



City of Sierra Madre Agenda Report

*Edward Garcia, Mayor
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TO: Honorable Mayor and Members of the City Council

FROM: Jose Reynoso, City Manager

PREPARED BY: Vincent Gonzalez, Director of Planning & Community Preservation

DATE: May 9, 2023

SUBJECT: APPEAL OF PLANNING COMMISSION DECISION APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT AMENDMENT AND AN ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION TO UPDATE THE ALVERNO HEIGHTS ACADEMY (AHA) MASTER PLAN AT 200 NORTH MICHILLINDA AVENUE PURSUANT TO CITY COUNCIL RESOLUTION 23-13

STAFF RECOMMENDATION

Staff recommends that the City Council:

Modify the action of the Planning Commission to strengthen the administrative record and impose conditions of approval as determined by the City Council, and approve Conditional Use Permit 21-03 (CUP 21-03), and the Addendum to the Mitigated Negative Declaration (MND), to update the Alverno Heights Academy Master Plan pursuant to City Council Resolution 23-13.

ALTERNATIVES

- 1 Affirm the action of the Planning Commission approving Conditional Use Permit 21-03 (CUP 21-03), Planning Commission Resolution 21-19, and an Addendum to the Mitigated Negative Declaration (MND), to update the Alverno Heights Academy Master;
- 2 Modify the action of the Planning Commission to strengthen the administrative record and impose conditions of approval as determined by the City Council, and approve Conditional Use Permit 21-03 (CUP 21-03), and the Addendum to the Mitigated Negative Declaration (MND), to update the Alverno Heights Academy Master Plan pursuant to City Council Resolution 23-13;
- 3 Refer the matter back to the Planning Commission to address impacts on noise and traffic resulting from the closure of the upper school and expansion of Lower School enrollment, CEQA project segmentation, and status of three portable buildings; or
- 4 Deny Conditional Use Permit 21-03 directing staff to prepare a City Council Resolution citing the reasons and findings for denial.

EXECUTIVE SUMMARY

On April 11, 2023, the City Council conducted a de novo hearing to consider an appeal of the Planning Commission Decision approving a request for a Conditional Use Permit amendment and an Addendum to the Mitigated Negative Declaration to update the Alverno Heights Academy (AHA) Master Plan. City Council heard all testimony, closed the public hearing, directed the City Attorney to amend City Council Resolution 23-13, and approved the Master Plan Update.

In most cases, the City Council engages in specific edits of the Resolution and approves it as amended, knowing exactly what is being voted on. In this instance, the City Council didn't specifically amend the resolution. Instead, they tasked the City Attorney to amend the resolution based on general guidelines provided by Alverno Heights Academy and the Appellant. The City Council should not have voted on the Resolution until a final draft was before them so they know exactly what they are voting on. To address this procedural error, a Public Meeting Notice was mailed to properties within 300 hundred feet of the campus, the meeting minutes were updated to state that the vote taken was procedurally incorrect. That the vote was actually a direction to the City Attorney to amend the resolution consistent with City Council's direction and to return with an amended version.

Attached are the two Resolutions before City Council, labeled (A-1) Alverno Version, and (A-2) Appellant Version. Both versions incorporate edits proposed by the Appellant and AHA. The only differences between the two are located in Planning and Community Preservation Department Condition No. 11 and are highlighted in yellow.

When reviewing a land use permit decision, the *appeal* body may adopt additional conditions of approval that address other issues or concerns than the subject of the *appeal*. In this case, the City Council may add additional conditions of approval to any of the land use entitlements in accordance with applicable law.

Staff is recommending that the City Council modify the action of the Planning Commission to strengthen the administrative record and impose conditions of approval as determined by the City Council, and approve Conditional Use Permit 21-03 (CUP 21-03), and the Addendum to the Mitigated Negative Declaration (MND), to update the Alverno Heights Academy Master Plan pursuant to City Council Resolution 23-13.

LEGAL ANALYSIS OF APPELLANT'S CLAIMS

The Appeal Letter was submitted on December 14, 2022, prepared by Jason Sanders, Esq. of Venskus and Associates, a Professional Law Corporation, representing Mr. Keith and Mrs. Kristin Stephens, included herein as Attachment I – Appeal Letter (see attached binder). Mr. Sanders' letter attests that the Commission's decision is flawed, stating that "...that the Planning Commission erred and abused its discretion in approving the project and that the application failed to meet qualifications and standards set forth in the Municipal Code and other applicable law."

The City Attorney prepared a memorandum (attached as City Attorney Memorandum) in response to the Appeal Letter outlining an analysis of which General Plan and Sierra Madre Municipal Code (SMMC) provisions are applicable to Conditional Use Permit 22-03 for the Alverno Master Plan Update. The memorandum evaluates six separate contentions advanced in the Appeal Letter. In light of the concerns raised in the Appeal Letter, the City Attorney's Office recommends strengthening the administrative record by taking the following two steps:

1. **Incorporating General Plan Objective Hz14, and General Plan Policy Hz14.1, as part of the fifth finding of the conditional use permit.** In response to this direction, staff amended the fifth conditional use permit finding to address the citations above. An excerpt of the CUP findings of fact is provided below and incorporated in the fifth finding in City Council Resolution 23-13.

5. **That the use will, as to location and operation, be consistent with the objectives of the General Plan;** Objective L36 of the General Plan is *“to provide for the development of private institutional uses in areas where institutional uses currently exist and ensure that they are compatible with and complement adjacent land uses.”* The school has occupied the site for over 60 years and the proposed Master Plan, with the mitigation measures and conditions of approval, will be compatible with and complement adjacent land uses. It is common for schools to be in residential areas and the size of the site is more than adequate for the intensity of the use of the school and by the greater Sierra Madre community. The school has also complied with General Plan objectives by providing the City and its residents with facilities for governmental, entertainment, athletic and cultural events.

Objective Hz14 of the General Plan desires to *“Maintain the quiet residential character of the City, free from excessive noise from transportation or fixed source generators.”* Discretionary review of this project, includes mitigation measures intended to reduce noise impacts including temporary construction noise. The Mitigated Negative Declaration—Table 7 includes Mitigation Measure 13, which formulates measures to mitigate noise impacts” for the proposed development. Additionally, the conditional use permit’s conditions of approval seek to limit the number of students, prohibit concurrent events on site, impose new filming and temporary use standards at the school, and to facilitate the development of a temporary Lower Sports Court to help reduce noise impacts.

Policy Hz14.1 *Formulates measures to mitigate noise sources through compatible land use planning and the discretionary review of development projects.* Building construction pursuant to the 2021 Master Plan Update, would attenuate noise from midday elementary school lunch/break periods. As with the approved project, the operational noise levels of the refined project are estimated to not exceed any of the existing ambient noise levels at nearby residential receivers. Additionally, the conditional use permit’s conditions of approval seek to limit the number of students, prohibit concurrent events on site, impose new filming and temporary use standards at the school, and to facilitate the development of a temporary Lower Sports Court to help reduce noise impacts.

2. The City Attorney’s Office also recommends considering a condition that expressly regulates the noise generated by the Michillinda parking lot.

ANALYSIS PRESENTED TO THE PLANNING COMMISSION

The project is located in an Institutional zone, and the City’s General Plan allows for the expansion of existing institutional sites provided that a comprehensive master plan is approved pursuant to Objective L41.2; “any application for new structures shall be subject to the approval of a CUP”.

In 1959, Planning Commission Resolution 1642 was approved for a school use on this property. The school was constructed in 1960 by the Sisters of Saint Francis. A subsequent CUP Amendment was approved on July 7, 2011 (Resolution 11-10) for the future construction of a 12,680-square-foot, two-story multipurpose building; a 2,900 square-foot outdoor amphitheater; replacement of the existing softball field with a multipurpose field; relocation of the tennis courts, and reconfiguration of the parking areas. The Master Plan conforms with the permitted maximum enrollment of 400 students inclusive of the high school program.

The Planning Commission approved the request for a CUP Amendment and addendum to the MND to update the Master Plan.

The addendum to the Mitigated Negative Declaration and Initial Study for the Alverno Heights Academy Master Plan has been prepared in accordance with Sections 15162 and 15164 of the State CEQA Guidelines. The 2021 refined project has been determined to be consistent with the findings and assumptions made for the approved project such that none of the conditions described in Section 15162, calling for preparation of a subsequent or supplemental environmental document have occurred.

The analysis undertaken in support of this Addendum (Refined Project) has determined that the facts upon which the findings were based in the 2011 Initial Study/Mitigated Negative Declaration (IS/MND) for the Alverno Heights Academy Master Plan improvements remain unchanged. The results of the Refined Project would not create new or substantially more adverse impacts, substantial changes in circumstances, and/or new information of substantial importance, such that the findings of the certified 2011 (IS/MND) would continue to apply.

All 18 of the mitigation measures involving the 2011 approved project would be applicable to the 2021 Refined Project (See Proposed Addendum to Mitigated Negative Declaration pages 10-29).

The school expansion will not result in significant traffic impact at the study intersections (IS/MND Appendix D – Traffic Circulation Analysis).

Temporary noise levels during construction will result in elevated noise levels within the vicinity of the project. Construction activities will be restricted to the daytime hours, consistent with Chapter 9.32, Noise of the City of Sierra Madre Municipal Code. Noise levels from school operations are estimated not to exceed any of the existing ambient noise levels at nearby residential receivers (refer to Page 18, 2021 Master Plan Update) and will remain consistent with the project approvals of Mitigation Measure 13 of the 2011 IS/MND (see Addendum to MND - pages 20-21).

The facts upon which the findings were based in the 2011 IS/MND for the Alverno Heights Academy Master Plan specific to Wildfire remain unchanged. The 2021 Refined Project elements would not create new or substantially more severe significant impacts related to having a substantial adverse effect as a result of physical changes in the environment related to Wildfire.

A Tree Preservation Report determined that there are 13 oak trees within the designated area, all of which are adequate to good health but have various structural defects.

In addition, several large specimen trees are notable and worthy of special care and protection, including the Moreton Bay Fig, Queensland Kauri, and an Indian Laurel. Non-notable trees, including older Carob trees with split limbs and internal decay, pose a safety hazard, and the crowded Elm trees are detracting from the property.

The Tree Preservation Report recommends avoiding any impact on or removal of the protected oaks and unique specimen trees and locating new parking facilities away from the oaks and specimen trees. The removal of any protected trees must be mitigated according to City Guidelines. Removal of broken and decaying carobs and thinning out the cluster of crowded elms above the temporary classrooms to allow for adequate spacing.

A Cultural Resources Technical Report (Report) was prepared by Sapphos Environmental, Inc., for the 2021 Master Update and Refined Project. The baseline of the report referenced the 2011 Master Plan inclusive of the 2011 IS/MND, and a 2005 Technical Report to determine the significant impact on the Barlow Villa (also referred to as the “Villa de Sol D’Oro,” or Villa). The

Report determined that there is a less than significant impact to the Villa. Additionally, a Design Review Memorandum for the Record (MFR) was prepared in 2020 to determine the impacts of construction of the temporary classrooms to the Villa, which resulted in a finding of no impact.

Sapphos additionally prepared a Tribal Cultural Resources Report and consulted with the Gabrieleno Band of Mission Indians–Kizh Nation. In response to mitigation measures prepared by the Kizh Nation, four mitigation measures have been added in relation to cultural resources to further reduce impacts to below the level of significance.

Project Location/Surrounding Land Use

AHA is located on a 12.10-acre site on the western boundary of the City. The school is bounded on the west by Michillinda Avenue, the north by Grandview Avenue, on the east by Wilson Street, and on the south by west Highland Avenue. The City of Pasadena is immediately west of the school. The school is surrounded by low-density residential uses.

Existing Land Use

The school was constructed in 1960 and surrounds the Villa de Sol d'Oro (Villa), a local historic landmark. The Villa is a two-story 15,758 square-foot single-family residence in the center of the campus, used for school-related functions and for-profit special events, including weddings. Existing facilities include classroom buildings, three temporary modular TK-8th grade classroom buildings, a library, administration offices, a cafeteria, a faculty office, a chapel, a caretaker's facility, an art studio, garages, storage, outdoor tennis, volleyball, basketball courts, a multi-purpose field, parking areas, and drive lanes.

Existing Zoning and General Plan

AHA is located in an Institutional zone, and the General Plan land use designation is Institutional. The General Plan allows for the expansion of existing institutional sites pursuant to Objective L41.2, provided that a comprehensive master plan is approved. For Institutional zones, any application for new structures shall be subject to the approval of a CUP. A CUP was approved for school use on this property in 1959 and amended in 2011. The current application is a request to amend the CUP and update the Master Plan.

Temporary Use Permit

The City Council in May 2010 approved a Temporary Use Permit (TUP) for regulating the Villa for non-school, private rental events, such as weddings. The TUP is renewed annually and contains 51 conditions for its operation, regulating the frequency of use, time, and noise traffic, and requiring monitoring and quarterly neighbor meetings.

This Master Plan includes the adaptive reuse of the Villa, for the school's business office, chapel, faculty lounge, and for student activities. The Historic Preservation Ordinance of the City's Code allows adaptive reuse of historic buildings, subject to the approval of a CUP. AHA has submitted a CUP application for the adaptive reuse of the Villa for private rental events, as a separate component application along with the Master Plan Update.

Pre-Application Development Plan Review

Following a Pre-Application Development Review meeting, AHA was granted approval to proceed on May 13, 2020, with the installation of three temporary modular classroom buildings to accommodate TK-8th grade instruction for a maximum two-year period. The classroom buildings are temporarily located within the location and general footprint of the proposed multipurpose building. Thirty-six conditions were imposed for its operation, regulating public outreach, student body capacity, parking, traffic, noise, tree protection, water supply, fire access

and protection, grading and drainage, and historic relationship to the Villa. A condition of approval also required a Master Plan Update, Conditional Use Permit, and environmental review to be submitted to the City within one year from the date of authorization to proceed.

Neighborhood Workshops

In an effort to outreach to the community, as directed by the Planning Commission, AHA conducted three neighborhood workshops with a focus on issues and questions raised by the neighbors. The workshops included a discussion of the school's master plan, filming, and the use of the Villa for special events. The workshops were held on January 24, 2022, April 4, 2022, and May 23, 2022. A synopsis of each meeting is provided in Attachment D, Tab 1.

Project Proposal

The following is a summary of the proposed Refined Project. The applicant provided a comprehensive project description of the AHA Master Plan Update, provided as Attachment B – Master Plan Update. AHA also provided additional Supplemental Documents since the Planning Commissions last review included in Attachment D as follows:

Tab 2 - Wilson Street Landscape Perimeter - Additional Trees

Tab 3 - April 27, 2022 Traffic Memorandum W.G. Zimmerman Engineering, Inc.

Tab 4 - April 5, 2022 Alverno Heights Noise Study, CSDA Design Group

Tab 5 - May 31, 2022 Review of Tree Removal Plan - RKA Consulting Group

Upper Campus Improvements

- Convert the existing 2,080-square foot caretaker's home located at the northeast corner of the upper campus to flexible classroom space
- Return the existing 400-square foot chapel to its former use as a storage building
- Add a new single-story 1,200-square foot Art Classroom addition to the existing Fine Arts Building
- Demolish existing 1,915-squarefoot faculty office building to accommodate 31-faculty parking spaces

Reuse of the Historic Villa

- Adaptively reuse the historic Villa for the school's business office, chapel, faculty lounge, and for student activities.

Proposed Lower Campus School Buildings and Administrative Offices

Replace the temporary classroom buildings with a permanent lower school campus located at the southwest quadrant of the campus adjacent to Michillinda Avenue and West Highland Avenue. The structures include:

- 20,000-square foot, partial three-story elementary school
- 3,000-square foot single-story middle school
- 2,000-square foot single-story administrative offices for faculty use

Lower Campus Athletic Facilities

- Install new 60'x70' playground
- Install new 100'x70' sports court

Existing Vehicular Access and Parking

The project site currently has 114 on-site parking stalls, located in two main parking areas. The school has a total of three American with Disability Act (ADA) parking stalls. In addition to these stalls, an ADA drop-off area was constructed in the summer of 2020 with the modular classroom project (Table 1, *Existing Parking*).

