

**ATTACHMENT G
HEARING OFFICER ADDENDUM**

The appeal states that the appellant has been "availing ourselves of the rights granted by that entitlement namely allowing private group events at various locations located at the former Ambassador College campus without any issues." The appellant also states, "since the date of the issuance of the CUP, we have been in strict compliance with all CUP conditions of approval".

As stated in the staff report and in my decision, the CUP was originally issued to the applicant in 2013, with up to 32 events per year within the Merritt Mansion, Terrace Villa, Italian Garden and Fowler Garden areas of the Ambassador College Campus. 100 on-site parking spaces were provided on three surface parking lots along Green Street. Shared parking was approved for use of the 246 parking spaces at the Elk's Lodge and 250 parking spaces at Maranatha High School and off-street valet parking was permitted.

Of the four locations originally approved as event space, only the Fowler Garden (an outdoor venue) remained available to hold events, with parking only available at Maranatha High School. The circumstances had drastically changed because of the applicant, yet the CUP approval still allowed 32 events annually with 300-500 attendees.

The Fowler Garden is an outdoor venue immediately adjacent to residential uses. Without the other venues available to provide kitchen or restroom facilities, the events at Fowler Garden relied on additional amenities brought on-site and not considered in the original CUP. This resulted in a commercial use not compatible with adjacent residential uses due to event impacts including amplified music, lighting, number of attendees, event set up and take down. With only one venue available for the 32 events annually, the concentration of event impacts at one outdoor event location was not considered when granting the original CUP.

The City has the authority to revoke any discretionary land use permit, if any one of six findings can be made in a positive manner. I found:

1. That the circumstances under which the permit or entitlement was granted have been changed by the applicant to a degree that one or more of the findings contained in the original permit or entitlement can no longer be made in a positive manner and the public health, safety and welfare require the revocation;
2. The improvement/use allowed by the permit or entitlement has become detrimental to the public health, safety or welfare or the manner of operation constitutes or is creating a public nuisance.

As stated in my decision letter, the use is not in conformance with goals, policies and objectives of the General Plan and the purpose and intent of any specific plan. The operation of the use would be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of the proposed use, and the location, operating characteristics and size of the proposed use would not be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale and view protection.

I thoroughly reviewed the staff report and the exhibits. I visited the subject site prior to the hearing date. I approved the Revocation of the Conditional Use Permit based on the required findings. My findings remain the same. The appeal should be denied.