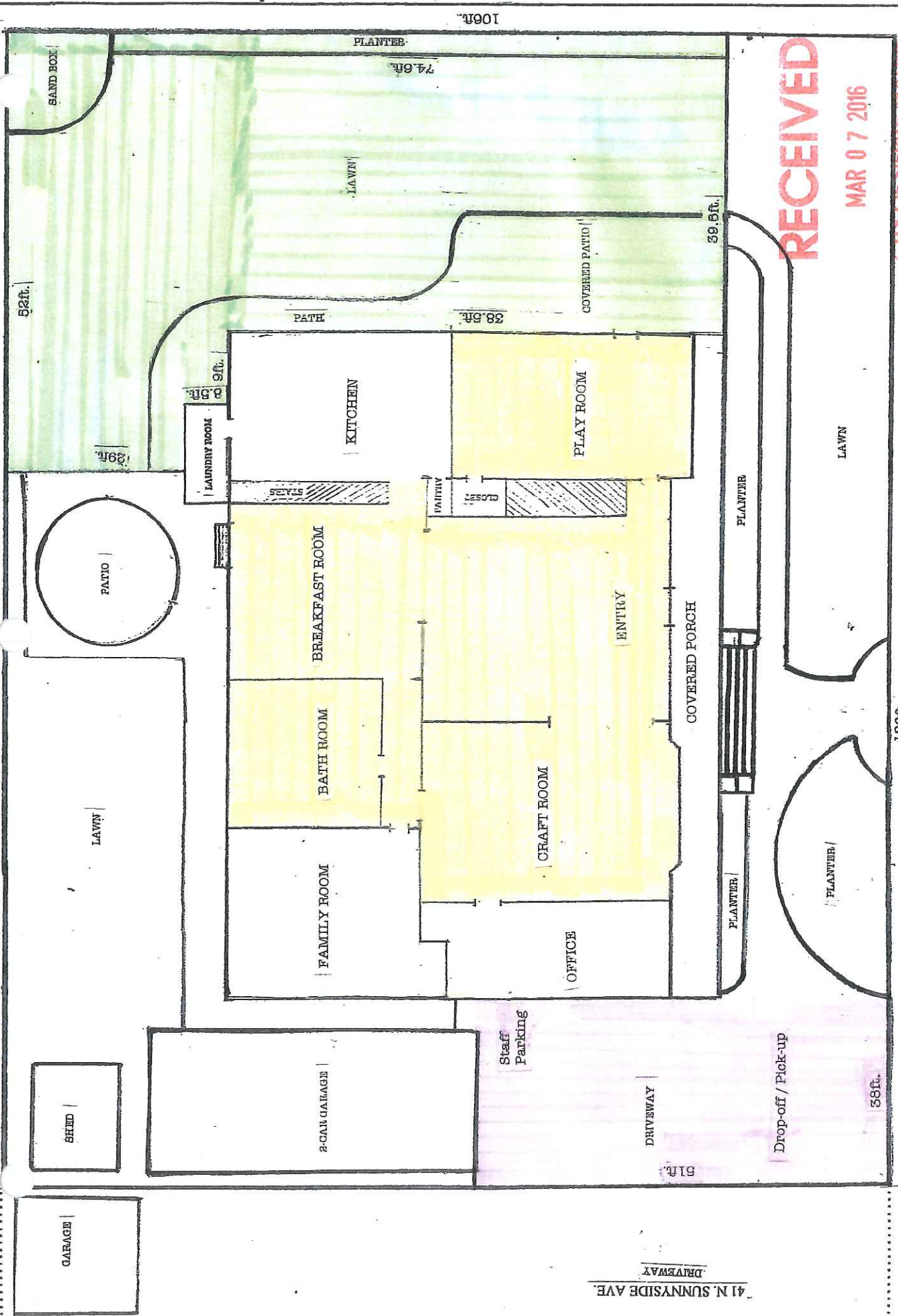
sidewalk partnership program.

(end of conditions)

608 MONTECITO AVE.

MONTECITO AVENUE

106ft.



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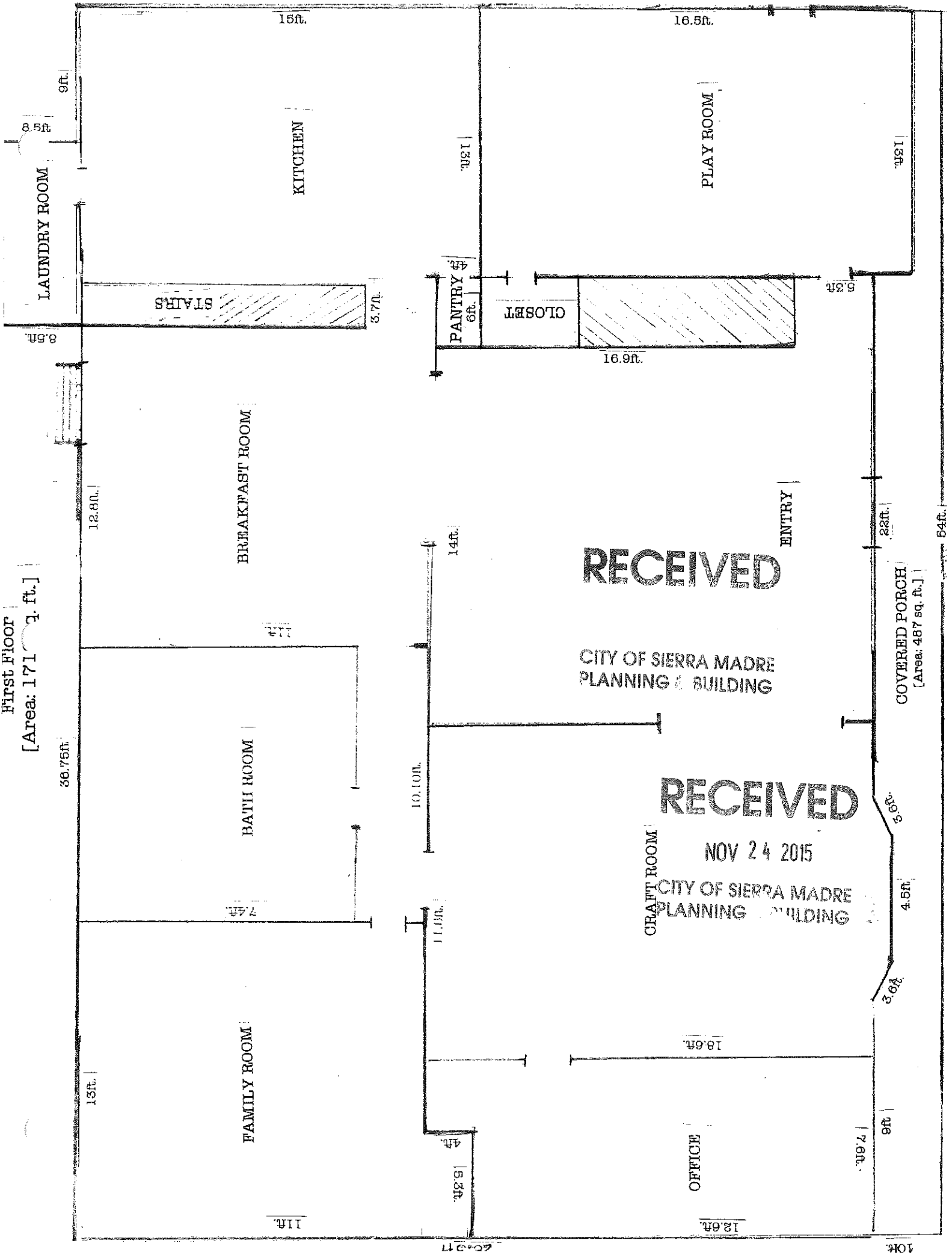
N. SUNNYSIDE AVENUE