Table 1. Existing Parking

Parking Area Location	Total Parking Stalls
Michillinda Parking Lot	47 stalls (1 ADA)
Wilson Parking Lot	41 stalls (2 ADA)
Faculty Parking (various locations)	24 stalls
Grandview Parking	2 stalls
Total Current Parking Stalls	114 stalls
ADA Drop-Off	1 drop-off area

Per Section 17.68.020 D.7 of the Sierra Madre Municipal Code (SMMC), elementary and junior high schools must provide 1.5 parking stalls per classroom and one parking stall per two employees and faculty. High schools must provide one parking stall per every five students and one parking stall per two employees/faculty. The parking analysis is based on the maximum number of 200 high school students.

Parking Provided: 114 parking stalls
 Code Required: 81 parking stalls
 Parking Surplus: 33 parking stall surplus

See the table below on Pages 9 and 10 – Development Standards (Access and Parking).

Parking Demand

As with the approved project, the campus will continue to provide a surplus of parking spaces until the Multi-Purpose Building is constructed. The approved project required that an additional 52 parking stalls be provided with the construction of the Multi-Purpose Building. The 2021 Refined Project includes seven parking phases, each phase meeting the City’s parking requirements (Table 2, *Future Parking Demand*). The approved project required that the school complete a parking analysis with each proposed phase to ensure that the code-required parking is provided.

Table 2. Future Parking Demand

Phase	2021 Refined Project Future Phases	Parking Proposed by Phase
1.	Conversion of Chapel to Storage Building/ Relocation of Chapel to the Villa	No new parking proposed (surplus of 33 stalls)
2.	Conversion of Caretaker Residence	
3.	Demolition of Business Office/Relocation to Villa	
4.	Construction of Faculty Parking Lot to be replaced with centralized parking lot	Existing faculty parking of 24 stalls to be replaced with 31 centralized stalls

		(surplus of 7 stalls)
5.	Construction of Lower School Campus	7 parking stalls required (surplus of 7 stalls)
6.	Michillinda Parking Lot Project/ Construction of the Lower School Campus	54 parking stalls required (surplus of 56 stalls)
7.	Multi-Purpose Building Overflow Parking/Per Approved 2011 Master Plan	52 parking stalls required

The 2021 refined master plan would provide 133 on-site parking stalls at build-out in four parking areas, in conformance with the parking code requirements.

Michillinda Lot = 54 stalls
 Wilson Lot = 41 stalls
 Faculty Parking Lot = 31 stalls
 Lower School Parking = 7 stalls
 Total Parking to be provided = 133 stalls
 Code Required = 133 stalls

In addition, as with the approved project, during night-time events hosted at the campus Multi-Purpose Building, the school's parking areas would be available for event parking under the 2021 refined project.

W.G. Zimmerman Engineering (WGZE) 2022 Traffic Update

A traffic study was prepared by W.G. Zimmerman Engineering, Inc. for the Master Plan Update on April 30, 2021. One of the comments received was that the April 30th report relied upon traffic modeling and not actual traffic counts. The report also noted comments from residents that in-person traffic counts should be conducted when in-person learning had resumed at the school.

In response to these concerns, AHA authorized peak-hour traffic counts, which were taken in November 2021 and February 2022. The February counts were taken over a three-day period (Tuesday, February 9th through Thursday, February 11th. Enrollment at the school was 374 students including after-school events. The results of the in-person traffic counts were less than that predicted by the traffic model. The level of service (LOS) for all streets serving the neighborhood remains at LOS A. The City's General Plan establishes a maximum traffic count on local street at 2,500 per day, or 200-300 per hour. The traffic counts for Wilson Avenue averaged 550 per day, well under the daily total. Trips into the school during the peak morning hour averaged 111, well under the 200-300 per hour general plan policy. The traffic counts on the other streets serving the school had similar results.

The school also met with City staff and the City of Pasadena's traffic engineer at a site visit and implemented suggestions to improve the drop-off and pick-up of students at the school. The findings and conclusion of the report are included in Attachment D – AHA Master Plan Update– Supplemental Documents, Exhibit 3.

Amenities and Landscaping

- Historic Villa Gates and internal curved road to remain.

- The campus contains 479 trees, 26 of which are protected.¹
- Retain the lower school existing Oak grove between the Multi-purpose building and new lower school with the exception of two Oak trees requested for removal.
- Add a lower school courtyard configured around the existing Moreton Bay Fig tree.
- Upgrade the existing landscaping with new accent trees, shrubs and turf areas. The existing plant material along the west campus perimeter adjacent to Michillinda Avenue would be renovated.

Capacity and Permitted Enrollment

The existing CUP approved in 1959, permitted AHA to operate with a maximum of 500 students. Student enrollment fluctuates on a yearly basis with an average of 266 students per year based on the last 10 years. Since AHA had never operated at its maximum capacity, and as an amendment to the CUP in July 2011 enrollment was reduced to 400 students.

During the 2020 COVID-19 pandemic, 280 students returned to campus, while the remaining 64 chose to stay at home. Actual number of enrolled students was 344. When the environmental review commenced in the 2020-2021 school year, AHA had an enrollment of 375 students. Maximum permitted enrollment remains at 400 students.

2011 Master Plan Constituent Components

The adopted 2011 Master Plan IS/MND evaluated five constituent components of the Master Plan: Multipurpose Building, Outdoor Amphitheater, Parking, Athletic Facilities, and Landscaping and Fencing. The 2021 refined project addresses the variable status of the five constituent components as either (1) not constructed, (2) construction partially implemented, or (3) construction implemented.

- *Multipurpose Building (not constructed)*. A two-story building to be located on the western part of campus. The approved siting of the building consisted of a combination gymnasium, auditorium, and performing arts facility, to be used for events such as worship services, athletic events, and school plays and productions. This building was intended to be 12,860 square feet, large enough to hold the entire student body under one roof.
- *Outdoor Amphitheater (Part of original plan but removed from Master Plan)*.
- *Parking (partially implemented in 2019)*. A reconfiguration of the two existing parking areas by reducing the size of the Wilson Street parking lot and enlarging the parking lot off Michillinda Avenue; implementation would result in a total number of 112 marked spaces. This proposed reconfiguration also included the addition of 52 tandem parking spaces next to an existing drive aisle in the southwestern part of the campus; direct access would be from West Highland Avenue. Tandem spaces will be used for special events such as school dances. Only changes to the Wilson Street parking lot were implemented with the 2011 Master Plan buildout.

¹ Pursuant to City's Protected Tree Ordinance, Coast Live Oak, Engelmann Oak, California Black Walnut, and Western Sycamore trees are protected trees.

- *Athletic Facilities (implemented in 2019)*. Augmentation of the existing non-regulation softball field to create a multipurpose field in the southeastern part of the campus on the sites of the existing field and parking lot; no field lights would be provided. The improved field would accommodate a regulation softball field and a regulation soccer field. The field also included installing a two project “betterments” of new perimeter fencing the entire length of Wilson Street and Highland Avenue and two major low-impact development (LID) devices that capture and infiltrate runoff from approximately one-half of the campus.
- *Landscaping and Fencing (implemented in 2019)*. Constructed Michillinda Avenue view fence and perimeter landscaping; Constructed walkway and landscaping along Grandview Avenue. The approved project included Phase II internal landscaping improvements to the campus, which included major internal campus landscape renovations, the Prayer Garden, parking area landscaping and additional trees on campus.

The 2011 approved Master Plan Update also included a reduction of the maximum permitted enrollment from 500 high school student to 400 high school students.

The 2011 IS/MND considered buildout of all facilities included in the approved project; however, the only elements implemented, as of 2021, are the augmentation of the athletic facilities and a partial reconfiguration of the parking facilities.

2021 Master Plan Update Project Description

The 2021 Refined Project elements would refine the approved improvements for the Alverno Heights Academy campus as described in the 2021 Master Plan Update, including the Lower School near the southwest quadrant of campus:

- *New Buildings*. The 2021 Refined Project buildout would include the construction of 21,090 feet of new classroom buildings and administrative space (a 20 percent grossing factor was added to the Master Plan to account for a total of 25,308 square feet in area).
- *Flex Classroom Space*. The existing Caretaker Cottage Building (2,090 square feet) will be renovated with new flexible classroom space.
- *Wilson Street Parking/Centralized Faculty Parking Area*. The 2021 Refined Project includes a new centralized faculty parking area (the existing non-historic office structure will be demolished and existing faculty parking made more efficient).

In addition, the 2021 Refined Project proposes minor changes to upper campus buildings, and anticipates completion of the previously approved multipurpose building, and parking facilities improvements:

- *Changes to Upper Campus Buildings*. A 1,200-square-foot art classroom expansion to the existing visual/performing arts building. The existing Cottage is also planned to be converted to a flexible classroom building.
- *Demolish Existing Upper Campus Faculty Office Building*. The existing 1,915-square foot

faculty office building will be demolished to accommodate a new faculty surface parking lot consisting of 31 parking stalls.

- *Multipurpose Building.* No change to the approved Multipurpose Building.
- *Parking Facilities.* The Michillinda parking area would accommodate the addition of a second driveway to allow for ingress only to the campus, while the existing driveway would be converted to egress only. No other changes or expansions would occur at the approved Michillinda Parking Lot. Further analysis of the pickup and drop zone may be required through the design review process.
- *Access.* In addition, a new internal drop-off zone for the lower school and firetruck access is proposed.

As with the approved project providing capacity for 400 High School aged girls, the 2021 Refined Project would provide for the current maximum capacity at Alverno Heights Academy to remain at 400 students. School enrollment now consists of a maximum of 400 students consisting of high school girls and transitional kindergarten to eight (TK-8th) grade. The hours of operation would remain consistent with the approved project.

Development Standards

Pursuant to Chapter 17.38 (Institutional Zone), Code Section 17.38.040(E), of the Sierra Madre Municipal Code, the following development standards shall guide the design and shall apply to sites in the Institutional zone. The following table shows how the project complies with the development standards of the Institutional zone.

Category	Existing	Proposed	Code Requirement / Allowed	Meets Code
Height of Multipurpose Building	N/A	35 feet	33 feet	No
Height of Elementary School Building	N/A	39 feet	33 feet	No
Height of Middle School Building	N/A	14 feet	33 feet	Yes
Height of Lower Campus Administration Building	N/A	14 feet	33 feet	Yes
Lot Building Coverage	13% of site	17 % of site	35% of site	Yes

			<p>TK-8th Grade Code Required Parking: 11 classrooms 17 parking stalls required</p> <p>Faculty and Staff Required Parking: Lower School – 38 faculty and staff stalls Parking Required –19 stalls</p> <p><u>Total Code Required Parking – 36 stalls</u></p> <p><i>Parking Surplus – 78 stalls</i></p>	
Landscaping	Existing perimeter landscaping provides screening of parking lots from the streets. The campus contains 479 trees, 26 which are protected.	<p>The proposed Master Plan retains existing perimeter landscaping which provides screening of parking lots from the streets. A comprehensive landscape plan includes additional mature trees to be added between the Villa and the proposed multi-purpose building to screen the latter building from views from the Villa, and between the multipurpose building and Michillinda Avenue.</p> <p>Two Oak trees are proposed for removal to construct the western most classroom building. The protected Oak trees which are proposed for removal for the project would be replaced per the requirements in the SMMC. Three smaller trees adjacent to the</p>	<p>All open areas including vehicular accessways and parking areas, pedestrian walkways and paved and/or covered recreational facilities shall be landscaped and irrigated if planted.</p> <p>Parking areas shall be screened from the street by landscaping trees and shrubs to a height of at least forty-two inches.</p> <p>Such landscaping and irrigation systems shall be permanently maintained. If an existing tree with a diameter of four inches or greater, measured eighteen inches from ground level is removed, it shall be replaced with a similar or acceptable substitute specimen tree (minimum twenty-four-inch box container size) elsewhere on the site.</p>	Yes

		<p>Lower School Sports Court will require special consideration. These trees may be eligible for boxing and transplanting on campus with oversight by the consulting arborist.</p>		
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In 2011, staff recommended that the proposed height of the multipurpose building be reduced from 35 feet to 33 feet, in compliance with height limit of the Institutional zone. The condition continues to be in effect to require this height reduction. AHA concurs with the height requirement for the Multi-purpose building.

Staff recommends a condition of approval that as each phase of development occurs, the Applicant shall submit more detailed plans to the Planning and Community Preservation Department of the multipurpose building and lower campus to include, but not be limited to site plans, elevations, floor plans, cross-sections, dimensions, materials, colors, landscaping size and species, as necessary. Staff is also recommending that all campus buildings not exceed the 33-foot height limit as allowed in the institutional zone.

Noise Analysis

The City’s Noise Ordinance limits noise levels to 80 dBA at 25 feet from the source, between the hours of 7:00 a.m. and 9:00 p.m. (Section 9.32.060 – Special Exemption Provisions). The City’s noise ordinance also limits noise generated in a residential area to 6 dBA above the ambient noise level (Section 9.32.030 – Residential Noise Limits). Most of the ambient noise in the area is generated by vehicles traveling on the adjacent streets. Existing noise on the site is generated by various uses: the usual noise associated with a school, use of the fields and the Villa, and parking lots and drive lanes.

The Planning Center conducted the 2011 Master Plan noise impacts analysis and determined that they were less than significant with the incorporation of mitigation measures the for construction of the Multi-Purpose Building.

The City requested an updated noise study to be prepared for the 2021 Master Plan Update to evaluate noise impacts associated with the new Lower School development. CSDA Design Group (CSDA) was retained for the update and utilized a 24-hour metric to determine a weighted average noise level measurement using the Community Noise Equivalent Level (CNEL) methodology. The CNEL metric accounts for the increased sensitivity of people to noise during the evening and nighttime hours from 7 pm to 10 pm, sound levels are penalized by 5 dBA; from 10 pm to 7 am, sound levels are penalized by 10 dBA increase. A 10 dBA increase in sound level is perceived by people to be twice as loud.

CSDA conducted noise measurements between Monday, May 10, 2021, through Wednesday, May 12, 2021, when the Los Angeles County Health Department permitted the opening of all grade levels to in-person instruction. It was estimated that over 330 students were on campus

during the study period (see Master Plan Update, Noise Exhibit page 53, and Appendix C in the Addendum to the MND for more detailed analysis).

School operations, including pick-up and drop-off periods and outdoor student activities or sports during breaks and/or sport events, have the potential to generate levels of noise that are noticeable at nearby residential receivers.

Outdoor Student Activity Noise – Although there may be outdoor student activity throughout the school’s operating hours, the outdoor student operations that contribute to most of the noise generation are elementary school students using outdoor facilities. To estimate noise generated by elementary school noise a Sound Services analysis was prepared for the lower-school outdoor activities. The Sound reference levels for human speech provided by the resources mentioned above are presented below:

	Sound Reference Level at 1 meter (3.28 feet), dba				
	Shout	Loud	Raised	Normal	Casual
Adults	-	82	76	70	65
Elementary school students during break	82	74	65	58	53
High school girls	86	80	73	67	62

The Noise and Sound Services resource also provides typical durations of each speech level for children at play.

