

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 AHA to discuss the allegation. If a violation is found to exist, AHA 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.
- B. 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. Planning Commission ~~shall~~ ~~may~~ hold a public hearing to review CUP 21-19 one year from approval date to determine compliance with these conditions and to hear any feedback from the semi-annual meetings. Prior to the public hearing, the Planning Commission will be provided with noise readings and logs of phone calls to the police department related to Alverno. Planning Commission shall be granted flexibility to determine timeframe of review, and unless otherwise designated, the public hearing ~~shall~~ ~~may~~ be held on the first anniversary and every ~~other~~-year thereafter. If the Planning Commission determines one or more of the conditions of approval have been violated, it ~~shall~~ ~~may~~ request that the Director of Planning and Community Preservation agendize a public hearing regarding revocation of CUP 21-19, or it ~~shall~~ ~~may~~ 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 capacity beyond that permitted by the 2011 Master Plan (400 students total). The student population of the existing High School (9-12th grades) has a capacity of 200 students. Introducing transitional kindergarten to eighth grade (TK-8th grade) will add an additional 200 students, which fall within the allowable student body capacity. At all times, AHA shall comply with all parking requirements as fluctuations in student capacity occur.
3. Design Review

A. The Planning Commission shall conduct design review for the Lower School Campus Improvements (sports court, classroom buildings and administrative building) and Multi-Purpose Building in accordance with Chapter 17.60 of the SMMC.

1. AHA 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. AHA 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. AHA 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 – ~~Survey/rate the seismic safety of existing private school buildings constructed prior to 1986. New construction shall apply standards and enforcement pursuant to the Private Schools Building Safety Act and the California Building Code Seismic Risk Factor, Category 3.~~ 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 plans shall include, but not be limited to site plans, elevations, floor plans, cross-sections, dimensions, materials, colors, landscaping size and species, as determined as necessary by the Director of Planning and Community Preservation.
 - b. The Phasing Plan for the Master Plan allows flexibility for the school to meet its programming goals; therefore, the projects are not sequential in timing and can be constructed individually or concurrently. The Phasing Plan is divided into various projects and are not in any particular order. The projects consist of 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 classroom; construction of the art classroom addition; demolition of the business office and faculty lounge with relocation to the Villa; construction of the faculty parking area; addition/reconfiguration of the Michillinda parking lot; construction of the lower school sports courts; construction of lower school in phases or as a whole, and completion of the multi-purpose building.
 - c. The Director of Planning and Community Preservation, or his/her assignee, shall review the plans submitted for conformity review with the approved Master Plan and General Plan objectives and zoning standards, as part of the plan check process, and prior to issuance of building permits. The improvements will then be referred to the Planning Commission for review of the architecture, grading, design, massing and landscaping for new substantial additions and new construction of campus buildings. Administrative Design review shall be conducted by the Director.
 - d. A fee for review by the Planning Commission shall be paid by the Applicant and Property Owner as a deposit against staff costs to process the review, and shall be a "Planning – Plan Check" fee, pursuant to the City's Fee Schedule.
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. Lighting – All lighting shall be shielded and directed onto the site. No floodlighting shall be located so 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.

Prohibit lighting of the soccer/softball field and shall prohibit use of the soccer/softball field for nighttime games, play or activities.

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.

PUBLIC WORKS DEPARTMENT

The applicant and property owner shall:

1. AHA 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. AHA 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. AHA 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

The applicant and property owner shall:

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. 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 entitlement, 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. Events—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.
~~Prohibit any concurrent events at the Villa, soccer/softball field, and multipurpose building, with the exception of school-related events which do not include additional visitors to the campus other than Alverno students, faculty and school staff. If there are school-related events that involve outside sports teams, unless the events are in the same sport, the events shall be scheduled with a minimum of one hour of time between the end of the first event and the beginning of the second event in order to provide for sufficient on-campus parking and to mitigate traffic concerns. No more than two events which induce additional visitors to visit the campus other than Alverno students, faculty and staff may occur on campus in any single day.~~
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 AHA shall be reviewed to identify and required modification as the project moves through the construction phases.

(end of conditions)