- ☐ DESIGNATED INSIDE AREA FOR DAYCARE USE (1,163ft²)
- ☐ DESIGNATED OUTSIDE AREA FOR DAYCARE USE (3,410ft²)

☐ DESIGNATED DROP-OFF/ PICK-UP AREA (DRIVEWAY: 1,938ft²)

First Floor

[Area: 1717 sq. ft.]



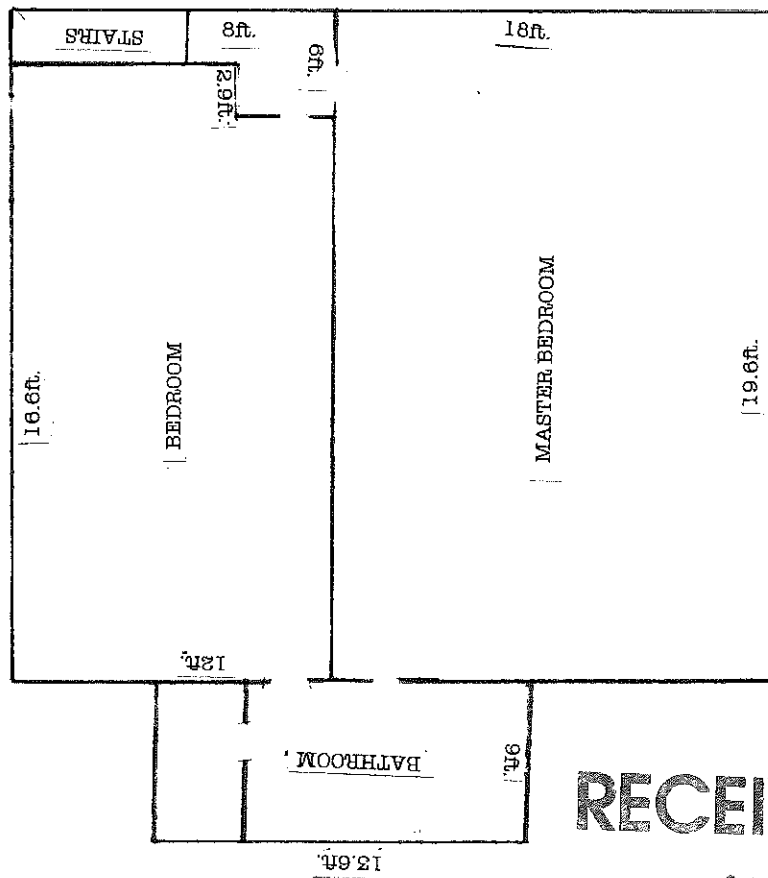
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NOV 24 2015

CITY OF SIERRA MADRE
PLANNING & BUILDING

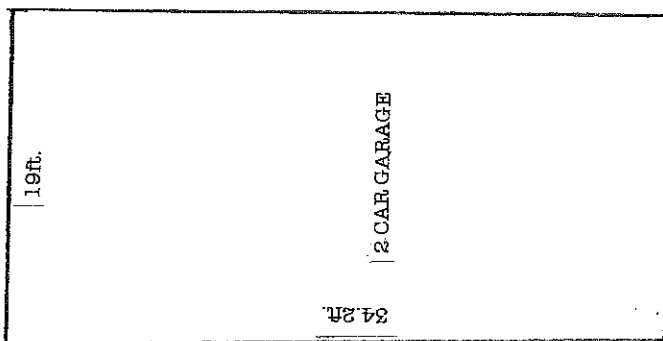


Second Floor
[Area: 746 sq. ft.]

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2 Car Garage
[Area: 650 sq. ft.]

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EXHIBIT C

Project Description

About Us:

Nestled in the foothills of picturesque Sierra Madre, Sunnyside School House is designed to be an alternative to families who have a need for child care and wish to introduce their little ones to the friends and fun of the preschool experience in a family environment that feels just like home. Established in 2013 by credentialed elementary school teacher Courtney Vanis and her husband Tim Vanis, Sunnyside School House is dedicated to providing a bright place for children in our community to learn and grow. We pride ourselves on keeping with the tradition of the city of Sierra Madre's "home town" feel and know that *it* is what so many families love about our little school house.

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APR 18 2016

Why we are requesting a Conditional Use Permit:

Sunnyside School House is licensed by the state of California (facility # 19801735) to care for up to 8 children over the age of 2; however, we have two school-aged children of our own that count towards the capacity of 8. This limits the number of children that we can enroll to 6. The high demand for quality childcare and preschool in our community is extremely evident as we have a wait list that continues to grow each week. In order to accommodate more families in our community we must obtain a Large Family Day Care license. This license would allow us to enroll up to 14 children ages 2-5 years of age. This number would also include our own two school age children so the actual number of children enrolled would increase from 6 to 12 daily.

**CITY OF SIERRA MADRE
PLANNING BUILDING****Operating Schedule:**

Sunnyside School House is open from 8:30 a.m. to 5p.m. Monday through Friday during our regular school year. Our operating schedule for the summer program will run July 11 until September 2 (8 weeks) Monday through Thursday from 9:00 a.m. to 5 p.m. We offer full day and half-day programs. All full day programs are from 8:30am to 5:00 pm and all half day programs are from 8:30 a.m. until 12:30 p.m. Currently more than half of our students are half day and are picked up at 12:30. Permitting us to obtain a larger license would allow us to serve more of the community that requires full time childcare. Throughout the day parents drop-off and pick-up their children in front of the house and in our driveway.