Activity	Percent of time at each Speech Level					Equivalent Sound Level at 1 meter (3.28 feet), dba
	Shout	Loud	Raised	Normal	Casual	
Elementary school students at play	1.3%	13%	33%	33%	19%	68 dba
High school students during break	-	-	-	-	100%	62 dba
High school students during after-school sports	1.3%	13%	33%	33%	19%	74 dba
Adult spectators during after-school sports	-	0.5%	10%	33%	56%	70 dba

Project-Related Traffic Noise – A traffic circulation analysis was prepared by W.G Zimmerman Engineers, Inc. The study analyzed the estimated trip generation associated with the approved 2011 Master Plan (i.e., based on 400 high school students), as well as the trip generation associated with the proposed 2021 Master Plan (i.e., 200 high school students + 200 elementary school students). The conclusion of the traffic study states that since the adjacent residential area is substantially built-out, the traffic study does not include existing condition ambient traffic counts. Instead of physical counts, existing condition traffic was estimated using the measure 2010 traffic counts, plus a 0.5% per year growth factor. The ambient traffic data used in the noise study for the 2011 Master Plan CEQA documentation, as well as the projected current (2021) traffic data (uses the traffic estimate of 0.5% traffic volume increase per year).

The estimated traffic volume increase from the traffic study is 0.5% per year for 15 years, which amounts to a total traffic volume increase of approximately 8%. This accounts for a composite noise level increase of less than 1 decibel based on a review of the 2021 noise measurement data, noise levels around the project site are dominated by traffic sources.

As described in the analysis, school operational noise is expected to be noticeable to nearby residential receivers, and noise generated by school operations may also contribute to the overall noise levels at nearby residences. During after-school athletic events, the total noise level at receivers along Wilson Street and Highland Avenue may increase by approximately 10 dBA, respectively due to instantaneous noise events at the athletic field (e.g. intense sport plays with a lot of cheering). Project-related equivalent continuous noise levels at residential receivers is measured as L_{EQ} or equivalent. Other residential receivers are not expected to exceed the existing ambient noise environment as measured utilizing L_{MAX} or equivalent continuous ambient noise level over the time periods where these regular school operations are expected to occur.

Traffic/Parking and Circulation – Included with this Master Plan proposal is a traffic and parking study prepared by professional traffic engineer, W.G Zimmerman Engineers, Inc. The traffic study prepared in April 2020, analyzed traffic volumes to determine the project’s impact to the adjacent streets and intersections. The traffic engineer estimated the traffic generation based on a maximum of 400 students, with additional trips for faculty, guests, and other trips.

The daily trips attributed to the school were estimated at 727 total trips per day. The former Upper School is estimated to generate 469 daily trips, while the Lower School is estimated to generate 258 daily trips.

The reports determined that the expanded school will result in no significant traffic impact at the study intersections, as shown in the table below:

Queue Length Analysis		
Intersection	Approach Direction	Queue Length (Ft)
		AM Peak Hour
W Highland Ave / N Michillinda Ave	WB	88

The impact analysis for the intersection of West Highland Avenue / North Michillinda Avenue was conducted by comparing the level of service for existing westbound traffic with the proposed scenario—200 High School Students + 200 Elementary Students. The levels of service for westbound approach of the intersection of West Highland Avenue and North Michillinda Avenue for each condition are summarized below for the AM peak hour. The Level of Service (LOS) analysis shows no significant changes in LOS from existing to future (proposed elementary + High school) for the study intersection of West Highland Avenue and North Michillinda Avenue, as represented in the Table below.

Level of Service Comparison				
Intersection	Existing Condition (400 High School Students)		Proposed School (200 High School Students + 200 Elementary Students)	
	Delay	LOS	Delay	LOS
W Highland Ave /	Delay	LOS	Delay	LOS

N Michillinda Ave	22.6	C	24.8	C
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CSDA Design Group – Updated Noise Study – AHA completed additional traffic counts and updated the traffic study including supplemental noise measurements and study of the school’s noise levels, as requested by the neighbors at the November 18, 2021 Planning Commission meeting. The school’s enrollment for the supplemental study was 372 students, an increase from the 330 students on campus from the 2021 study.

Updated noise measurements were prepared for the Master Plan Update dated April 5, 2022 by CSDA Design Group, included in Attachment D – AHA Master Plan Update–Supplemental Documents, Exhibit 4. Noise measurements were taken from 7:00 a.m. to 10:00 p.m. and the after school activities such as basketball and softball were measured.

Neighbors expressed concern that the noise levels studied in the June 2021 analysis were influenced by the enrollment due to pandemic restrictions. As a result, CSDA conducted additional noise monitoring on March 1, 2022 through March 3, 2022. Second Noise measurements were taken on April 25, 2022 through April 29, 2022. The noise study can be found in Exhibit 4 of Attachment D.

Sound monitoring was taken at the same locations that the prior 2021 study identified. The comparison of noise levels between 2021 and 2022 were similar and found to be in compliance with the City’s noise ordinance.

The report also notes that the Los Angeles County Noise Ordinance exempts activities on public and private school playgrounds from noise control Measurements; therefore, CSDA relied upon the City of Sierra Madre General Plan, Chapter 6, Noise-Control of Non-Transportation Noise Sources for guidance.

Page 12 of the CSDA report concluded that... "The measurements indicate that during after-school activities the average noise level is within 3 dBA of the traffic noise, indicating that the neighborhood noise is dominated by traffic noise. This validates the results of the 2011 master plan report. The Planning Center conducted noise studies for the 2011 Master Plan Amendment, which were discussed in the June 30th noise report."

Tree Protection Plan – The school retained Arborgate Consultants to prepare a tree survey and a tree preservation report for the 2021 Master Plan Update. Arborgate Consultants also prepared the tree survey for the 2011 Master Plan. Please See the Addendum to the MND, Appendix A – Tree Preservation Report for more detailed information.

The Northeast Campus Area

The Consultant determined that no protected trees will be removed for the projects in the northeast area of the campus – art room addition and the faculty parking area.

The Southwest Campus Area

One hundred trees were surveyed on the west side of the campus. Approximately 47 trees are within the footprint of the Lower Campus. The Cypress trees will not be impacted by the proposed

development. Other significant trees include a large Moreton Bay Fig tree, which will be preserved as the central focal point of the Lower Campus.

Fourteen Coast Live Oak trees are within the survey area. Four of these trees are governed under the 2011 Master Plan (Trees #32, 42,46, and 47) and are located north of the modular classrooms. The 2011 Master Plan designates this area for special attention during the design of the landscape area north of the future Multi-Purpose Building and the Michillinda parking area. The requirement would remain in place in the 2021 Master Plan Update.

Ten trees are observed on the Lower Campus area, five of which will be preserved in place and will not be impacted by the campus site plan. Two Oak trees are proposed for removal to construct the western most classroom building. The protected Oak trees which are removed for the project would be replaced per the requirements in the SMMC. Three smaller trees adjacent to the Lower School Sports Court will require special consideration. These trees may be eligible for boxing and transplanting on campus with oversight by the consulting arborist.

Oak Trees Surveyed in the Lower Campus

Tree Number	Diameter	Status
#58	6 inches	No impact
#68	7 inches	No impact
#70	21 inches	No impact
#71	36 inches	No impact
#72	12 inches	Removed for TK Classroom
#76	39 inches	No impact
#85	10 inches	Special consideration – west of sports court
#87	10 inches	Special consideration – south of sports court
#88	12 inches	Special consideration – south of sports court
#100	22 inches	Removed for TK Classroom

Tree Impacts – Concept Grading Plan Update

The Commission requested that the arborist consult with the project’s civil engineer to determine impacts from the concept grading plan. Greg Applegate, the consulting arborist requested that grading be adjusted adjacent to the root zone of the Morton Bay Fig Tree (adjoining the quad for the Lower School). A review of the tree impact/concept grading plan can be found in Attachment D – AHA Master Plan Update-Supplemental Documents, Exhibit 5.

Wilson Avenue Landscaping Perimeter

AHA met with Wilson Street neighbors who circulated a petition requesting additional plant materials to screen the athletic field from their front yard view. AHA met with staff on-site to address this concern. The updated planting plan can be found in Attachment D – AHA Master Plan Update-Supplemental Documents, Exhibit 2. The planting plan includes the planting of four additional Olive trees and seven Italian Cypress trees. The plan compliments the existing trees as approved by the City and installed with the new athletic field in 2019.

Cultural Resources Technical Report

A Cultural Resources Technical Report was prepared for the 2021 Master Update. The baseline of the report referenced the 2011 Master Plan inclusive of the IS/MND. The results of the Technical Report determined that there is a less than significant impact to the Barlow Villa (Villa). The 2021 addendum to the approved 2011 Master Plan and corresponding update to the IS/MND

CONDITIONAL USE PERMIT FINDINGS

The Planning Commission must make the following findings for the approval of a Conditional Use Permit for the Master Plan Update:

1. **That the site for the proposed use is adequate in size, shape and topography;** Alverno Heights Academy is situated on a 12.10-acre campus, one of the largest school sites in the City. The school has one of the smallest proposed enrollments (400 students) in the community and its buildings cover less than 13% of the site. The approved Master Plan would increase this coverage to 17%, continuing to provide generous amounts of open spaces. The school gently slopes 30 feet from Grandview to Highland, in a distance of 670 feet; The fall in grade reduces impacts from site grading to insignificant.
2. **That the site has sufficient access to streets which are adequate, in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;** The school is served by a major arterial street, Michillinda Avenue. Unlike the approved project, the 2021 refined project operation is anticipated to generate a net total decrease of trips during the peak hour. Existing School (High School) generates a total of 823 trips per day. At full enrollment of 400 students (200 high school and 200 TK-8th grade students), peak traffic counts will decrease from 823 daily trips (400 high school students) to 727 daily trips, a decrease of trips per day on Michillinda Avenue, which is considered minimal. The Master Plan will decrease traffic on Highland Avenue, Wilson Street and Grandview Avenue. The Master Plan meets and exceeds the City's parking codes. Additional traffic and parking mitigation measures have been imposed, including double "drop-off" lanes in the student parking lot.
3. **That the proposed use will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties;** The Master Plan has been designed to reduce impacts to insignificant. The plan would continue and enhance the 60 year use of the 12-acre site for a girl's high school and TK-8th grade Lower School. The environmental analysis provides a series of mitigation measures and the imposed conditions of approval were developed to protect the surrounding and adjacent properties, including reasonable limits on enrollment, use of the school facilities, including the Villa, the Multi-Purpose Building and the Soccer/Softball Field. The adaptive reuse of the Villa for private rental events and filming will be mitigated through CUP 22-03 including conditions of approval such that the use of the Villa will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties.
4. **That there is a demonstrated need for the use requested;** Alverno has demonstrated through the Strategic Planning and Master Plan processes, the need for the update. The new facilities will permit the school to meet the changing educational needs for young women and introduce a Lower School providing TK-8th grade instruction, which will allow the school to continue to attract students.

- 5. That the use will, as to location and operation, be consistent with the objectives of the General Plan;** Objective L36 of the General Plan is *“to provide for the development of private institutional uses in areas where institutional uses currently exist and ensure that they are compatible with and complement adjacent land uses.”* The school has occupied the site for over 60 years and the proposed Master Plan, with the mitigation measures and conditions of approval, will be compatible with and complement adjacent land uses. It is common for schools to be in residential areas and the size of the site is more than adequate for the intensity of the use of the school and by the greater Sierra Madre community. The school has also complied with General Plan objectives by providing the City and its residents with facilities for governmental, entertainment, athletic and cultural events.

Objective Hz14 of the General Plan desires to *“Maintain the quiet residential character of the City, free from excessive noise from transportation or fixed source generators.”* Discretionary review of this project, includes mitigation measures intended to reduce noise impacts including temporary construction noise. The Mitigated Negative Declaration—Table 7 includes Mitigation Measure 13, which formulates measures to mitigate noise impacts” for the proposed development. Additionally, the conditional use permit’s conditions of approval seek to limit the number of students, prohibit concurrent events on site, impose new filming and temporary use standards at the school, and to facilitate the development of a temporary Lower Sports Court to help reduce noise impacts.

Policy Hz14.1 *Formulates measures to mitigate noise sources through compatible land use planning and the discretionary review of development projects.* Building construction pursuant to the 2021 Master Plan Update, would attenuate noise from midday elementary school lunch/break periods. As with the approved project, the operational noise levels of the refined project are estimated to not exceed any of the existing ambient noise levels at nearby residential receivers. Additionally, the conditional use permit’s conditions of approval seek to limit the number of students, prohibit concurrent events on site, impose new filming and temporary use standards at the school, and to facilitate the development of a temporary Lower Sports Court to help reduce noise impacts.

- 6. That the public interest, convenience, and necessity require that the use be permitted at the location requested;** The major change to the campus from the 2011 Master Plan includes the new Lower School campus accommodating TK-8th grade instruction. The school provides needed primary and secondary school opportunities for residences of Sierra Madre. Furthermore, the master plan preserves the Historic Villa for the public benefit, including use by civic organizations and the City of Sierra Madre.

MASTER PLAN FINDINGS

Master Plan Objectives and Requirements. In addition to the findings required for a conditional use permit, the Planning Commission, and the City Council on appeal, shall find that the proposed master plan is consistent with the general plan and that all of the following provisions are met:

- 1. Structures shall convey the village theme in their siting, massing, scale, use of open space and architectural character, and shall otherwise be consistent and compatible with adjacent uses;** The school buildings are designed to be compatible with the surrounding single-family and multi-family land uses. The campus will provide 57% open space at build-out of the Master Plan. The Lower School Campus preserves the significance of the Moreton

Bay Fig tree in a proposed central courtyard area, drawing upon the architectural elements of the Villa and the Mid-Century modern school buildings. The arborist recommended that the Lower School structure be setback sixty feet from the trunk of the Moreton Bay Fig tree, creating a 120-foot diameter around the tree to protect its roots. This area is ideally suited for the Lower School's landscape central courtyard village theme, which will be carried out by the focus on the site planning of the central courtyard, varying the heights of the buildings as they move away from the Villa, with three of the classrooms and the administrative building one story in height and located west of the Villa road. Furthering the village theme, the design preserves the historic Villa gates, an open space lawn area of Highland Avenue, and the Villa's main curved entry roadway.

2. **Historic Structures should be preserved to the maximum extent possible, and the project improvements shall be located and design in a manner that does not adversely affect properties in the immediate neighborhood nor adversely affect cultural, historic, and environmental resources;** The Villa will continue to be preserved as a major historic resource for the city and for Alverno. The 2021 Master Plan Update would encourage the adaptive reuse of the Villa for the school's chapel, business offices, faculty lounge, and student activities. There are no exterior changes proposed to the Villa. The plan preserves the main entry road and the entry gate from Highland Avenue. The other historic gates will be preserved. The art classroom will be designed to be compatible with the existing Visual and Performing Arts Building, utilizing the setbacks on Wilson Street. There would be no changes to the exterior of the caretaker's home. The Lower School classrooms would be setback 80 feet from the landscape buffer on Michillinda Avenue, with increased density of landscaping in this area.
3. **Structures should be designed to a high level of architectural quality, being a visual asset in the area in which they are located;** The concept architecture for the new buildings will be compatible with the Villa's materials and design. The buildings would present a new identity in line with the school's past. The buildings would be faced in smooth plaster, have exposed wood elements, simple forms, and clearstory windows for light and security. The Lower School Campus site plan takes advantage of the natural terrain, with building components varying between one and three stories in height. The buildings will also draw upon Mid-Century Modern elements found in the existing campus, including the use of generous overhangs, exposed wood, such as benches and trellises, and natural materials.
4. **Buildings and sites shall be designed to enhance the pedestrian character of the city, by opening directly onto sidewalks, providing walkways, other pedestrian linkages, and other amenities and incorporating public open activity spaces;** Due to public safety considerations at all schools, the Alverno Height Academy Master Plan must balance this goal with student and faculty safety. The 2011 Master Plan enhanced the pedestrian character of the city by the installation of the decorative perimeter pilasters, view fencing and landscaping buffer on Michillinda Avenue; installation of the decomposed granite pathway and landscaping on Grandview Avenue; and the use of the Villa's gates on Michillinda Avenue and Wilson Street. Additional campus walkways were installed as part of the 2011 Master Plan. The 2021 Master Plan update includes new ADA access from Michillinda and access through the Villa's gate on Highland Avenue. The site plan preserves the Villa's main entry road from highland Avenue and includes new sidewalks on the west side of the road. The 2021 Update includes additional campus walkways. The athletic field is accessible and used by residents of the surrounding community.
5. **Landscaping shall be incorporated with the building design and reflect the overall**

visual character of the district which surrounds it, and shall consist of a combination of trees, shrubs and ground cover with careful consideration given to the eventual size, form, susceptibility to disease and pests, durability, and adaptability to existing soil and climate conditions; The concept landscaping plan draws its inspiration from the existing campus use of native and drought tolerant tree, shrubs, and ground cover approved in the 2011 Master Plan. The Lower School Site Plan preserves the Moreton Bay Fig tree with a 120-foot diameter area around the tree where no structures can be located. The Moreton Bay Fig tree serves as a major focal point of the campus and as the student courtyard. The landscape concept continues the historic use of olive trees (*Olea europea*) along Grandview Avenue, extended to the Michillinda perimeter, complimented with native Oak trees. Jacaranda and Crete Myrtle trees are added as flowering accent trees. Drought tolerant shrubs such as lavender and dwarf bottle brush are mixed in with drought tolerant groundcovers like Tufted Hair Grass and Ceonothus. Additional planting would be provided on Michillinda Avenue and Highland Avenue to screen the Lower School campus improvements.

