

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 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-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 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 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.

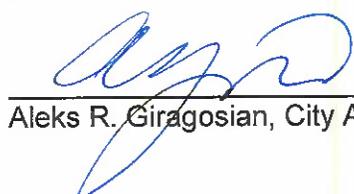
PASSED, APPROVED, AND ADOPTED this 9th day of May 2023.


Edward Garcia, Mayor

ATTEST:


Laura Aguilar, City Clerk

APPROVED AS TO FORM:


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 9th day of May 2023 by the following vote:

AYES: Mayor Edward Garcia, Mayor Pro Tem Kelly Kriebs, Council Member Gene Goss, Council Member Kristine Lowe, Council Member Robert Parkhurst

NOES: None

ABSENT: None

ABSTAINED: None

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 may 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.

An extension cannot be granted based on the Applicant's failure to obtain funding. Notice of the reason for any requested extension shall be mailed to properties within 300 feet of the campus. The City Manager shall make his determination within 30 days of the mailing of the notice. Notice will be given to the public of the determination.

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. Ancillary outdoor activities (e.g. track team running through site or children crossing it to reach different destinations)
- C. Public safety demonstrations and a gathering space for public safety emergencies.
- D. Occasional religious and liturgical uses.
- E. 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. after-school sports until 6:30 PM; and
 - d. 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, including but not limited to rain, flooding, or aeration.
- F. 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)-(D).

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)