In the morning the children are outside in the play yard during arrival from 8:30-9:00am and again from 10:15-11:30am. In the afternoon the children are allowed outside playtime between the hours of 3:00-4:30pm.

Our Holidays:

Labor Day: September 7

Veteran's Day: November 11

Thanksgiving: November 25-27

Martin Luther King Jr. Day: January 18

Presidents' Day: February 15

Good Friday: March 25

Memorial Day: May 30

Independence Day: July 4

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CITY OF SIERRA MADRE
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Vacation Times:

There will be a two-week vacation during the Winter Holiday December 21- January 4, and one week for Spring Break. March 14-18. The last day of the 2015-2016 regular school year will be June 24. Our 2016 summer program will run July 11 until September 2 (8 weeks). During the summer months Sunnyside School House will be open M-TH only. The 2016-2017 regular school year will start September 12, 2016.

EXHIBIT D

Planning Application



City of Sierra Madre Planning Application Form

232 W. Sierra Madre Blvd. Sierra Madre, CA 91024
626-355-7135 Fax: 626-355-2251

Date Received

11/16/16

P.C. Hearing Date

Project Location 59 N. Sunnyside Ave., Sierra Madre CA 91024

APN # 5768-015-016 General Plan & Zoning RL/R-1

Project No.

204785

CUP 15.25

Exact Legal Description: Replat of Grand View tract
being a replat of blocks A and B of the
Grandview Tract N. 125 ft of lots 25 and lot 26

Applicant Requests: Condition of Use Permit for
Large Family Child Care License

Type of City Review

Variance

\$ 2,670.00

☐

Minor Variance

\$ 748.00

☐

Conditional Use Permit

\$ 2,670.00

4,500.00

☒

Minor Conditional Use Permit

Permit \$ 748.00

☐

Lot Merger

\$7,980.00

☐

Tentative Parcel Map

\$6,671.00

☐

Tentative Tract Map

\$9,820.00

☐

Zone Change

\$ 3,616.00

☐

General Plan

Amendment

\$ 8,980.00

☐

HMZ CUP

\$ 10,000 Deposit

☐

Public Facilities Fee

\$ _____ (TBD)

☐

Environmental Fee

\$ 154.00 (TBD)

☒

Noticing

\$ 612.00 PC / 561.00 CC

☒

Applicant Information

Name: Timothy Vanis & Courtney Vanis

Address: 59 N. Sunnyside Ave.

Sierra Madre, CA 91024

Owner

☐

Escrow

☐

Lessee

☒

Other

☐

H: (626) 355-5081

W: (626) 833-9139



If required:

COVENANTS, CONDITIONS AND/OR RESTRICTIONS:

SIERRA MADRE MUNICIPAL CODE (Sections) (For Office Use Only)

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TOTAL \$

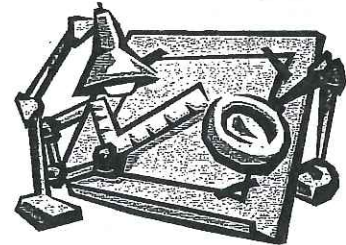
4,500.00
5,320.00

Planning Application Form

Page 2

Architect Information

Firm: NA Contact: _____
 Address: _____ Phone: _____
 _____ Fax: _____



Contractor Information

Company: NA Contact: _____
 Address: _____ Phone: _____
 _____ Fax: _____

Engineer Information

Company: N/A Contact: _____
 Address: _____ Phone: _____
 _____ Fax: _____

Appeal

If any person is aggrieved by a decision, an appeal may be filed to a higher decision-making body. For further information please contact the Department of Development Services for the procedure and time constraints.

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NOV 24 2015

Cultural Heritage Commission

Date: _____

Action: _____

City Council Appeal

Date: _____

Action: _____

CITY OF SIERRA MADRE
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Tree Advisory Commission

Date: _____

Action: _____

CRA

Date: _____

Action: _____

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Planning Application Form

Page 3

Application Completeness: Only applications that include all of the required documents described on the following page will be deemed "complete." The Department of Development Services retains the right to review documents and determine that they are adequate in their ability to convey the applicant's request to the decision making body. Applicants will be notified if the application is not complete, within 30 days of filling the application and paying all required fees.

Refund: Applicants will be entitled to refunds of relevant fees only if an application has been submitted and received in error by City Staff. Fees will not be refunded to an applicant who decides not to pursue a project which has been submitted.

The City will work with one individual, or firm, who is the "applicant." It is expected that the applicant will convey all project related information to the individuals involved in the project.



Certification

I certify that I am presently the legal owner of the above described property. Further, I acknowledge the filling of this application and certify that all of the above information is true and correct. (If the undersigned is different from the legal property owner, a letter of authorization must accompany this form.)

I have read and agree to comply with the above stated conditions:

Timothy Vanis
Name of Applicant

Timothy Vanis
Signature

Courtney Vanis
Name of 2nd Applicant

Courtney Vanis
Signature

Variance and Conditional Use

Permit applications
must include:

Descriptions and/or
analysis to the
required attached
findings, in order to
be deemed
complete.

NOV 24 2015

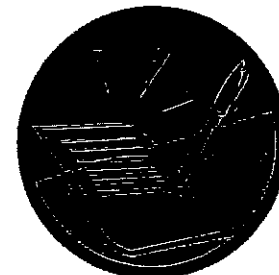
CITY OF SIERRA MADRE
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— SEE ATTACHED FORM —

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Notary Public

Date



CITY OF SIERRA MADRE
PLANNING & BUILDING

California Jurat Certificate

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of LOS ANGELES

s.s.

NOV 24 2015

CITY OF SIERRA MADRE
PLANNING & BUILDING

Subscribed and sworn to (or affirmed) before me on this 6TH day of NOVEMBER,
Month

20 15, by TIMOTHY VANIS and
Name of Signer (1)

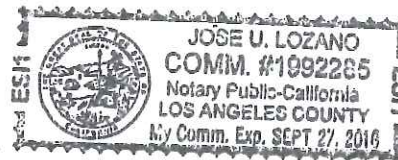
COURTNEY VANIS, proved to me on the basis of
Name of Signer (2)

satisfactory evidence to be the person(s) who appeared before me.


Signature of Notary Public

JOSE U. LOZANO, NOTARY PUBLIC

For other required information (Notary Name, Commission No., etc.)