6. **The project shall incorporate water conservation practices such as, but no limited to, greywater plumbing, permeable ground surfaces, drought tolerant landscaping, green building materials, rainwater capture devices and low-flow fixtures;** The school installed a series of rainwater capture devices with the construction of the athletic field in 2019. These devices capture storm water from the east half of the entire campus. Rain capture devices were installed with the modular classroom in 2020. This rainwater harvesting has led to substantial water conservation on the campus. The 2021 Master Plan Updates includes provisions for additional rain capture devices draining the west half of the campus. The concept landscape plan would expand in the exiting use of drought tolerant and native species of trees, shrubs, and ground cover, and continue the use of drip-irrigation systems. The construction plans will include low-floor plumbing fixtures.
7. **Any development of a site located north of the “Hillside view line” defined in Section 17.52.080 of this title or adjacent to R-H zoned property shall protect the natural environment from change, preserve and protect views and preserve and maintain the identity, image and environmental quality of the R-H zone;** Alverno Heights Academy is located outside of the Hillside view line as defined in Section 17.52.080 of the Sierra Madre Municipal Code.
8. **The project will not displace or encroach into existing commercial uses;** Not applicable. Alverno Heights Academy is located on a self-contained 12.1-acre property that does not include any commercial uses.

MASTER PLAN FINDINGS – MODIFICATION TO DEVELOPMENT STANDARDS

Adjustments to the development standards of Chapter 17.38 of the Sierra Madre Municipal Code 17.38 may be permitted in the master plan provided the Planning Commission finds that the project:

1. **Contains activities and function which will be a significant asset for the city;** The Master Plan preserves the Villa del Sol D’Oro, a valuable historic asset, including preservation of the Villa’s three historic gates, the caretaker’s home and the former garage/stable. The Master Plan preserves significant open space, with over six acres or 57% of the campus dedicated to open space and recreation. The plan will preserve and enhance the native oak trees and several significant trees, including the Moreton Bay Fig tree, which is the largest specimen in

the community. The school has a long tradition of serving Sierra Madre. The school instituted a community service program in 1997, dedicating thousands of hours to community causes and events. These include sponsoring events in the surrounding schools and parishes. The school has hosted Humanity week, providing food and clothing for the needy. The school hosts a Halloween event for the community, serving as a safe space for local children. The Alverno athletic field served as a safe open space during the COVID-19 pandemic for local families.

2. **Adequately mitigates impacts attributable to any increase in floor area ratio and height;** The Master Plan is consistent with Objective L41.1 of the Sierra Madre General Plan by providing substantial building setbacks, eighty feet from Highland Avenue and twenty feet from the Michillinda Avenue property lines. Highland Avenue has a 60-foot right-of-way, while Michillinda has a 64-foot right-of-way. Existing mature trees and landscaping exists at the school's perimeters to adequately screen the new buildings and additional plant materials will be added to provide additional mitigation. The design of the main classroom building will vary the elevation and height of the building. The additional height in the main classroom building assists in mitigating noise impacts to the surrounding residences. The three-story component helps to preserve significant trees and open space on the campus to the benefit of the school and the surrounding community.
3. **Provides additional benefits to the community above those which can be exacted to account for the development's direct impact;** The school continues to provide parking for the city and for community events, such as the Wisteria Festival. The school provides space for the Sierra Madre Boy and Girl Scouts and the Sierra Madre Dance Company. The Villa hosts the Friends of the Library and other city functions. The school's athletic facilities are available for neighborhood and City use. The future multi-purpose building will be available to the City. The school and the City voluntarily approved a joint facility use agreement in 2006.

PUBLIC NOTICE AND COMMENT PROCESS

All interested persons may submit public comments to PublicComment@cityofsierramadre.com. Public comments must be submitted by 3:00 p.m. on the date of the hearing to be considered by the Planning Commission. Plans and documents are available on the Planning & Community Preservation Department webpage for review by all interested parties at: <https://www.cityofsierramadre.com/aha>. The packet can also be accessed on the City's website at www.cityofsierramadre.com, at Sierra Madre City Hall, 232 W. Sierra Madre Blvd., and at the Sierra Madre Public Library, 440 W. Sierra Madre Blvd.

ENVIRONMENTAL

A 2021 addendum to the Mitigated Negative Declaration (MND) for the Alverno Heights Academy was prepared by Sapphos Environmental, Inc., determining that the facts upon which the findings were based in the 2011 Initial Study/MND (IS/MND) for the Alverno Heights Academy Master Plan improvements remain unchanged. Technical specialists reviewed the assumption that were used in the impact analysis for the 2011 IS/MND and validated that the proposed Refined Project would not create new or substantially more adverse impacts than those evaluated for the approved project. All 18 of the mitigation measures involving the 2011 approved project would be applicable to the 2021 refined project (*Table 7, Environmental Checklist and Analysis*). In addition, four mitigation measures have been added in relation to cultural resources to further reduce impacts to below the level of significance (provided below). However, there would be no new or substantially more adverse impacts resulting from the 2021 refined project compared to the project analyzed in the 2011 IS/MND.

With the following mitigation measures, the project is determined to have less than a significant impact to Tribal Cultural Resources:

MM CULTURAL-1: Avoidance of Historical Resources.

Prior to the initiation of ground-disturbing activities, the School shall review the construction plans to ensure that any known cultural resources that are required to be avoided have been marked as “off-limits” areas for construction and construction staging.

MM CULTURAL-2: Archaeological and Historical Resources.

Avoidance and Monitoring. Completion of a Worker Education and Awareness Program (WEAP) for all personnel who will be engaged in ground-disturbing activities shall be required prior to the start of ground disturbing activities. This shall include training that provides an overview of cultural resources that might potentially be found and the appropriate procedures to follow if cultural resources are identified. This requirement extends to any new staff prior to engaging in ground disturbing activities (*Alverno Heights Academy Master Plan Addendum Cultural Resources Technical Report July 26, 2021 Page 27*).

In the event that previously unknown archaeological resources, historical resources, or tribal cultural resources (resource[s]) are encountered during construction, the resource(s) shall be flagged and avoided with a 50-foot buffer until a qualified archaeologist is contracted to evaluate the resource(s). Should the resource(s) be found to be significant, the resource(s) shall either be left *in situ* and avoided; or the resource(s) shall be salvaged, recorded, and repositioned following standard archaeological procedures. Data recovery is not required by law or regulation. It is, however, the most commonly agreed-upon measure to mitigate significant impacts to archaeological sites eligible or listed in the California Register under Criterion D, as it preserves important information that would otherwise be lost.

MM CULTURAL-3: Compliance with the Secretary of the Interiors Standards for the Treatment of Historic Properties.

All work completed on the caretaker’s cottage and associated detached garage, the detached Villa garage, and interior of the Villa will be completed in a way that complies with the Secretary of the Interior’s *Standards for the Treatment of Historic Properties*. Design review of the proposed additions to these buildings as well as any alterations to the interior of the Villa by a qualified Architectural Historian is required prior to the initiation of construction.

MM CULTURAL-4: Regulatory Requirements – Human Remains.

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are encountered during excavation activities, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby areas reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains.

If the County Coroner determines that the remains are or are believed to be Native American, she/he shall notify the NAHC in Sacramento within 24 hours. In accordance with Section 5097.98 of the California PRC, the NAHC shall immediately notify the person(s) it believes to be the Most Likely Descendant of the deceased Native American. The descendants shall complete their inspection and make a recommendation within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the Los Angeles County Metropolitan Transportation Authority (Metro), the disposition of the human remains. The Most Likely Descendant’s recommendation shall be

followed if feasible and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials. If Metro rejects the Most Likely Descendant's recommendations, the agency shall rebury the remains with appropriate dignity on the property in a location that will not be subject to further subsurface disturbance (14 California Code of Regulations §15064.5(e)).

FISCAL IMPACT

There is no impact on the General Fund. The appeal fee is based on a fixed fee of \$1,000 to partially recover staff time.

Attachments

- Memorandum: City Attorney Legal Analysis Memorandum dated February 6, 2023
- Attachment A-1 City Council Resolution 23-13 (Alverno Version)
- Attachment A-2 City Council Resolution 23-13 (Appellant Version)
- Attachment A.1: Planning Commission Resolution 21-19 with Conditional Use Permit (CUP) Findings, Master Plan Findings and CUP Conditions of Approval
- Attachment B: Alverno Heights Academy Master Plan
- Attachment C: 2021 Addendum to the Mitigated Negative Declaration (Revised 7/11/22)
- Attachment D: Master Plan Update – Supplemental Documents
- Attachment E: Master Plan Application Form – Redacted
- Attachment F: Summary Memorandum of Noise Studies, Wall Options, and other Alternatives
- Attachment G: Sound Wall Study, Line of Sight Study, and Construction Concepts
- Attachment H: Cost Estimate for Sound Wall Options
- Attachment I: Appeal of Decisions Application (Redacted) and Letter from Venskus and Associates and Supporting Documentation (binder)
- Attachment J: Recorded Noise Measurements Submitted by Appellant (flash drive)

CITY COUNCIL RESOLUTION 23-13

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF SIERRA MADRE TO CONSIDER
A CONDITIONAL USE PERMIT AMENDMENT AND ADDENDUM TO THE MITIGATED
NEGATIVE DECLARATION TO UPDATE THE ALVERNO HEIGHTS ACADEMY MASTER
PLAN TO ALLOW THE CONSTRUCTION OF PERMANENT CLASSROOM BUILDINGS TO
ACCOMMODATE TRANSITIONAL KINDERGARTEN TO EIGHTH (TK-8th) GRADE
INSTRUCTION AND OTHER CAMPUS IMPROVEMENTS AT 200 NORTH MICHILLINDA
AVENUE**

THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES HEREBY RESOLVE:

WHEREAS, an application for an amendment to a Conditional Use Permit and Addendum to a Mitigated Negative Declaration for a Master Plan Update was filed by:

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

WHEREAS, the request can be described as:

A request to amend a Conditional Use Permit (Planning Commission Resolution No. 11-10 amended by Planning Commission Resolution No. 21-19) to allow a Master Plan Update for Alverno Heights Academy to include permanent classroom buildings to accommodate TK-8th grade co-ed instruction; demolition of faculty offices to accommodate new faculty parking; addition to the existing visual performing arts building; convert chapel to garage/storage, and convert cottage to flexible classroom space. The Master Plan would conform with the permitted maximum enrollment of 400 students inclusive of the high school program.

WHEREAS, public hearings were held before the Planning Commission at the November 18, 2021, July 21, 2022, September 1, 2022, October 6, 2022, and December 1, 2022 regular meetings, with all testimony received being made part of the public record;

WHEREAS, the Planning Commission approved the Master Plan Update at the December 1, 2022 public hearing;

WHEREAS, an application for appeal of the Planning Commissions determination was filed by Kristin and Keith Stephens on December 14, 2022;

WHEREAS, the City Council has received the report and recommendations of staff;

WHEREAS, public hearings were held before the City Council at the February 14, 2023, March 14, 2023, and April 11, 2023 regular meetings, with all testimony received being made part of the public record;

NOW THEREFORE, in consideration of the evidence received at the hearings, and for the

reasons discussed by the City Council at said hearing, the City Council now finds as follows:

CONDITIONAL USE PERMIT FINDINGS

The City Council must make the following findings for the approval of a Conditional Use Permit:

1. **That the site for the proposed use is adequate in size, shape and topography;** Alverno Heights Academy is situated on a 12.10-acre campus, one of the largest school sites in the City. The school has one of the smallest proposed enrollments (400 students) in the community and its buildings cover less than 13% of the site. The approved Master Plan would increase this coverage to 17%, continuing to provide generous amounts of open spaces. The school gently slopes 30 feet from Grandview to Highland, in a distance of 670 feet; The fall in grade reduces impacts from site grading to insignificant.
2. **That the site has sufficient access to streets which are adequate, in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;** The school is served by a major arterial street, Michillinda Avenue. Unlike the approved project, the 2021 refined project operation is anticipated to generate a net total decrease of trips during the peak hour. Existing School (High School) generates a total of 823 trips per day. At full enrollment of 400 students (200 high school and 200 TK-8th grade students), peak traffic counts will decrease from 823 daily trips (400 high school students) to 727 daily trips, a decrease of trips per day on Michillinda Avenue, which is considered minimal. The Master Plan will decrease traffic on Highland Avenue, Wilson Street and Grandview Avenue. The Master Plan meets and exceeds the City's parking codes. Additional traffic and parking mitigation measures have been imposed, including double "drop-off" lanes in the student parking lot.
3. **That the proposed use will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties;** The Master Plan has been designed to reduce impacts to insignificant. The plan would continue and enhance the 60 year use of the 12-acre site for a girl's high school and TK-8th grade lower school. The environmental analysis provides a series of mitigation measures and the imposed conditions of approval were developed to protect the surrounding and adjacent properties, including reasonable limits on enrollment, use of the school facilities, including the Villa, the Multi-Purpose Building and the Soccer/Softball Field. The adaptive reuse of the Villa for private rental events and filming will be mitigated through CUP 22-03 including conditions of approval such that the use of the Villa will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties.
4. **That there is a demonstrated need for the use requested;** Alverno has demonstrated through the Strategic Planning and Master Plan processes, the need for the update. The new facilities will permit the school to meet the changing educational needs for young women and introduce a lower school providing TK-8th grade instruction, which will allow the school to continue to attract students.
 1. **That the use will, as to location and operation, be consistent with the objectives of the General Plan;** Objective L36 of the General Plan is *"to provide for the development of private institutional uses in areas where institutional uses currently exist and ensure that they are compatible with and complement adjacent land uses."* The school has occupied the site for over 60 years and the proposed Master Plan, with the

mitigation measures and conditions of approval, will be compatible with and complement adjacent land uses. It is common for schools to be in residential areas and the size of the site is more than adequate for the intensity of the use of the school and by the greater Sierra Madre community. The school has also complied with General Plan objectives by providing the City and its residents with facilities for governmental, entertainment, athletic and cultural events.

Objective Hz14 of the General Plan desires to “*Maintain the quiet residential character of the City, free from excessive noise from transportation or fixed source generators.*” Discretionary review of this project, includes mitigation measures intended to reduce noise impacts including temporary construction noise. The Mitigated Negative Declaration—Table 7 includes Mitigation Measure 13, which formulates measures to mitigate noise impacts” for the proposed development. Additionally, the conditional use permit’s conditions of approval seek to limit the number of students, prohibit concurrent events on site, impose new filming and temporary use standards at the school, and to facilitate the development of two Sports Court to help reduce noise impacts.

Policy Hz14.1 *Formulates measures to mitigate noise sources through compatible land use planning and the discretionary review of development projects.* Building construction pursuant to the 2021 Master Plan Update, would attenuate noise from midday elementary school lunch/break periods. As with the approved project, the operational noise levels of the refined project are estimated to not exceed any of the existing ambient noise levels at nearby residential receivers. Additionally, the conditional use permit’s conditions of approval seek to limit the number of students, prohibit concurrent events on site, impose new filming and temporary use standards at the school, and to facilitate the development of two Sports Court to help reduce noise impacts.

1. **That the public interest, convenience, and necessity require that the use be permitted at the location requested;** The major change to the campus from the 2011 Master Plan includes the new Lower School campus accommodating TK-8th grade instruction. The school provides needed primary and secondary school opportunities for residences of Sierra Madre. Furthermore, the master plan preserves the Historic Villa for the public benefit, including use by civic organizations and the City of Sierra Madre.

MASTER PLAN FINDINGS

Master Plan Objectives and Requirements. In addition to the findings required for a conditional use permit, the City Council shall find that the proposed master plan is consistent with the general plan and that all of the following provisions are met:

- 1) **Structures shall convey the village theme in their siting, massing, scale, use of open space and architectural character, and shall otherwise be consistent and compatible with adjacent uses;** The school buildings are designed to be compatible with the surrounding single-family and multi-family land uses. The campus will provide 57% open space at build-out of the Master Plan. The Lower School Campus preserves the significance of the Moreton Bay Fig tree in a proposed central courtyard area, drawing upon the architectural elements of the Villa and the Mid-Century modern school buildings. The arborist recommended that the Lower School structure be setback sixty feet from the trunk of the Moreton Bay Fig tree, creating a 120-foot diameter around the tree to protect its roots. This area is ideally suited for the Lower School’s landscape

central courtyard village theme, which will be carried out by the focus on the site planning of the central courtyard, varying the heights of the buildings as they move away from the Villa, with three of the classrooms and the administrative building one story in height and located west of the Villa road. Furthering the village theme, the design preserves the historic Villa gates, an open space lawn area of Highland Avenue, and the Villa's main curved entry roadway.

- 2) **Historic Structures should be preserved to the maximum extent possible, and the project improvements shall be located and design in a manner that does not adversely affect properties in the immediate neighborhood nor adversely affect cultural, historic, and environmental resources;** The Villa will continue to be preserved as a major historic resource for the city and for Alverno. The 2021 Master Plan Update would encourage the adaptive reuse of the Villa for the school's chapel, business offices, faculty lounge, and student activities. There are no exterior changes proposed to the Villa. The plan preserves the main entry road and the entry gate from Highland Avenue. The other historic gates will be preserved. The art classroom will be designed to be compatible with the existing Visual and Performing Arts Building, utilizing the setbacks on Wilson Street. There would be no changes to the exterior of the caretaker's home. The Lower School classrooms would be setback 80 feet from Highland Avenue, with increased density of landscaping within this area.
- 3) **Structures should be designed to a high level of architectural quality, being a visual asset in the area in which they are located;** The concept architecture for the new buildings will be compatible with the Villa's materials and design. The buildings would present a new identity in line with the school's past. The buildings would be faced in smooth plaster, have exposed wood elements, simple forms, and clearstory windows for light and security. The Lower School Campus site plan takes advantage of the natural terrain, with building components vary between one and three stories in height. The buildings will also draw upon Mid-Century Modern elements found in the existing campus, including the use of generous overhangs, exposed wood, such as benches and trellises, and natural materials.
- 4) **Buildings and sites shall be designed to enhance the pedestrian character of the city, by opening directly onto sidewalks, providing walkways, other pedestrian linkages, and other amenities and incorporating public open activity spaces;** Due to public safety considerations at all schools, the Alverno Height Academy Master Plan must balance this goal with student and faculty safety. The 2011 Master Plan enhanced the pedestrian character of the city by the installation of the decorative perimeter pilasters, view fencing and landscaping buffer on Michillinda Avenue; installation of the decomposed granite pathway and landscaping on Grandview Avenue; and the use of the Villa's gates on Michillinda Avenue and Wilson Street. Additional campus walkways were installed as part of the 2011 Master Plan. The 2021 Master Plan update includes new ADA access from Michillinda and access through the Villa's gate on Highland Avenue. The site plan preserves the Villa's main entry road from highland Avenue and includes new sidewalks on the west side of the road. The 2021 Update includes additional campus walkways. The athletic field is accessible and used by residents of the surrounding community.
- 5) **Landscaping shall be incorporated with the building design and reflect the overall visual character of the district which surrounds it, and shall consist of a combination of trees, shrubs and ground cover with careful consideration given**

to the eventual size, form, susceptibility to disease and pets, durability, and adaptability to existing soil and climate conditions; The concept landscaping plan draws its inspiration from the existing campus use of native and drought tolerant tree, shrubs, and ground cover approved in the 2011 Master Plan.. The Lower School Site Plan preserves the Moreton Bay Fig tree with a 120-foot diameter area around the tree where no structures can be located. The Moreton Bay Fig tree serves as a major focal point of the campus and as the student courtyard. The landscape concept continues the historic use of olive trees (*Olea Europea*) along Grandview Avenue, extended to the Michillinda perimeter, complimented with native Oak trees. Jacaranda and Crete Myrtle trees are added as flowering accent trees. Drought tolerant shrubs such as lavender and dwarf bottle brush are mixed in with drought tolerant groundcovers like Tufted Hair Grass and *Ceanothus*. Additional planting would be provided on Michillinda Avenue and Highland Avenue to screen the Lower School campus improvements.

- 6) **The project shall incorporate water conservation practices such as, but no limited to, greywater plumbing, permeable ground surfaces, drought tolerant landscaping, green building materials, rainwater capture devices and low-flow fixtures;** The school installed a series of rainwater capture devices with the construction of the athletic field in 2019. These devices capture storm water from the east half of the entire campus. Rain capture devices were installed with the modular classroom in 2020. This rainwater harvesting has led to substantial water conservation on the campus. The 2021 Master Plan Updates includes provisions for additional rain capture devices draining the west half of the campus. The concept landscape plan would expand in the exiting use of drought tolerant and native species of trees, shrubs, and ground cover, and continue the use of drip-irrigation systems. The construction plans will include low-flow plumbing fixtures.
- 7) **Any development of a site located north of the “Hillside view line” defined in Section 17.52.080 of this title or adjacent to R-H zoned property shall protect the natural environment from change, preserve and protect views and preserve and maintain the identity, image and environmental quality of the R-H zone;** Alverno Heights Academy is located outside of the Hillside view line as defined in Section 171.52.080 of the Sierra Madre Municipal Code.
- 8) **The project will not displace or encroach into existing commercial uses;** Not applicable. Alverno Heights Academy is located on a self-contained 12.1-acre property that does not include any commercial uses.

MASTER PLAN FINDINGS – MODIFICATION TO DEVELOPMENT STANDARDS

Adjustments to the development standards of Chapter 17.38 of the Sierra Madre Municipal Code 17.38 may be permitted in the master plan provided the City Council finds that the project:

1. **Contains activities and function which will be a significant asset for the city;** The Master Plan preserves the Villa del Sol D’Oro, a valuable historic asset, including preservation of the Villa’s three historic gates, the caretaker’s home and the former garage/stable. The Master Plan preserves significant open space, with over six acres or 57% of the campus dedicated to open space and recreation. The plan will preserve and enhance the native oak trees and several significant trees, including the Moreton Bay Fig tree, which is the largest specimen in the community. The school has a long tradition of serving Sierra Madre. The school instituted a community service program in 1997, dedicating thousands of hours to community causes

and events. These include sponsoring events in the surrounding schools and parishes. The school has hosted Humanity week, providing food and clothing for the needy. The school hosts a Halloween event for the community, serving as a safe space for local children. The Alverno athletic field served as a safe open space during the COVID-19 pandemic for local families.

2. **Adequately mitigates impacts attributable to any increase in floor area ratio and height;** The Master Plan is consistent with Objective L41.1 of the Sierra Madre General Plan by providing substantial building setbacks, eighty feet from Highland Avenue and twenty feet from the Michillinda Avenue property lines. Highland Avenue has a 60-foot right-of-way, while Michillinda has a 64-foot right-of-way. Existing mature trees and landscaping exists at the school's perimeters to adequately screen the new buildings and additional plant materials will be added to provide additional mitigation. The design of the main classroom building will vary the elevation and height of the building. The additional height in the main classroom building assists in mitigating noise impacts to the surrounding residences. The three-story component helps to preserve significant trees and open space on the campus to the benefit of the school and the surrounding community.
3. **Provides additional benefits to the community above those which can be exacted to account for the development's direct impact;** The school continues to provide parking for the city and for community events, such as the Wisteria Festival. The school provides space for the Sierra Madre Boy and Girl Scouts and the Sierra Madre Dance Company. The Villa hosts the Friends of the Library and other city functions. The school's athletic facilities are available for neighborhood and City use. The future multi-purpose building will be available to the City. The school and the City voluntarily approved a joint facility use agreement in 2006.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the City Council adopts the mitigated negative declaration and approves the Conditional Use Permit as follows:

A. ADOPTION OF MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM

The City Council has reviewed and considered the Mitigated Negative Declaration and in view of all of the evidence, adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. The location and custodian of records with respect to all of the relevant documents and any other material which constitutes the administrative record for the Mitigated Negative Declaration are as follows: Director of Planning and Community Preservation, 232 W. Sierra Madre Boulevard, Sierra Madre CA 91024.

Based upon the facts and information contained in the proposed Mitigated Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the City Council finds that with the proposed mitigation measures, there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program based upon the findings as follows:

1. The Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act the State and Sierra Madre CEQA guidelines promulgated there under. The Mitigated Negative Declaration and the Initial Study prepared reflect the

independent judgment of the City Council; further, this City Council has reviewed and considered the information contained in said Mitigated Negative Declaration with regard to the application.

2. Based upon the design of proposed project and the mitigation measures incorporated, no significant adverse environmental effects will occur.
3. Pursuant to the provisions of Section 15074 of Title 14 of the California Code of Regulations, the City Council finds that in considering the record as a whole, including the addendum to the Mitigated Negative Declaration for the project, there is no evidence that the proposed project will have potential for an adverse impact upon wildlife resources or the habitat upon which wildlife depends. Furthermore, based upon substantial evidence contained in the Mitigated Negative Declaration, the staff reports and exhibits, and the information provided to the City Council during the public hearing, the City Council hereby finds that there is no substantial evidence that the project will have a significant effect on the environment.

B. APPROVAL OF CONDITIONAL USE PERMIT

The City Council hereby APPROVES the issuance of a Conditional Use Permit, subject to the conditions of approval in Exhibit A. The City Council authorizes the Director of Planning and Community Preservation, or his/her designee, to cause a Notice of Determination to be filed with the Los Angeles County Clerk and the State of California within five (5) working days after the approval of the Conditional Use Permit Amendment.

These actions are 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 City Council Secretary shall certify to the adoption of this resolution, transmit copies of the same to the applicant and the applicant's 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.

C. APPROVAL OF AMENDMENT TO MASTER PLAN

The City Council hereby APPROVES the amendment to the July 7, 2011 Master Plan Update, subject to the conditions of approval in Exhibit A. The City Council authorizes the Director of Planning and Community Preservation, or his/her designee, to cause a Notice of Determination to be filed with the Los Angeles County Clerk and the State of California within five (5) working days after the approval of the Conditional Use Permit Amendment.

The time in which to seek judicial review of this decision shall be governed by Code of Civil Procedure Section 1094.6. The City Clerk shall certify to the adoption of this resolution, transmit copies of the same to the applicant and the applicant's 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.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2023.

Edward Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

Laura Aguilar, City Clerk

Aleks R. Giragosian, City Attorney

I HEREBY CERTIFY that the foregoing Resolution 23-13 was duly adopted by the City Council of the City of Sierra Madre, California, at a regular meeting held on the 11th day of April 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

EXHIBIT A

CONDITIONS OF APPROVAL

GENERAL CONDITIONS

The applicant and property owner shall:

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

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

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

2. That the use for which such approval was granted has ceased to exist by reason of a voluntary abandonment;
3. That the permit granted is being or has been exercised contrary to any conditions of approval imposed upon such permit, or in violation of any law; or
4. That the use for which the approval was granted is being exercised so as to be detrimental to the public health or safety, or so as to constitute a public nuisance.

If the revocation hearing is conducted by the commission, its decision shall be subject to review on appeal, taken in the time and manner set forth in Section 17.60.120 of this chapter.

6. Execute and deliver to the City's Department of Planning and Community Preservation an Affidavit of Acceptance of Conditions on a form to be provided by such Department within ten (10) days from the date of approval of the Master Plan. This approval shall not be effective for any purpose until the Applicant complies with this condition.
7. The Planning Commission adopted Conditional Use Permit No. 22-03, which governs film or photography activity and temporary uses on the property as a whole, as well as special events held in the Villa Del Sol d'Oro not related to school events.
8. The Planning Commission shall annually review CUP 21-19 (as amended by City Council Resolution No. 23-13) at its regular meeting on the third Thursday of April to determine compliance with these conditions. The Planning Commission shall review CUP 21-19 as a public hearing item if the Applicant requests a modification to CUP 21-19 pursuant to Planning and Community Preservation Department Condition No. 12. Otherwise, the Planning Commission shall review CUP 21-19 as a discussion item. The Commission will be provided with noise readings and logs of phone calls to the police department related to Alverno. If the Planning Commission determines that one or more of the conditions of approval have been violated, it shall request that the Director of Planning and Community Preservation agendize a public hearing regarding revocation of CUP 21-19, or it shall propose a remediation plan to address the identified violations.

PLANNING AND COMMUNITY PRESERVATION DEPARTMENT

Applicant and property owner shall:

1. Mitigation Compliance – Comply with the 20 mitigation measures included as part of the Addendum to the Mitigated Negative Declaration (MND) for the Alverno Heights Academy Master Plan. All prior Mitigation Measures from the 2011 MND are applicable and held in full force.
2. Student Body Capacity – The proposed classroom buildings will not generate additional student body capacity beyond that permitted by the 2011 Master Plan (400 students). At all times, Applicant and Property Owner shall comply with all parking requirements as fluctuations in student body capacity occur.

3. Design Review

- A. The Planning Commission shall conduct design review for the Lower School Campus Improvements (classroom buildings and administrative building) and Multi-Purpose Building in accordance with Chapter 17.60 of the SMMC.
1. Applicant and Property Owner shall submit a design review permit for a component of the Lower School Campus improvements for Planning Commission review within five (5) years 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 unless a time extension is granted by the Planning and Community Preservation Department.
 2. The height of the Multi-Purpose Building shall not exceed 33 feet in height.
 3. The average height of the Lower School Classrooms shall not exceed 33 feet in height, with exception of parapets and mechanical equipment screening. Architectural features, such as elevators, theme tower and other features shall not exceed 39 feet in height.
 4. Applicant and Property Owner shall cause to be constructed story poles at the location of the Multi-Purpose Building and the Lower School buildings to depict the scale height, and massing of the buildings, at least 7 days prior to the Planning Commission's review of the plans.
- B. Applicant and Property Owner shall submit the art classroom addition, parking areas, adaptive reuse of the caretaker's residence and the Villa for administrative design review in accordance with Section 17.60 of the SMMC.