Seal

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this jurat to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The certificate is attached to a document titled/for the purpose of

PLANNING APPLICATION FORM

containing 14 pages, and dated 11/06/15

Additional Information

Method of Affiant Identification

Proved to me on the basis of satisfactory evidence:
☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

☐ Affiant(s) Thumbprint(s) ☐ Describe: _____

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CITY OF SIERRA MADRE
PLANNING & BUILDING

Application Completeness

- ☐ Completed Planning Application Form
- ☐ **PROJECT DESCRIPTION & ANALYSIS:** On **page 10**, describe the proposal including current use of the property, demolition (if any), proposed construction, proposed use and any other relevant information to the applicant request. Submit all information listed on the analysis form.
- ☐ **SITE PLAN:** Attach a dimensioned site plan including all property lines indicating existing and proposed structures and the current and proposed use of all structures. Indicate the location of any structures within 5 feet of the abutting site(s). The site plan must indicate a north direction, the architect's name, the owner's name, existing trees & plant materials, internal & external right-of-ways, yard dimensions, and a scale.
- ☐ **DIMENSIONED FLOOR PLANS:** Must indicate North direction, architect's name, owner's name, and a scale.
- ☐ **ELEVATIONS:** Dimensioned elevations must be included for each side of the property. Elevations must identify the relevant property lines, natural & finished grade, and missing of structures on adjacent properties.
- ☐ Colored rendering of front elevation
- ☒ Owner's Affidavit
- ☐ **NOTIFICATION:** A **300** foot radius map (see attached example) and the names of the property owner's within a 300 foot radius. Submit a master list and 2 sets of typed labels of property owners.
- ☐ **SITE SURVEY:** The survey must be completed by a licensed surveyor and show existing grades, structures, and other relevant information. (If required by the Planning Department)
- ☐ Tree removal plan (if necessary) for review by the Tree Advisory Commission
- ☐ Entry onto Private Land. By submitting said form a property owner grants permission to staff and the Planning Commissioners the right to enter private property to evaluate the request.
- ☐ **PHOTOGRAPHS:** Include pictures of all four (4) directions (N, S, E & W) of existing site and abutting properties looking in and out.
- ☐ **Public Facilities Fee:** Please check with Development Services staff if this fee applies to your project (Title 15; Chapter 15.52)
- ☒ **REQUIRED PRINTS:**
 - One (1) Blue Print Size: 24" x 36" (at time of application submittal)
 - Twenty (20) 11" x 17" reductions (prior to Planning Commission hearing)

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NOV 24 2015

CITY OF SIERRA MADRE
PLANNING & BUILDING

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CITY OF SIERRA MADRE
PLANNING & BUILDING

A. That the size for the proposed use is adequate in size, shape and topography and location;

Address: 59 N. Sunnyside Ave

Existing Dwelling: 2,4582 ft²

Outside Area used for Daycare: 3,410 sq. ft²

Inside Area used for Daycare: 1,163 sq. ft²

Driveway: 1,938 ft²

Designated rooms for Daycare:

- Bathroom
- Breakfast Room
- Craft Room
- Entry Room
- Playroom

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APR 18 2016

CITY OF SIERRA MADRE
PLANNING & BUILDING

B. That the site has sufficient access to the street which are adequate, in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;

We have recently completed a renovation on the sidewalk along the property with the Department of Public works.

The proposed use's traffic generation will be slightly more intense with a capacity increase but only during the scheduled drop off and pick up times. There will not be any changes to the parking and entry from the existing site. Drop off is from 8:30-9:00am. Half-day pick up is from 12:30-12:45. Full-day pick-up is from 4:30-5:00pm. There are currently six students enrolled Monday- Friday. On Monday, Wednesday, and Friday there are four half-day students and two full day students. On Tuesday and Thursday there are currently three half day and three full day students enrolled.

The CUP expansion would double the amount of students from six to twelve. Therefore, there will be 6 half-day students and 6 full day students. Therefore the current number of cars dropping off and picking would double from 6 cars up to 12 cars dropping off between the time of 8:30-9:00am. The number of cars for pick up would be 6 cars between the time 12:30-1:00pm and six cars picking up between 4:30-5:00pm Monday through Friday. The operating schedule for the summer program runs from July 11 through September 2 Monday-Thursday from 9:00am-5pm. The number of vehicles dropping off and picking up would not change, however, the drop off time is from 9:00-9:30am and half day pick up is from 2:00-2:30pm.

The designated drop-off area is in front of the house and in the driveway. There are two parking spaces in the two car covered garage that is required for a single-family residence in the R-1 zone. Currently, there are no employees, however, the designated staff parking is marked on the site map and on the physical driveway with a sign. Sunnyside School is run and operated by Tim and Courtney Vanis. Sunnyside School House does not plan to increase the number of employees at

this time because the Large In-Home Family Daycare license only requires two adults on site during the hours of operation.

C. That the proposed use is neither detrimental to the public health, safety and general welfare, nor will unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties;

The use of the property will be to provide childcare and poses no threat to the public health, safety and general welfare of the surrounding properties. The designated inside areas for daycare use are on the first floor. The house is setback from the street and there is a covered porch. The designated outside area is located in the northwest corner of the property and is set back. This area is enclosed at both the front and back of the property by 5 ft. walls, as well as, by 5 ft. fences on both sides.

RECEIVED

D. That here is a demonstrated need for the use requested;

Today most families have a need for full or part time childcare. We currently have a wait list of over 10 children that desire full or part time care, the majority of which live within the city limits of Sierra Madre. Aside from people on the wait list, there have been dozens of people that have toured and shown great interest. Unfortunately because of our small license we are unable to service these families and they must send their business elsewhere because their need is immediate. We need to increase our capacity in order to enroll more children into our home daycare, and therefore we must request a condition of use permit.

APR 11 2016

CITY OF SIERRA MADRE
COUNCIL BUILDING

E. That the proposed use is consistent with the general plan, zoning and any applicable design standards;

There will be no modifications to the existing property floor plan or landscape.

F. That the use at the location requested would benefit the public interest and convenience;

We believe that there is a need in our community for quality childcare that offers a preschool curriculum in a safe home environment. Studies have shown that developmental years between the ages of 2-5 are the most important in forming a child's outlook on themselves and the world around them.

As parents we understand the stress and concern in finding the right school/daycare for your child. Parents that work outside the home search for a childcare facility like the one we've imagined. Many parents feel relieved to have their children in the care of other parents in an environment that feels like home.

The revenue that is being lost for the city due to our schools limitations should be considered when approving our request for a Condition of use Permit. Families that live outside of Sierra Madre have come to our school and have understandably fallen in love with our town's quaint appeal. They visit our parks after school and have begun to frequent our local businesses. Sunnyside School House intends to become a fixture in the community of Sierra Madre. Last year

we participated in the Sierra Madre July 4th parade with families from our school and we have also made donations on behalf of our school to the Sierra Madre Little League and Sierra Madre Elementary School. One of the goals of Sunnyside Side School House is to support our city by being active in the community.

Page 7

A. That the height, bulk, scale, mass and siting of the proposed project be compatible with the existing neighborhood, landforms and surroundings.

The designated area for the daycare is located on the first floor. The designated outside area for daycare use is enclosed by two 5 ft. walls at the front and back and two 5 ft. fences on both sides of the area.

There is no new construction or reconstruction. The house/ school stands unaltered as it has for over a 100 years.

Existing Dwelling: 2,458 ft²

Outside Area used for Daycare: 3,410 ft²

Inside Area used for Daycare: 1,163 ft²

Driveway: 1,938 ft²

Designated rooms for Daycare:

- Bathroom
- Breakfast Room
- Craft Room
- Entry Room
- Playroom

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CITY OF SIERRA MADRE
PLANNING & BUILDING

B. That the proposed project reflects the scale of the neighborhood in which it is proposed and that it does not visually overpower and is not ill-proportioned so as to produce either architecture or design that detracts from the foothill village setting;

This house/ school was built in 1908. It is a classic "farmhouse" structure that the Foothill Village grew around. We were attracted to the structure because it is so reflective of Sierra Madre and it's historic roots. We do not plan to make any changes to its original structures.

C. That the proposed project neither unreasonably interferes with public views or the views and privacy of neighbors, produces unreasonable noise levels, nor causes material adverse impacts;

The designated area for the daycare is located on the first floor of the home, which is set back from the street. The designated outside area for daycare use is

enclosed by two 5 ft. walls at the front and back and two 5 ft. fences on both sides of the area. There is no signage or indication that the property is being used as a school so it does not stand out in the neighborhood. We have never received a complaint from any of our direct or indirect neighbors regarding the noise level or disturbances concerning the school. We encourage the children to play freely but also teach them to use a respectful noise level while playing outside as not to disturb our neighbors.

We pride ourselves on keeping the yard and all areas visible to the public neat and in good repair. We have received many compliments from neighbors and passerby's that admire the condition we keep the property and enjoy seeing the young children attending our school.

- D. The proposed project exhibits a coherent project-wide design, and each structure or portion thereof (especially additions) on the site is compatible with other portions of the project, regardless of whether the same are publically visible.**

We have not, nor do we intend to alter the architectural style/ design of this house, which reflects the 1908 farmhouse architectural style, which is consistent on all sides of the building.

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Existing Dwelling	2458 sq. ft.
Existing Garage	650 sq ft
Other Structure(s)	N/A
Proposed Addition	N/A

Maximum Allowable Floor Area	.	.	.	.	.	.	.
Existing Floor Area	.	.	.	.	.	.	.
Proposed Floor Area	

Permitted Lot Coverage	
Existing Lot Coverage	
Proposed Lot Coverage	

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PLANNING & BUILDING**



Front Yard Setbacks

Front Yard Setback	<div style="border: 1px solid black; width: 100px; height: 100px; transform: rotate(45deg); display: flex; align-items: center; justify-content: center;">Existing</div>
Required	
Existing Front Yard Setback	.	.	.	.	.	.	.	.	.
Proposed Front Yard Setback	.	.	.	.	.	.	.	.	.

Side Yard Setbacks

Required—30% aggregate/average setback	<div style="border: 1px solid black; width: 100px; height: 100px; transform: rotate(45deg); display: flex; align-items: center; justify-content: center;">Existing</div>
Existing Structure	.	.	.	.	.	.	.	.	.
Proposed Addition	.	.	.	.	.	.	.	.	.

Rear yard Setback

Required	<div style="border: 1px solid black; width: 100px; height: 100px; transform: rotate(45deg); display: flex; align-items: center; justify-content: center;">Existing</div>
Existing Structure	.	.	.	.	.	.	.	.	.
Proposed Structure	.	.	.	.	.	.	.	.	.

Height

Existing Structure	<div style="border: 1px solid black; width: 100px; height: 100px; transform: rotate(45deg); display: flex; align-items: center; justify-content: center;">Existing</div>
Proposed Structure	

Parking

Existing	<div style="border: 1px solid black; width: 100px; height: 100px; transform: rotate(45deg); display: flex; align-items: center; justify-content: center;">Existing</div>
Proposed	

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Any trees, shrubs, or vegetation to be removed? ☒ NO ☐ YES If YES, please describe type and total numbers.

Proposed Landscaping includes:

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Any existing structure(s) to be demolished? ☒ NO ☐ YES

If YES, please describe structure.

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Is the site on the Register of Historic Cultural Landmarks? ☐ NO ☐ YES ?

Is the site in the Community Redevelopment Area? ☒ NO ☐ YES

Will the site be graded? ☒ NO ☐ YES

Cubic Yards Cut Fill Import Export

Will a wall be constructed? ☒ NO ☐ YES

Height Length Material



City of Sierra Madre

ENTRY ONTO PRIVATE LAND

In the performance of their functions, the members of the Planning Commission and the staff of the City of Sierra

Madre may enter upon my land located at 59 N. Sunnyside Ave.

and make examinations provided that the entries and examinations do not interfere with the use of the land by

those persons lawfully entitled to the possession thereof.

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Signature of Land Owner

8/15/15

Date

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PLANNING & BUILDING



City of Sierra Madre

OWNER'S AFFIDAVIT

I am the owner of the property located at 59 N. Sunnyside Ave.

I have read the foregoing application for the planning permits and know the contents thereof and give the City of Sierra Madre permission to process such permits.

I certify under penalty of perjury that the foregoing is true and correct.

Intan M. Alhade

Signature

RECEIVEDCITY OF SIERRA MADRE
PLANNING & BUILDINGPlease print: Name YEN TRAN & Thanh TranAddress 1401 S. Santa Anita AveARCADIA CA 91006Telephone 626 340 3946**RECEIVED**

NOV 24 2015

CITY OF SIERRA MADRE
PLANNING & BUILDING

Subscribed and sworn to me this _____ day of _____, 20_____.