4. Historic Preservation – The Planning Commission shall conduct design review for new substantial additions and new construction of campus buildings. Administrative Design review shall be conducted by the Director. The Secretary of the Interiors Standards shall be applied to ensure that there is no impact to the historic Villa, based on the recommendations of Sapphos Environmental.
5. Seismic Safety – Private schools are subject to the provisions of the Private Schools Building Safety Act of 1986 to ensure that children attending private schools are afforded equivalent earthquake safety as afforded public school students. The legislation regulates the design and structure of private schools and provides for inspections by an enforcement agency. A "private school structure" is defined by California law as "any building used for educational purposes through the 12th grade by 50 or more persons for more than 12 hours per week or four hours in any one day." Certain structures 2,000 square feet or less in floor area are exempt. *Cal. Educ. Code §17320 et seq.*
6. Phasing Plan – Submit each phase of the Master Plan development to the Planning and Community Preservation Department for conformity review, as each phase of the Master Plan development is implemented.
- A. The Applicant shall construct two sports courts as shown on Exhibit B. The courts shall be completed within fifteen (15) months of the approval of this conditional use permit/entitlement. Time extensions may be granted in the City Manager's discretion due to:
1. Occurrences of force majeure or

2. Delays in obtaining a government agency permit that is required for the construction of the sports courts, but only if the delay is caused by the government agency.
 3. An extension cannot be granted based on the Applicant's failure to obtain funding.
 - B. The remaining Phasing Plan is divided into various projects including the conversion of the existing chapel to its former storage use and relocation of the chapel to the Villa; adaptive reuse of the caretaker's home to flexible classrooms; construction of the art classroom addition; demolition of the business office and faculty lounge, construction of the faculty parking area and reconfiguration of the Michillinda parking lot and playground, construction of additional classrooms and administrative office in phases or as a whole, and completion of the multi-purpose building. The remaining projects are not sequential in timing and can be constructed individually or concurrently.
7. Parking – Submit a parking plan together with each submittal of a Master Plan development phase, which the Director finds meets the intent of Chapter 17.68 of the Municipal Code.
 - A. The parking plan shall maintain the existing parking for the uses during the construction process or provides for the required number of spaces in accordance with the Master Plan. For example, any reduction of existing parking spaces due to construction should be provided via equivalent on-site temporary parking spaces, or concurrent construction of new parking spaces pursuant to the Master Plan.
 - B. Submit to the Planning and Community Preservation Department detailed scale plans for the Michillinda and Wilson parking lots, including the student drop-off and pick up area, and the parking spaces located along the driveway at the southwest part of the campus which meet the minimum parking dimensions and clearances, pursuant to Chapter 17.68 of the Sierra Madre Municipal Code. Submittal of parking plans shall be required at the first plan check submittal for relevant Phases of the Master Plan development, whichever occurs first.
8. Traffic Flow – After the end of the 2022/2023 Academic School Year, drop-off and pick-up of TK-5th grade students shall be through the Michillinda gate, with exiting through the Highland gate. Drop-off and pick-up of 6th- 8th grade students shall be through the Wilson gate.
9. Night Time Lighting
 - A. Buildings and Parking Lot - All parking lot lights shall be shielded and directed downward onto the site. No flood lighting shall be located as to shine directly onto any adjacent residential property unless the lighting is low level security lighting that cannot be effective unless it shines onto adjacent residential property.
 - B. Wayfaring and Pathway Lighting – All wayfaring and pathway lighting shall be low profile fixtures.
 - C. Sports Courts – There shall be no lighting on the sports courts.
10. General Noise Attenuation –
 - A. Applicant shall consult with city staff regarding additional vegetation and additional sound damping measures for the sports courts. Priority shall be given to adding plant materials on the Grandview, Michillinda and Highland frontages adjacent to the sports courts.
 - B. No activities on the sports courts shall be held after 6:30 PM.
 - C. Applicant will rotate outdoor recreational activities to multiple areas of the campus in consideration of the neighborhood.

- D. Lunches will be held in the cafeteria and central campus locations after the end of the 2022-2023 academic year.
- E. Recesses and lunches will be staggered such that the entire student body is not at recess or lunch at the same time.
- F. There shall be no use of amplified sound for athletic events, including practices and games.
- G. Amplified school events shall comply with all city ordinances regulating sound and be monitored for noise levels that shall not exceed 70dBA at any time as measured from the Alverno campus property line. Should chapter 9.32 of the Sierra Madre Municipal Code be amended, amplified school events shall not exceed the lower of 70 dBA or the amended noise standards.

11. Noise Attenuation at Michillinda Parking Lot – There shall be no sound amplification devices used on the Michillinda Parking Lot at any time, except for emergency preparedness protocols and safety drills. Use of the Michillinda Parking Lot will be limited exclusively to the following uses:

- A. Vehicle Parking related to an authorized use under CUP 21-19 or CUP 22-03;
- B. Play/recess or physical education, only where the Applicant’s landscape contractor makes a determination that the Multi-Purpose Sports Field is unsafe for those uses due to weather conditions, including but not limited to rain, flooding, or other safety conditions that make it unsafe for children to engage in the listed uses. Under such circumstances, the school shall maximize use of the sporting courts first and only allow the necessary number of students on Michillinda lot to comply with safety protocols.
- C. Ancillary outdoor activities (e.g. track team running through site or children crossing it to reach different destinations)
- D. Public safety demonstrations and a gathering space for public safety emergencies.
- E. Occasional religious and liturgical uses.
- F. For a 15-month period following the approval of this conditional use permit/entitlement (subject to extensions granted by the City Manager under Planning and Community Preservation Department Condition No. 6(A)), the following additional uses are permitted:
 - a. Basketball for 5-8th grade students during the 40 minute combined total morning recess. No Volleyball is permitted as part of recess on the Michillinda Parking Lot;
 - b. physical education classes;
 - c. and after-school sports until 6:30 PM
- G. Until the end of the 2022-2023 academic year, the following additional uses are permitted:
 - a. General play and recess;
 - b. congregation; and
 - c. Lunch.

After a period of 15 months from the date of the approval of this conditional use permit/entitlement (subject to an extension granted by the City Manager under Planning and Community Preservation Department Condition No. 6(A)), there shall be no further uses of the Michillinda Parking Lot except as expressly allowed under Planning and Community Preservation Department Condition No. 11(A)-(E).

12. Modular Buildings – The Modular buildings shall be removed within fifteen (15) months from the approval date of this CUP. The Planning Commission may grant additional extensions at its discretion at the annual review of CUP 21-19 pursuant to General Condition No. 8.

BUILDING & SAFETY DEPARTMENT

The applicant and property owner shall:

1. The improvements will require full compliance with Title 24 Disabled access requirements including access to accessible restrooms, disabled parking and path of travel to the public right-of-way.
2. All utilities shall be underground.
3. Install grey water recycling system in all new buildings to capture water from lavatory sinks and kitchen utilities, as applicable for supplemental irrigation water use.

PUBLIC WORKS DEPARTMENT

The applicant and property owner shall:

1. Applicant and Property Owner shall ensure that the street trees are trimmed and maintained pursuant to Section 12.20.070 of the SMMC. The city street tree immediately east of the school's Highland Avenue entrance/exit will be removed, subject to a no fee Public Works permit. Supplemental plant material shall be planted along the perimeter of private property on West Highland Avenue and Wilson Street to enhance visual aesthetics and to minimize visibility of the property.
2. Applicant and Property Owner shall submit a traffic and control plan for the lower school entrance (Highland Avenue gate). The drive approach, curb, gutter and sidewalk in the immediate area shall be removed and replaced subject to the review and approval of the Director of Public Works. The driving surface (driveway or otherwise) must be constructed of materials that will not deposit sediments in the public right-of-way.
3. Applicant and Property Owner shall coordinate with the Public Works Department on the sidewalk repair and replacement program on the perimeter of the school.
4. Application for tree removal, pruning, and protection measures must adhere with SMMC 12.20.
 - A. Existing trees must be shown on plans with an 8-point compass measurements of canopies (not 4-point as mentioned in Proposed Addendum to the Mitigated Negative Declaration dated July 26, 2021).
 - B. All mitigation measures from previous tree removal permitting (Master Plan 2011 until current) must be presented to the Department with use of a map and pictures.
5. Demolition of existing structures shall require a Demolition Permit and meet requirements for Waste Management, Asbestos and Lead abatement and additional items under SMMC 8.13.

Grading and Drainage

Grading / NDPES / LID

The Applicant and Property Owner shall:

1. The City adopts the Los Angeles County 2014 LID Manual for application of the mandates for NPDES and LID for all developments which add, disturb, or alter 500 SF or more of impervious area.
2. The Applicant and Property Owner will be required to hire a civil engineer and depending on the project conditions an arborist and geotechnical engineer, to prepare grading/drainage and LID plans for all projects adding/altering/disturbing 500 square feet or more of impervious area.
3. No credit will be given for removal of existing impervious surfaces, except when the proposed impervious area has the exact same footprint and is at the same location as the existing impervious area.
4. Any improvements on an impervious area which alter the drainage patterns or existing grades on that area will be subject to LID, per sections 2 and 3 of the LID Manual.
5. Applicable refundable cash bond deposits shall be in place for projects which add between 500 and 1000 square-feet of impervious area, and for projects which add/alter/disturb more than 1000 square feet of impervious area per current adopted fee schedule.

UTILITY DEPARTMENT

The applicant and property owner shall:

1. The City has a 6" steel water main with static pressure between 145 and 165 PSI on Michillinda Ave suitable for fire hydrants, institutional/irrigation services or fire services.
2. The City has an 8" Ductile Iron Pipe water main on Grandview with a static pressure of 145 PSI suitable for fire hydrants, fire services and Institutional/irrigation.
3. Fire Hydrants and or fire service locations shall be approved by both the City of Sierra Madre Fire and Utilities Departments.
4. Any substantial building addition or new construction shall be evaluated for a dedicated water meter for institutional use.
5. Improved landscape areas shall be evaluated to determine the necessity of a dedicated irrigation meter.
6. Any leaks on the property, irrigation or otherwise shall be repaired according to the following schedule:
 - A. Within 60-days of receipt of Conditional Use Permit, complete a water leak audit of the campus to identify the source of all water leaks and provide the city with the report.

- B. Within 90-days from submission of the water leak audit, provide the city with a comprehensive leak repair plan.
- C. Complete and repair all leaks on the campus in a timely manner.

7. All new buildings shall be connected to the sewer.

COMMUNITY SERVICES DEPARTMENT

The Applicant and Property owner shall:

1. All temporary uses on the property must be consistent with all provisions of the Sierra Madre Municipal Code, including Chapter 17.88 (Temporary Use Permits), and the conditions of this Conditional Use Permit. In the event of a conflict between the terms of Sierra Madre Municipal Code Chapter 17.88 and the conditions of this Conditional Use Permit, the conditions of the Conditional Use Permit shall control.
2. Applicant and Property Owner are prohibited from hosting any concurrent film or photography activity, temporary uses, or religious events, as defined herein, at the school or Villa. This prohibition shall not apply to academic, sporting, or religious events related to the school. For purposes of this condition, "film or photography activity" does not include painting or cleaning activity.
3. Prohibit renting the soccer/softball field to sports groups not associated with Alverno Heights Academy, such as American Youth Soccer Organization (AYSO), or for adult soccer.
4. Assign a parking attendant(s) to assist and direct the parking of vehicles in the Alverno campus parking areas for special events and for anticipated at-or near-capacity events in the multi-purpose building. At least one parking attendant shall be assigned for every special event where it is expected that at least 100 vehicles will be expected for parking in the Alverno campus.
5. Prohibit use of the multipurpose building for non-school events, with the exception of City of Sierra Madre events as permitted pursuant to the "Agreement for Use of Property Between Alverno High School and The City of Sierra Madre", dated, May 2, 2006.
6. Comply with requirements under Conditional Use Permit 22-03 regulating special events and filming.

POLICE DEPARTMENT

The Applicant and Property owner shall:

1. Provide on-site security (guard or video monitoring) during construction of lower campus and multi-purpose building.
2. Secure all construction materials stored on-site.
3. Construction must comply with the City's limitations regarding construction hours and days of operation pursuant to Chapter 9.32 of the Sierra Madre Municipal Code.

4. Provide a construction staging plan to avoid pedestrian/vehicular conflicts and business disruption during normal business hours.

FIRE DEPARTMENT

The Applicant and Property owner shall:

1. Water supply – A new fire hydrant shall be installed within the campus in conjunction with a new fire access turn-around to west side of the Villa. Exact location to be approved by Sierra Madre Fire Department and Sierra Madre Utility Department.
2. Fire Access – Maintain the existing fire access gate installed in the perimeter fence on Michillinda Avenue adjacent to the classroom buildings as shown on the site plan.
3. Fire Protection – Install fire sprinklers and a fire alarm system in all new buildings and existing buildings being renovated over 70% of existing square footage.

Options for fire hydrant and fire protection system supply:

- A. Install a City fire hydrant at the location as described above. Install a 2" fire service with back-flow protection and bypass meter to supply the classroom fire protection system. (Confirm fire service size with fire protection engineer); or
 - B. Install a 6" fire service into the property with back-flow prevention and bypass meter to supply a private on-site hydrant and fire protection supply for current and future needs.
4. Disaster Preparedness – The emergency and disaster plans for Applicant and Property Owner shall be reviewed to identify and required modification as the project moves through the construction phases.

(end of conditions)

CITY COUNCIL RESOLUTION 23-13

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF SIERRA MADRE TO CONSIDER
A CONDITIONAL USE PERMIT AMENDMENT AND ADDENDUM TO THE MITIGATED
NEGATIVE DECLARATION TO UPDATE THE ALVERNO HEIGHTS ACADEMY MASTER
PLAN TO ALLOW THE CONSTRUCTION OF PERMANENT CLASSROOM BUILDINGS TO
ACCOMMODATE TRANSITIONAL KINDERGARTEN TO EIGHTH (TK-8th) GRADE
INSTRUCTION AND OTHER CAMPUS IMPROVEMENTS AT 200 NORTH MICHILLINDA
AVENUE**

THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES HEREBY RESOLVE:

WHEREAS, an application for an amendment to a Conditional Use Permit and Addendum to a Mitigated Negative Declaration for a Master Plan Update was filed by:

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

WHEREAS, the request can be described as:

A request to amend a Conditional Use Permit (Planning Commission Resolution No. 11-10 amended by Planning Commission Resolution No. 21-19) to allow a Master Plan Update for Alverno Heights Academy to include permanent classroom buildings to accommodate TK-8th grade co-ed instruction; demolition of faculty offices to accommodate new faculty parking; addition to the existing visual performing arts building; convert chapel to garage/storage, and convert cottage to flexible classroom space. The Master Plan would conform with the permitted maximum enrollment of 400 students inclusive of the high school program.