See attachment

Notary Public_____
Stamp

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

1
2
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 NOV 24 2015
 CITY OF SIERRA MADRE
 PLANNING & BUILDING
 CITY OF SIERRA MADRE
 PLANNING & BUILDING

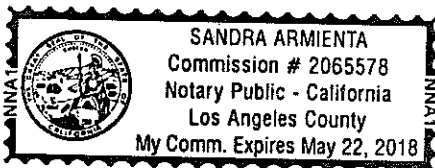
Signature of Document Signer No. 1 Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of Los Angeles

Subscribed and sworn to (or affirmed) before me
 on this 15th day of August, 2015,
 by Date Month Year

(1) Thanh Van Tran
 (and (2) Yen Phi Tran),
 Name(s) of Signer(s)



proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

Signature Sandra Armenta
 Signature of Notary Public

Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Owners Affidavit Document Date: 8/15/2015
 Number of Pages: 1 Signer(s) Other Than Named Above: None

Letter of Authorization

This letter shall serve to notify and verify that I/we are the legal owners of the property at 59 N. Sunnyside Ave. Sierra Madre, Ca. and do hereby authorize the applicants Timothy Vanis and Courtney Vanis to file and represent my/our interest regarding the referenced applications(s) for all permits and entitlements. I/we have read this Letter of Authorization and know the contents thereof; and so hereby certify (or declare) under penalty of perjury under the laws of the State of California that the information contained in the above referenced application(s) is true and correct.

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CITY OF SIERRA MADRE
PLANNING & BUILDING

OWNER (S) OF RECORD (Include extra sheets if necessary):

YEN TRAN Thuan Tran 8/15/15

Printed Name

Signature

Date

Thuan Tran Thuan Tran 8/15/15

Printed Name

Signature

Date

Subscribed and sworn to me this ____ day of _____, 20____

See attachment

Notary Public

Stamp
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CITY OF SIERRA MADRE
PLANNING & BUILDING

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

1 _____
2 _____
3 _____
4 _____
5 _____
6 _____

RECEIVED **RECEIVED**
NOV 24 2015
CITY OF SIERRA MADRE
PLANNING & BUILDING

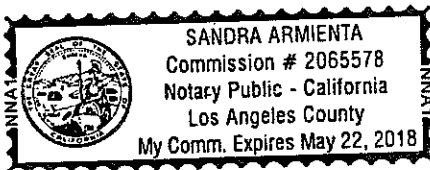
Signature of Document Signer No. 1 Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me

on this 15th day of August, 2015
by Date Month Year(1) Thanh Van Tran
(and (2) Yen Phi Tran),
Name(s) of Signer(s)proved to me on the basis of satisfactory evidence
to be the person(s) who appeared before me.Signature Sandra Armenta
Signature of Notary Public

Seal
Place Notary Seal Above

OPTIONAL

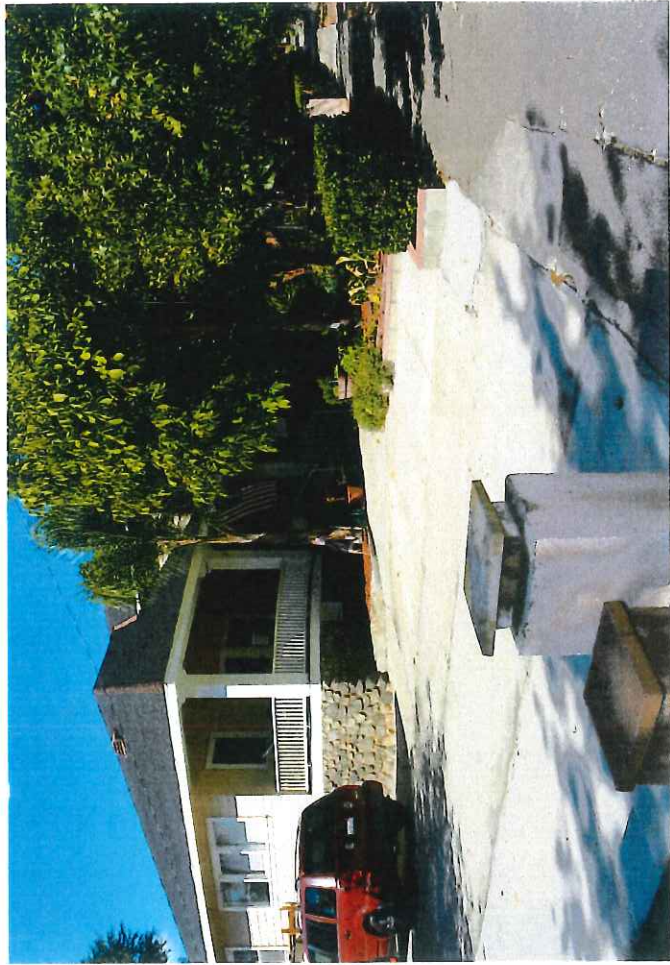
Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Letter of Authorization Document Date: 8/15/2015
Number of Pages: 1 Signer(s) Other Than Named Above: none

EXHIBIT E

Site Photos



View of house looking North.



View of house looking West.



Inside view looking east onto



View of house looking South.



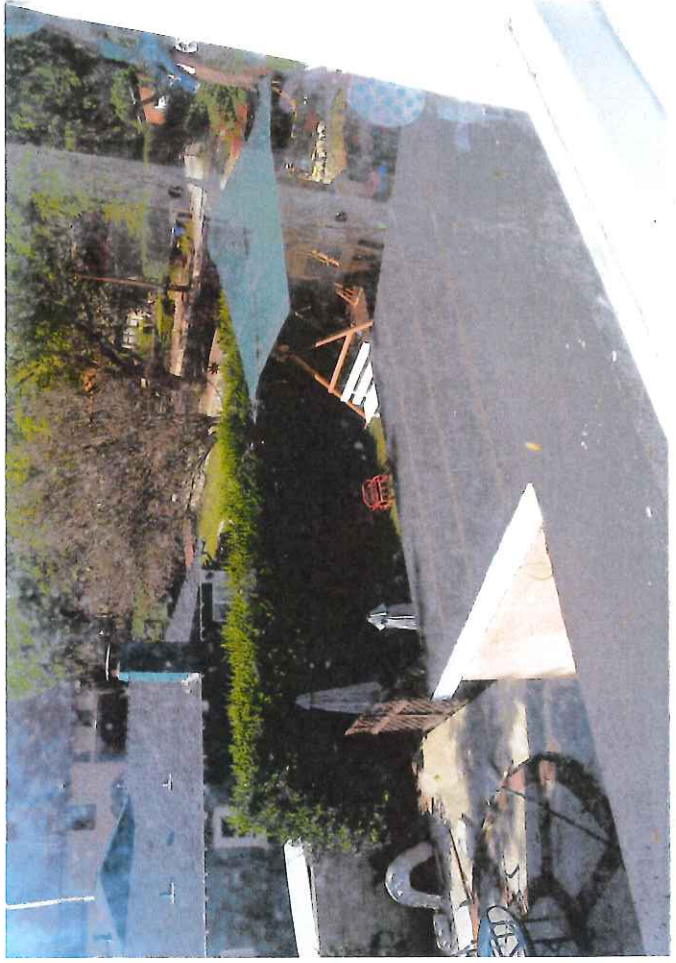
Inside view looking North onto play yard



Inside view upstairs looking west.