WHEREAS, public hearings were held before the Planning Commission at the November 18, 2021, July 21, 2022, September 1, 2022, October 6, 2022, and December 1, 2022 regular meetings, with all testimony received being made part of the public record;

WHEREAS, the Planning Commission approved the Master Plan Update at the December 1, 2022 public hearing;

WHEREAS, an application for appeal of the Planning Commissions determination was filed by Kristin and Keith Stephens on December 14, 2022;

WHEREAS, the City Council has received the report and recommendations of staff;

WHEREAS, public hearings were held before the City Council at the February 14, 2023, March 14, 2023, and April 11, 2023 regular meetings, with all testimony received being made part of the public record;

NOW THEREFORE, in consideration of the evidence received at the hearings, and for the

reasons discussed by the City Council at said hearing, the City Council now finds as follows:

CONDITIONAL USE PERMIT FINDINGS

The City Council must make the following findings for the approval of a Conditional Use Permit:

1. **That the site for the proposed use is adequate in size, shape and topography;** Alverno Heights Academy is situated on a 12.10-acre campus, one of the largest school sites in the City. The school has one of the smallest proposed enrollments (400 students) in the community and its buildings cover less than 13% of the site. The approved Master Plan would increase this coverage to 17%, continuing to provide generous amounts of open spaces. The school gently slopes 30 feet from Grandview to Highland, in a distance of 670 feet; The fall in grade reduces impacts from site grading to insignificant.
2. **That the site has sufficient access to streets which are adequate, in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;** The school is served by a major arterial street, Michillinda Avenue. Unlike the approved project, the 2021 refined project operation is anticipated to generate a net total decrease of trips during the peak hour. Existing School (High School) generates a total of 823 trips per day. At full enrollment of 400 students (200 high school and 200 TK-8th grade students), peak traffic counts will decrease from 823 daily trips (400 high school students) to 727 daily trips, a decrease of trips per day on Michillinda Avenue, which is considered minimal. The Master Plan will decrease traffic on Highland Avenue, Wilson Street and Grandview Avenue. The Master Plan meets and exceeds the City's parking codes. Additional traffic and parking mitigation measures have been imposed, including double "drop-off" lanes in the student parking lot.
3. **That the proposed use will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties;** The Master Plan has been designed to reduce impacts to insignificant. The plan would continue and enhance the 60 year use of the 12-acre site for a girl's high school and TK-8th grade lower school. The environmental analysis provides a series of mitigation measures and the imposed conditions of approval were developed to protect the surrounding and adjacent properties, including reasonable limits on enrollment, use of the school facilities, including the Villa, the Multi-Purpose Building and the Soccer/Softball Field. The adaptive reuse of the Villa for private rental events and filming will be mitigated through CUP 22-03 including conditions of approval such that the use of the Villa will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties.
4. **That there is a demonstrated need for the use requested;** Alverno has demonstrated through the Strategic Planning and Master Plan processes, the need for the update. The new facilities will permit the school to meet the changing educational needs for young women and introduce a lower school providing TK-8th grade instruction, which will allow the school to continue to attract students.
 1. **That the use will, as to location and operation, be consistent with the objectives of the General Plan;** Objective L36 of the General Plan is *"to provide for the development of private institutional uses in areas where institutional uses currently exist and ensure that they are compatible with and complement adjacent land uses."* The school has occupied the site for over 60 years and the proposed Master Plan, with the

mitigation measures and conditions of approval, will be compatible with and complement adjacent land uses. It is common for schools to be in residential areas and the size of the site is more than adequate for the intensity of the use of the school and by the greater Sierra Madre community. The school has also complied with General Plan objectives by providing the City and its residents with facilities for governmental, entertainment, athletic and cultural events.

Objective Hz14 of the General Plan desires to “*Maintain the quiet residential character of the City, free from excessive noise from transportation or fixed source generators.*” Discretionary review of this project, includes mitigation measures intended to reduce noise impacts including temporary construction noise. The Mitigated Negative Declaration—Table 7 includes Mitigation Measure 13, which formulates measures to mitigate noise impacts” for the proposed development. Additionally, the conditional use permit’s conditions of approval seek to limit the number of students, prohibit concurrent events on site, impose new filming and temporary use standards at the school, and to facilitate the development of two Sports Court to help reduce noise impacts.

Policy Hz14.1 *Formulates measures to mitigate noise sources through compatible land use planning and the discretionary review of development projects.* Building construction pursuant to the 2021 Master Plan Update, would attenuate noise from midday elementary school lunch/break periods. As with the approved project, the operational noise levels of the refined project are estimated to not exceed any of the existing ambient noise levels at nearby residential receivers. Additionally, the conditional use permit’s conditions of approval seek to limit the number of students, prohibit concurrent events on site, impose new filming and temporary use standards at the school, and to facilitate the development of two Sports Court to help reduce noise impacts.

1. **That the public interest, convenience, and necessity require that the use be permitted at the location requested;** The major change to the campus from the 2011 Master Plan includes the new Lower School campus accommodating TK-8th grade instruction. The school provides needed primary and secondary school opportunities for residences of Sierra Madre. Furthermore, the master plan preserves the Historic Villa for the public benefit, including use by civic organizations and the City of Sierra Madre.

MASTER PLAN FINDINGS

Master Plan Objectives and Requirements. In addition to the findings required for a conditional use permit, the City Council shall find that the proposed master plan is consistent with the general plan and that all of the following provisions are met:

- 1) **Structures shall convey the village theme in their siting, massing, scale, use of open space and architectural character, and shall otherwise be consistent and compatible with adjacent uses;** The school buildings are designed to be compatible with the surrounding single-family and multi-family land uses. The campus will provide 57% open space at build-out of the Master Plan. The Lower School Campus preserves the significance of the Moreton Bay Fig tree in a proposed central courtyard area, drawing upon the architectural elements of the Villa and the Mid-Century modern school buildings. The arborist recommended that the Lower School structure be setback sixty feet from the trunk of the Moreton Bay Fig tree, creating a 120-foot diameter around the tree to protect its roots. This area is ideally suited for the Lower School’s landscape

central courtyard village theme, which will be carried out by the focus on the site planning of the central courtyard, varying the heights of the buildings as they move away from the Villa, with three of the classrooms and the administrative building one story in height and located west of the Villa road. Furthering the village theme, the design preserves the historic Villa gates, an open space lawn area of Highland Avenue, and the Villa's main curved entry roadway.

- 2) **Historic Structures should be preserved to the maximum extent possible, and the project improvements shall be located and design in a manner that does not adversely affect properties in the immediate neighborhood nor adversely affect cultural, historic, and environmental resources;** The Villa will continue to be preserved as a major historic resource for the city and for Alverno. The 2021 Master Plan Update would encourage the adaptive reuse of the Villa for the school's chapel, business offices, faculty lounge, and student activities. There are no exterior changes proposed to the Villa. The plan preserves the main entry road and the entry gate from Highland Avenue. The other historic gates will be preserved. The art classroom will be designed to be compatible with the existing Visual and Performing Arts Building, utilizing the setbacks on Wilson Street. There would be no changes to the exterior of the caretaker's home. The Lower School classrooms would be setback 80 feet from Highland Avenue, with increased density of landscaping within this area.
- 3) **Structures should be designed to a high level of architectural quality, being a visual asset in the area in which they are located;** The concept architecture for the new buildings will be compatible with the Villa's materials and design. The buildings would present a new identity in line with the school's past. The buildings would be faced in smooth plaster, have exposed wood elements, simple forms, and clearstory windows for light and security. The Lower School Campus site plan takes advantage of the natural terrain, with building components vary between one and three stories in height. The buildings will also draw upon Mid-Century Modern elements found in the existing campus, including the use of generous overhangs, exposed wood, such as benches and trellises, and natural materials.
- 4) **Buildings and sites shall be designed to enhance the pedestrian character of the city, by opening directly onto sidewalks, providing walkways, other pedestrian linkages, and other amenities and incorporating public open activity spaces;** Due to public safety considerations at all schools, the Alverno Height Academy Master Plan must balance this goal with student and faculty safety. The 2011 Master Plan enhanced the pedestrian character of the city by the installation of the decorative perimeter pilasters, view fencing and landscaping buffer on Michillinda Avenue; installation of the decomposed granite pathway and landscaping on Grandview Avenue; and the use of the Villa's gates on Michillinda Avenue and Wilson Street. Additional campus walkways were installed as part of the 2011 Master Plan. The 2021 Master Plan update includes new ADA access from Michillinda and access through the Villa's gate on Highland Avenue. The site plan preserves the Villa's main entry road from highland Avenue and includes new sidewalks on the west side of the road. The 2021 Update includes additional campus walkways. The athletic field is accessible and used by residents of the surrounding community.
- 5) **Landscaping shall be incorporated with the building design and reflect the overall visual character of the district which surrounds it, and shall consist of a combination of trees, shrubs and ground cover with careful consideration given**

to the eventual size, form, susceptibility to disease and pets, durability, and adaptability to existing soil and climate conditions; The concept landscaping plan draws its inspiration from the existing campus use of native and drought tolerant tree, shrubs, and ground cover approved in the 2011 Master Plan.. The Lower School Site Plan preserves the Moreton Bay Fig tree with a 120-foot diameter area around the tree where no structures can be located. The Moreton Bay Fig tree serves as a major focal point of the campus and as the student courtyard. The landscape concept continues the historic use of olive trees (*Olea Europea*) along Grandview Avenue, extended to the Michillinda perimeter, complimented with native Oak trees. Jacaranda and Crete Myrtle trees are added as flowering accent trees. Drought tolerant shrubs such as lavender and dwarf bottle brush are mixed in with drought tolerant groundcovers like Tufted Hair Grass and *Ceanothus*. Additional planting would be provided on Michillinda Avenue and Highland Avenue to screen the Lower School campus improvements.

- 6) **The project shall incorporate water conservation practices such as, but no limited to, greywater plumbing, permeable ground surfaces, drought tolerant landscaping, green building materials, rainwater capture devices and low-flow fixtures;** The school installed a series of rainwater capture devices with the construction of the athletic field in 2019. These devices capture storm water from the east half of the entire campus. Rain capture devices were installed with the modular classroom in 2020. This rainwater harvesting has led to substantial water conservation on the campus. The 2021 Master Plan Updates includes provisions for additional rain capture devices draining the west half of the campus. The concept landscape plan would expand in the exiting use of drought tolerant and native species of trees, shrubs, and ground cover, and continue the use of drip-irrigation systems. The construction plans will include low-flow plumbing fixtures.
- 7) **Any development of a site located north of the “Hillside view line” defined in Section 17.52.080 of this title or adjacent to R-H zoned property shall protect the natural environment from change, preserve and protect views and preserve and maintain the identity, image and environmental quality of the R-H zone;** Alverno Heights Academy is located outside of the Hillside view line as defined in Section 171.52.080 of the Sierra Madre Municipal Code.
- 8) **The project will not displace or encroach into existing commercial uses;** Not applicable. Alverno Heights Academy is located on a self-contained 12.1-acre property that does not include any commercial uses.

MASTER PLAN FINDINGS – MODIFICATION TO DEVELOPMENT STANDARDS

Adjustments to the development standards of Chapter 17.38 of the Sierra Madre Municipal Code 17.38 may be permitted in the master plan provided the City Council finds that the project:

1. **Contains activities and function which will be a significant asset for the city;** The Master Plan preserves the Villa del Sol D’Oro, a valuable historic asset, including preservation of the Villa’s three historic gates, the caretaker’s home and the former garage/stable. The Master Plan preserves significant open space, with over six acres or 57% of the campus dedicated to open space and recreation. The plan will preserve and enhance the native oak trees and several significant trees, including the Moreton Bay Fig tree, which is the largest specimen in the community. The school has a long tradition of serving Sierra Madre. The school instituted a community service program in 1997, dedicating thousands of hours to community causes

and events. These include sponsoring events in the surrounding schools and parishes. The school has hosted Humanity week, providing food and clothing for the needy. The school hosts a Halloween event for the community, serving as a safe space for local children. The Alverno athletic field served as a safe open space during the COVID-19 pandemic for local families.

2. **Adequately mitigates impacts attributable to any increase in floor area ratio and height;** The Master Plan is consistent with Objective L41.1 of the Sierra Madre General Plan by providing substantial building setbacks, eighty feet from Highland Avenue and twenty feet from the Michillinda Avenue property lines. Highland Avenue has a 60-foot right-of-way, while Michillinda has a 64-foot right-of-way. Existing mature trees and landscaping exists at the school's perimeters to adequately screen the new buildings and additional plant materials will be added to provide additional mitigation. The design of the main classroom building will vary the elevation and height of the building. The additional height in the main classroom building assists in mitigating noise impacts to the surrounding residences. The three-story component helps to preserve significant trees and open space on the campus to the benefit of the school and the surrounding community.
3. **Provides additional benefits to the community above those which can be exacted to account for the development's direct impact;** The school continues to provide parking for the city and for community events, such as the Wisteria Festival. The school provides space for the Sierra Madre Boy and Girl Scouts and the Sierra Madre Dance Company. The Villa hosts the Friends of the Library and other city functions. The school's athletic facilities are available for neighborhood and City use. The future multi-purpose building will be available to the City. The school and the City voluntarily approved a joint facility use agreement in 2006.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the City Council adopts the mitigated negative declaration and approves the Conditional Use Permit as follows:

A. ADOPTION OF MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM

The City Council has reviewed and considered the Mitigated Negative Declaration and in view of all of the evidence, adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. The location and custodian of records with respect to all of the relevant documents and any other material which constitutes the administrative record for the Mitigated Negative Declaration are as follows: Director of Planning and Community Preservation, 232 W. Sierra Madre Boulevard, Sierra Madre CA 91024.

Based upon the facts and information contained in the proposed Mitigated Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the City Council finds that with the proposed mitigation measures, there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program based upon the findings as follows:

1. The Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act the State and Sierra Madre CEQA guidelines promulgated there under. The Mitigated Negative Declaration and the Initial Study prepared reflect the

independent judgment of the City Council; further, this City Council has reviewed and considered the information contained in said Mitigated Negative Declaration with regard to the application.

2. Based upon the design of proposed project and the mitigation measures incorporated, no significant adverse environmental effects will occur.
3. Pursuant to the provisions of Section 15074 of Title 14 of the California Code of Regulations, the City Council finds that in considering the record as a whole, including the addendum to the Mitigated Negative Declaration for the project, there is no evidence that the proposed project will have potential for an adverse impact upon wildlife resources or the habitat upon which wildlife depends. Furthermore, based upon substantial evidence contained in the Mitigated Negative Declaration, the staff reports and exhibits, and the information provided to the City Council during the public hearing, the City Council hereby finds that there is no substantial evidence that the project will have a significant effect on the environment.

B. APPROVAL OF CONDITIONAL USE PERMIT

The City Council hereby APPROVES the issuance of a Conditional Use Permit, subject to the conditions of approval in Exhibit A. The City Council authorizes the Director of Planning and Community Preservation, or his/her designee, to cause a Notice of Determination to be filed with the Los Angeles County Clerk and the State of California within five (5) working days after the approval of the Conditional Use Permit Amendment.

These actions are 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 City Council Secretary shall certify to the adoption of this resolution, transmit copies of the same to the applicant and the applicant's 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.

C. APPROVAL OF AMENDMENT TO MASTER PLAN

The City Council hereby APPROVES the amendment to the July 7, 2011 Master Plan Update, subject to the conditions of approval in Exhibit A. The City Council authorizes the Director of Planning and Community Preservation, or his/her designee, to cause a Notice of Determination to be filed with the Los Angeles County Clerk and the State of California within five (5) working days after the approval of the Conditional Use Permit Amendment.

The time in which to seek judicial review of this decision shall be governed by Code of Civil Procedure Section 1094.6. The City Clerk shall certify to the adoption of this resolution, transmit copies of the same to the applicant and the applicant's 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.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2023.

Edward Garcia, Mayor

ATTEST:

APPROVED AS TO FORM:

Laura Aguilar, City Clerk

Aleks R. Giragosian, City Attorney

I HEREBY CERTIFY that the foregoing Resolution 23-13 was duly adopted by the City Council of the City of Sierra Madre, California, at a regular meeting held on the 11th day of April 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

EXHIBIT A

CONDITIONS OF APPROVAL

GENERAL CONDITIONS

The applicant and property owner shall:

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

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

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

2. That the use for which such approval was granted has ceased to exist by reason of a voluntary abandonment;
3. That the permit granted is being or has been exercised contrary to any conditions of approval imposed upon such permit, or in violation of any law; or
4. That the use for which the approval was granted is being exercised so as to be detrimental to the public health or safety, or so as to constitute a public nuisance.

If the revocation hearing is conducted by the commission, its decision shall be subject to review on appeal, taken in the time and manner set forth in Section 17.60.120 of this chapter.