Inside view downstairs looking South



Inside view upstairs looking North West.



Inside view looking West onto backyard not used for daycare.



Southeast backyard. East view of house.



Inside view from upstairs looking East



West backyard.



Backyard used for daycare looking South



Backyard used for daycare looking West



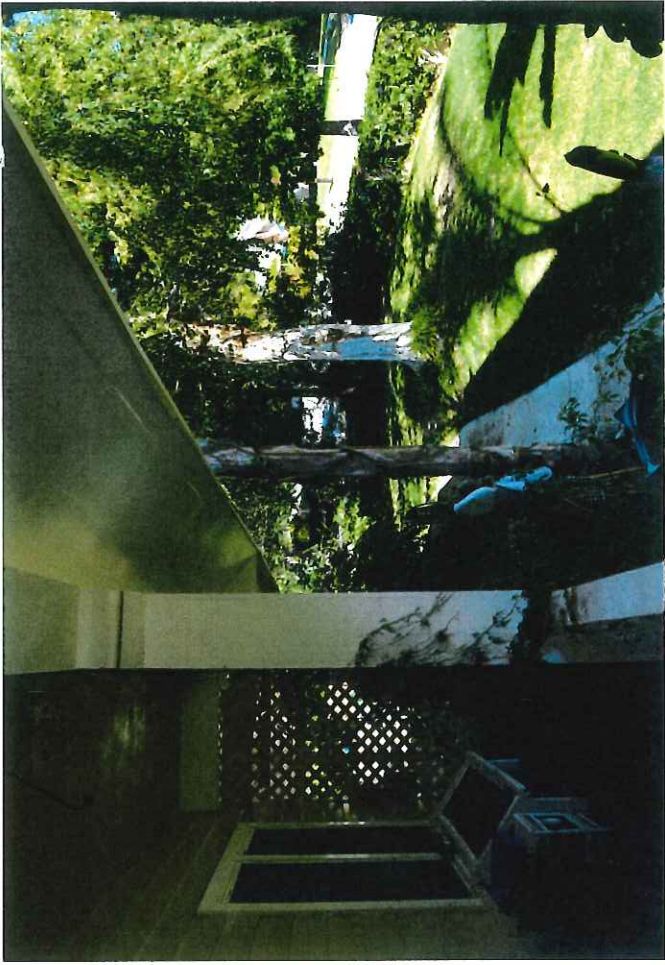
Backyard used for daycare looking East



West Play yard (backyard used for daycare)



North on Sunnyside in front of house.



Looking north on porch.



Looking south on Sunnyside in front of house.



Looking east on Sunnyside in front of house.

Porch view looking east.



Backyard not used for daycare looking South.



EXHIBIT F

Sierra Madre Police Department –
Traffic Volume Sample Survey



City of Sierra Madre Police Department



Larry Giannone, Chief of Police

Street: Sunnyside Avenue

Limits: Sierra Madre Blvd. to the North City limit

Location of Sample: 111 N. Sunnyside Avenue

Day, Date and Time: Northbound: Tuesday, May 27, 2014, 10:27 am to 1:48 pm
Southbound: Tuesday, May 27, 2014, 10:27 am to 1:54 pm

Traffic Volume: Northbound: 100 Vehicles
Southbound: 100 Vehicles
Total: 200 Vehicles

Current Posted Speed: 30-MPH

Average Speed: 26-MPH

85th Percentile: 30-MPH

Recommended for Further Reduction: No

Recommended Speed Limit: **30-MPH**

Speed Justification: Closest 85th Percentile.

Existing Conditions: This residential street is a north / south asphalt surface roadway approximately 35-feet in width with one lane of traffic in each direction. There are raised concrete curbs on both sides of the street and no sidewalks on either side of the street for pedestrians. The roadway is straight with a beginning grade of 3 %, and parallel parking on both sides of the street. There are several residences lining the street. There are several streets that intersect with Sunnyside Avenue and several residential driveways that open onto this street. There were no reported traffic collisions in 2014, one reported mid-block traffic collisions in 2013, and one reported mid-block traffic collisions in 2012.

Non-Readily Apparent Conditions: High pedestrian traffic, several hidden driveways and several uncontrolled crosswalks.

Lidar Device Used: Kustom Prolaser III, Serial Number PL18210

Surveyed by: Stephanie Coyne #V11

242 W. Sierra Madre Blvd, Sierra Madre CA 91024

Telephone (626) 355-1414

Fax (626) 355-5468

CITY OF SIERRA MADRE
SPOT SPEED SURVEY

Street	<u>Sunnyside Avenue</u>	Date	<u>5/27/2014</u>	50th %	<u>26 MPH</u>
Limits	<u>Sierra Madre Blvd. to N. City Limit</u>	Begin	<u>10:27</u>	End	<u>1:54</u>
Surveyed at	<u>111 N. Sunnyside Avenue</u>	Weather	<u>Dry and Clear</u>	Average	<u>26 MPH</u>
Direction	<u>NB/SB</u>	Recorded by	<u>S. Coyne</u>	10MPH	<u>21 30</u>
				% in Pace	<u>72%</u>

MPH	NUMBER OF VEHICLES												Number of Vehicles	Percent of Total	Cumulative Percentage
	5	10	15	20	25	30									
65													0	0%	100.0%
													0	0%	100.0%
													0	0%	100.0%
60													0	0%	100.0%
													0	0%	100.0%
													0	0%	100.0%
55													0	0%	100.0%
													0	0%	100.0%
													0	0%	100.0%
50													0	0%	100.0%
													0	0%	100.0%
													0	0%	100.0%
45													0	0%	100.0%
													0	0%	100.0%
													0	0%	100.0%
40													0	0%	100.0%
													0	0%	100.0%
													0	0%	100.0%
35	x	0											2	1%	100.0%
													0	0%	99.0%
	x	0	0										3	2%	99.0%
30	x												1	1%	97.5%
	x	0											2	1%	97.0%
	x	0											2	1%	96.0%
25	x	x	x	x	0	0	0	0	0	0			11	6%	95.0%
	x	x	x	x	x	x	x	0	0				10	5%	89.5%
	x	x	x	x	0	0	0						7	4%	84.5%
20	x	x	x	x	x	x	x	0	0	0	0	0	19	10%	81.0%
	x	x	x	x	x	x	x	0	0	0	0	0	18	9%	71.5%
	x	x	x	x	x	x	x	0	0	0	0	0	16	8%	62.5%
15	x	x	x	x	x	x	x	0	0	0	0	0	17	9%	54.5%
	x	x	x	x	0	0	0	0	0	0	0	0	15	8%	46.0%
	x	x	x	x	0	0	0	0	0	0	0	0	16	8%	38.5%
10	x	x	x	x	0	0	0	0	0	0	0	0	14	7%	30.5%
	x	x	x	x	0	0	0	0	0	0			11	6%	23.5%
	x	x	x	x	x	x	x	0	0	0	0		11	6%	18.0%
5	x	x	x	0	0	0	0						7	4%	12.5%
	x	x	x	0	0	0							7	4%	9.0%
	x	x	x	0									4	2%	5.5%
0	x												1	1%	3.5%
	x	x	0										3	2%	3.0%
	x	x	0										3	2%	1.5%
X - East/North bound												200	100		
0 - West/South Bound															
Total Observed															

UNIT 10: MEDIA READING

Date: 5/27/2014

Radar Device: PRO-LASER III
SER# PL 18210

Begin Time: 1027 HRS

End Time: 1348

TOTAL NUMBER OF VEHICLES: 100

VEHICLE SPEED SURVEY SHEET

Location: 111 N. SunnySide Ave, South bound Traffic Date: 5/27/2014
 Roadway Condition / Weather: Sunny/Clear/Dry Radar Device: PRO-LASER III SN# PL18210
 Recorder: J. Byrne # V-11 Begin Time: 1027 HRS End Time: 1354

MILES PER HOUR	NUMBER OF VEHICLES						PERCENT OF TOTAL	CUMULATIVE PERCENT
	5	10	15	20	25	30		
65								
60								
55								
50								
45								
40								
2592								
38 38							1	
36 72							2	
35								
34 34							1	
33 33							1	
32 192							6	
31 62							2	
30 90							3	
29 319							11	
28 280							10	
27 162							6	
26 208							8	
25 250							10	
24 264							11	
23 207							9	
22 132							6	
21 84							4	
20 40							2	
19 76							4	
18 18							1	
17								
16 16							1	
15 15							1	

TOTAL NUMBER OF VEHICLES: 100

EXHIBIT G

Vicinity Map

5768

15

SHEET 1

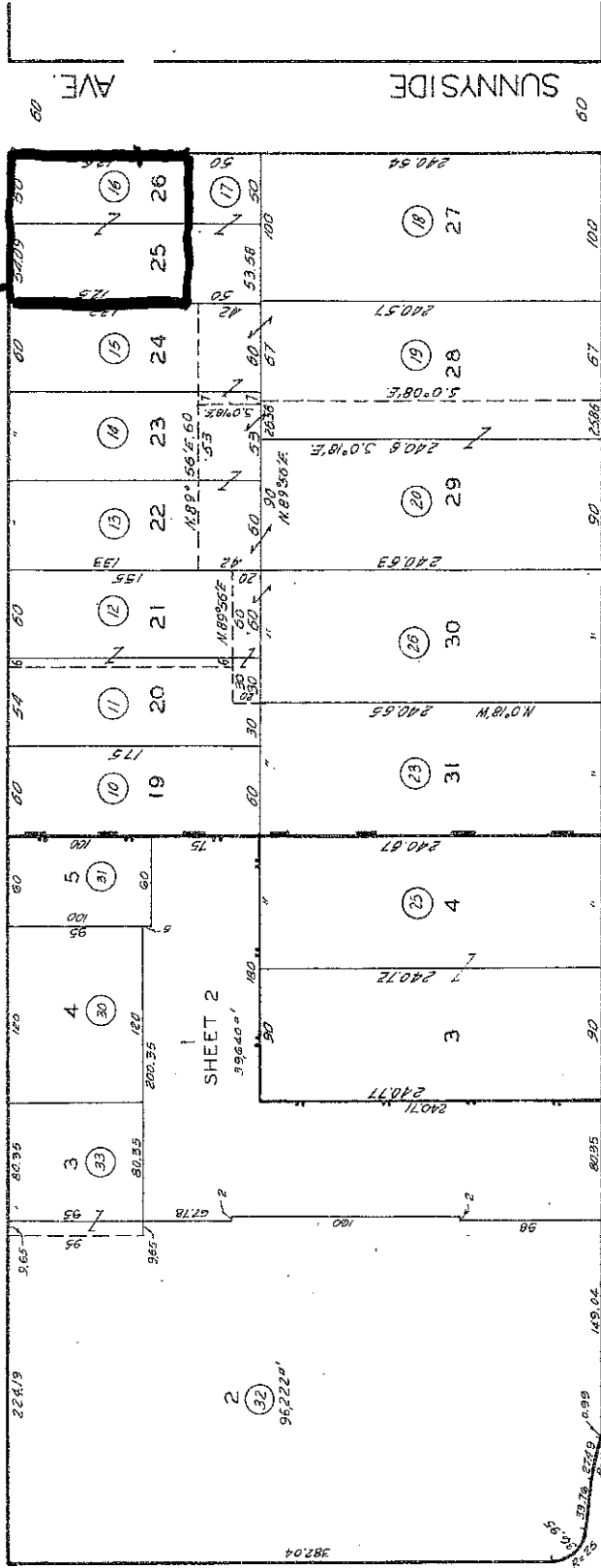
SCALE 1" = 80'

VALLEY VIEW
AVE.

1985

MONTECITO

AVE. 8



SIERRA MADRE

BLVD.

TRACT NO. 23234

M. B. 1027-20-21

PIERCE'S EDGEMONT TRACT

M. B. 7-116

RE-PLAT OF GRAND VIEW TRACT
BEING A RE-PLAT OF BLOCKS A AND
B OF THE GRAND VIEW TRACT

M. B. 7-139

CODE
7516

FOR PREV. ASSM'T. SEE: 303-34836

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

PROTECA
SITE

4-5-65

REVISED

4-4-61

7-16-64

690501506

700819506

710415201

8408003-44

8500003-44

85000112-4