6. Execute and deliver to the City's Department of Planning and Community Preservation an Affidavit of Acceptance of Conditions on a form to be provided by such Department within ten (10) days from the date of approval of the Master Plan. This approval shall not be effective for any purpose until the Applicant complies with this condition.
7. The Planning Commission adopted Conditional Use Permit No. 22-03, which governs film or photography activity and temporary uses on the property as a whole, as well as special events held in the Villa Del Sol d'Oro not related to school events.
8. The Planning Commission shall annually review CUP 21-19 (as amended by City Council Resolution No. 23-13) at its regular meeting on the third Thursday of April to determine compliance with these conditions. The Planning Commission shall review CUP 21-19 as a public hearing item if the Applicant requests a modification to CUP 21-19 pursuant to Planning and Community Preservation Department Condition No. 12. Otherwise, the Planning Commission shall review CUP 21-19 as a discussion item. The Commission will be provided with noise readings and logs of phone calls to the police department related to Alverno. If the Planning Commission determines that one or more of the conditions of approval have been violated, it shall request that the Director of Planning and Community Preservation agendaize a public hearing regarding revocation of CUP 21-19, or it shall propose a remediation plan to address the identified violations.

PLANNING AND COMMUNITY PRESERVATION DEPARTMENT

Applicant and property owner shall:

1. Mitigation Compliance – Comply with the 20 mitigation measures included as part of the Addendum to the Mitigated Negative Declaration (MND) for the Alverno Heights Academy Master Plan. All prior Mitigation Measures from the 2011 MND are applicable and held in full force.
2. Student Body Capacity – The proposed classroom buildings will not generate additional student body capacity beyond that permitted by the 2011 Master Plan (400 students). At all times, Applicant and Property Owner shall comply with all parking requirements as fluctuations in student body capacity occur.

3. Design Review

- A. The Planning Commission shall conduct design review for the Lower School Campus Improvements (classroom buildings and administrative building) and Multi-Purpose Building in accordance with Chapter 17.60 of the SMMC.
1. Applicant and Property Owner shall submit a design review permit for a component of the Lower School Campus improvements for Planning Commission review within five (5) years 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 unless a time extension is granted by the Planning and Community Preservation Department.
 2. The height of the Multi-Purpose Building shall not exceed 33 feet in height.
 3. The average height of the Lower School Classrooms shall not exceed 33 feet in height, with exception of parapets and mechanical equipment screening. Architectural features, such as elevators, theme tower and other features shall not exceed 39 feet in height.
 4. Applicant and Property Owner shall cause to be constructed story poles at the location of the Multi-Purpose Building and the Lower School buildings to depict the scale height, and massing of the buildings, at least 7 days prior to the Planning Commission's review of the plans.
- B. Applicant and Property Owner shall submit the art classroom addition, parking areas, adaptive reuse of the caretaker's residence and the Villa for administrative design review in accordance with Section 17.60 of the SMMC.

4. Historic Preservation – The Planning Commission shall conduct design review for new substantial additions and new construction of campus buildings. Administrative Design review shall be conducted by the Director. The Secretary of the Interiors Standards shall be applied to ensure that there is no impact to the historic Villa, based on the recommendations of Sapphos Environmental.
5. Seismic Safety – Private schools are subject to the provisions of the Private Schools Building Safety Act of 1986 to ensure that children attending private schools are afforded equivalent earthquake safety as afforded public school students. The legislation regulates the design and structure of private schools and provides for inspections by an enforcement agency. A "private school structure" is defined by California law as "any building used for educational purposes through the 12th grade by 50 or more persons for more than 12 hours per week or four hours in any one day." Certain structures 2,000 square feet or less in floor area are exempt. *Cal. Educ. Code §17320 et seq.*
6. Phasing Plan – Submit each phase of the Master Plan development to the Planning and Community Preservation Department for conformity review, as each phase of the Master Plan development is implemented.
- A. The Applicant shall construct two sports courts as shown on Exhibit B. The courts shall be completed within fifteen (15) months of the approval of this conditional use permit/entitlement. Time extensions may be granted in the City Manager's discretion due to:
1. Occurrences of force majeure or

2. Delays in obtaining a government agency permit that is required for the construction of the sports courts, but only if the delay is caused by the government agency.
 3. An extension cannot be granted based on the Applicant's failure to obtain funding.
 4. The Applicant may not request an extension under this permit condition. Rather the consideration of an extension under this subsection is made on the City Manager's own volition.
- B. The remaining Phasing Plan is divided into various projects including the conversion of the existing chapel to its former storage use and relocation of the chapel to the Villa; adaptive reuse of the caretaker's home to flexible classrooms; construction of the art classroom addition; demolition of the business office and faculty lounge, construction of the faculty parking area and reconfiguration of the Michillinda parking lot and playground, construction of additional classrooms and administrative office in phases or as a whole, and completion of the multi-purpose building. The remaining projects are not sequential in timing and can be constructed individually or concurrently.
7. Parking – Submit a parking plan together with each submittal of a Master Plan development phase, which the Director finds meets the intent of Chapter 17.68 of the Municipal Code.
 - A. The parking plan shall maintain the existing parking for the uses during the construction process or provides for the required number of spaces in accordance with the Master Plan. For example, any reduction of existing parking spaces due to construction should be provided via equivalent on-site temporary parking spaces, or concurrent construction of new parking spaces pursuant to the Master Plan.
 - B. Submit to the Planning and Community Preservation Department detailed scale plans for the Michillinda and Wilson parking lots, including the student drop-off and pick up area, and the parking spaces located along the driveway at the southwest part of the campus which meet the minimum parking dimensions and clearances, pursuant to Chapter 17.68 of the Sierra Madre Municipal Code. Submittal of parking plans shall be required at the first plan check submittal for relevant Phases of the Master Plan development, whichever occurs first.
 8. Traffic Flow – After the end of the 2022/2023 Academic School Year, drop-off and pick-up of TK-5th grade students shall be through the Michillinda gate, with exiting through the Highland gate. Drop-off and pick-up of 6th- 8th grade students shall be through the Wilson gate.
 9. Night Time Lighting
 - A. Buildings and Parking Lot - All parking lot lights shall be shielded and directed downward onto the site. No flood lighting shall be located as to shine directly onto any adjacent residential property unless the lighting is low level security lighting that cannot be effective unless it shines onto adjacent residential property.
 - B. Wayfaring and Pathway Lighting – All wayfaring and pathway lighting shall be low profile fixtures.
 - C. Sports Courts – There shall be no lighting on the sports courts.
 10. General Noise Attenuation –
 - A. Applicant shall consult with city staff regarding additional vegetation and additional sound damping measures for the sports courts. Priority shall be given to adding plant materials on the Grandview, Michillinda and Highland frontages adjacent to the sports courts.

- B. No activities on the sports courts shall be held after 6:30 PM.
- C. Applicant will rotate outdoor recreational activities to multiple areas of the campus in consideration of the neighborhood.
- D. Lunches will be held in the cafeteria and central campus locations after the end of the 2022-2023 academic year.
- E. Recesses and lunches will be staggered such that the entire student body is not at recess or lunch at the same time.
- F. There shall be no use of amplified sound for athletic events, including practices and games.
- G. Amplified school events shall comply with all city ordinances regulating sound and be monitored for noise levels that shall not exceed 70dBA at any time as measured from the Alverno campus property line. Should chapter 9.32 of the Sierra Madre Municipal Code be amended, amplified school events shall not exceed the lower of 70 dBA or the amended noise standards.

11. Noise Attenuation at Michillinda Parking Lot – There shall be no sound amplification devices used on the Michillinda Parking Lot at any time, except for emergency preparedness protocols and safety drills. Use of the Michillinda Parking Lot will be limited exclusively to the following uses:

- A. Vehicle Parking related to an authorized use under CUP 21-19 or CUP 22-03;
- B. For a period of 15 months from the date of the approval of this conditional use permit/entitlement (subject to extensions granted by the City Manager under Planning and Community Preservation Department Condition No. 6(A) and subject to Condition 11.F), play, recess, and sporting activities during play or recess on days where the Applicant's landscape contractor makes a determination that the Multi-Purpose Sports Field is unsafe for those uses to occur on the Multi-Purpose Field due to weather conditions resulting from rain or flooding.
- C. Ancillary outdoor activities (e.g. track team running through site or children crossing it to reach different destinations)
- D. Public safety demonstrations and a gathering space for public safety emergencies.
- E. Occasional religious and liturgical uses.
- F. For a 15-month period following the approval of this conditional use permit/entitlement (subject to extensions granted by the City Manager under Planning and Community Preservation Department Condition No. 6(A)), the following additional uses are permitted:
 - a. Basketball for 5-8th grade students during the 40 minute combined total morning recess. No Volleyball is permitted as part of recess on the Michillinda Parking Lot;
 - b. physical education classes;
 - c. and after-school sports until 6:30 PM
- G. Until the end of the 2022-2023 academic year, the following additional uses are permitted:
 - a. General play and recess;
 - b. congregation; and
 - c. Lunch.

After a period of 15 months from the date of the approval of this conditional use permit/entitlement (subject to extensions granted by the City Manager under Planning Community Preservation Department Condition No. 6(A)), there shall be no further uses of

the Michillinda Parking Lot except as expressly allowed under Planning and Community Preservation Department Condition No. 11(A), (C)-(E).

12. Modular Buildings – The Modular buildings shall be removed within fifteen (15) months from the approval date of this CUP. The Planning Commission may grant additional extensions at its discretion at the annual review of CUP 21-19 pursuant to General Condition No. 8.

BUILDING & SAFETY DEPARTMENT

The applicant and property owner shall:

1. The improvements will require full compliance with Title 24 Disabled access requirements including access to accessible restrooms, disabled parking and path of travel to the public right-of-way.
2. All utilities shall be underground.
3. Install grey water recycling system in all new buildings to capture water from lavatory sinks and kitchen utilities, as applicable for supplemental irrigation water use.

PUBLIC WORKS DEPARTMENT

The applicant and property owner shall:

1. Applicant and Property Owner shall ensure that the street trees are trimmed and maintained pursuant to Section 12.20.070 of the SMMC. The city street tree immediately east of the school's Highland Avenue entrance/exit will be removed, subject to a no fee Public Works permit. Supplemental plant material shall be planted along the perimeter of private property on West Highland Avenue and Wilson Street to enhance visual aesthetics and to minimize visibility of the property.
2. Applicant and Property Owner shall submit a traffic and control plan for the lower school entrance (Highland Avenue gate). The drive approach, curb, gutter and sidewalk in the immediate area shall be removed and replaced subject to the review and approval of the Director of Public Works. The driving surface (driveway or otherwise) must be constructed of materials that will not deposit sediments in the public right-of-way.
3. Applicant and Property Owner shall coordinate with the Public Works Department on the sidewalk repair and replacement program on the perimeter of the school.
4. Application for tree removal, pruning, and protection measures must adhere with SMMC 12.20.
 - A. Existing trees must be shown on plans with an 8-point compass measurements of canopies (not 4-point as mentioned in Proposed Addendum to the Mitigated Negative Declaration dated July 26, 2021.
 - B. All mitigation measures from previous tree removal permitting (Master Plan 2011 until current) must be presented to the Department with use of a map and pictures.
5. Demolition of existing structures shall require a Demolition Permit and meet requirements for

Waste Management, Asbestos and Lead abatement and additional items under SMMC 8.13.

Grading and Drainage

Grading / NDPES / LID

The Applicant and Property Owner shall:

1. The City adopts the Los Angeles County 2014 LID Manual for application of the mandates for NPDES and LID for all developments which add, disturb, or alter 500 SF or more of impervious area.
2. The Applicant and Property Owner will be required to hire a civil engineer and depending on the project conditions an arborist and geotechnical engineer, to prepare grading/drainage and LID plans for all projects adding/altering/disturbing 500 square feet or more of impervious area.
3. No credit will be given for removal of existing impervious surfaces, except when the proposed impervious area has the exact same footprint and is at the same location as the existing impervious area.
4. Any improvements on an impervious area which alter the drainage patterns or existing grades on that area will be subject to LID, per sections 2 and 3 of the LID Manual.
5. Applicable refundable cash bond deposits shall be in place for projects which add between 500 and 1000 square-feet of impervious area, and for projects which add/alter/disturb more than 1000 square feet of impervious area per current adopted fee schedule.

UTILITY DEPARTMENT

The applicant and property owner shall:

1. The City has a 6" steel water main with static pressure between 145 and 165 PSI on Michillinda Ave suitable for fire hydrants, institutional/irrigation services or fire services.
2. The City has an 8" Ductile Iron Pipe water main on Grandview with a static pressure of 145 PSI suitable for fire hydrants, fire services and Institutional/irrigation.
3. Fire Hydrants and or fire service locations shall be approved by both the City of Sierra Madre Fire and Utilities Departments.
4. Any substantial building addition or new construction shall be evaluated for a dedicated water meter for institutional use.
5. Improved landscape areas shall be evaluated to determine the necessity of a dedicated irrigation meter.
6. Any leaks on the property, irrigation or otherwise shall be repaired according to the following schedule:

- A. Within 60-days of receipt of Conditional Use Permit, complete a water leak audit of the campus to identify the source of all water leaks and provide the city with the report.
- B. Within 90-days from submission of the water leak audit, provide the city with a comprehensive leak repair plan.
- C. Complete and repair all leaks on the campus in a timely manner.

7. All new buildings shall be connected to the sewer.

COMMUNITY SERVICES DEPARTMENT

The Applicant and Property owner shall:

1. All temporary uses on the property must be consistent with all provisions of the Sierra Madre Municipal Code, including Chapter 17.88 (Temporary Use Permits), and the conditions of this Conditional Use Permit. In the event of a conflict between the terms of Sierra Madre Municipal Code Chapter 17.88 and the conditions of this Conditional Use Permit, the conditions of the Conditional Use Permit shall control.
2. Applicant and Property Owner are prohibited from hosting any concurrent film or photography activity, temporary uses, or religious events, as defined herein, at the school or Villa. This prohibition shall not apply to academic, sporting, or religious events related to the school. For purposes of this condition, "film or photography activity" does not include painting or cleaning activity.
3. Prohibit renting the soccer/softball field to sports groups not associated with Alverno Heights Academy, such as American Youth Soccer Organization (AYSO), or for adult soccer.
4. Assign a parking attendant(s) to assist and direct the parking of vehicles in the Alverno campus parking areas for special events and for anticipated at-or near-capacity events in the multi-purpose building. At least one parking attendant shall be assigned for every special event where it is expected that at least 100 vehicles will be expected for parking in the Alverno campus.
5. Prohibit use of the multipurpose building for non-school events, with the exception of City of Sierra Madre events as permitted pursuant to the "Agreement for Use of Property Between Alverno High School and The City of Sierra Madre", dated, May 2, 2006.
6. Comply with requirements under Conditional Use Permit 22-03 regulating special events and filming.

POLICE DEPARTMENT

The Applicant and Property owner shall:

1. Provide on-site security (guard or video monitoring) during construction of lower campus and multi-purpose building.
2. Secure all construction materials stored on-site.

3. Construction must comply with the City's limitations regarding construction hours and days of operation pursuant to Chapter 9.32 of the Sierra Madre Municipal Code.
4. Provide a construction staging plan to avoid pedestrian/vehicular conflicts and business disruption during normal business hours.

FIRE DEPARTMENT

The Applicant and Property owner shall:

1. Water supply – A new fire hydrant shall be installed within the campus in conjunction with a new fire access turn-around to west side of the Villa. Exact location to be approved by Sierra Madre Fire Department and Sierra Madre Utility Department.
2. Fire Access – Maintain the existing fire access gate installed in the perimeter fence on Michillinda Avenue adjacent to the classroom buildings as shown on the site plan.
3. Fire Protection – Install fire sprinklers and a fire alarm system in all new buildings and existing buildings being renovated over 70% of existing square footage.

Options for fire hydrant and fire protection system supply:

- A. Install a City fire hydrant at the location as described above. Install a 2" fire service with back-flow protection and bypass meter to supply the classroom fire protection system. (Confirm fire service size with fire protection engineer); or
 - B. Install a 6" fire service into the property with back-flow prevention and bypass meter to supply a private on-site hydrant and fire protection supply for current and future needs.
4. Disaster Preparedness – The emergency and disaster plans for Applicant and Property Owner shall be reviewed to identify and required modification as the project moves through the construction phases.

(end of conditions)