

**RESOLUTION NO. 22-58**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, (1) APPROVING A GENERAL PLAN LAND USE MAP AMENDMENT, (2) APPROVING A LOT LINE ADJUSTMENT (3) CERTIFYING AN ENVIRONMENTAL IMPACT REPORT, AND (4) APPROVING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MEADOWS AT BAILEY CANYON PROJECT LOCATED AT 700 NORTH SUNNYSIDE AVENUE IN THE CITY OF SIERRA MADRE**

**RECITALS**

**WHEREAS**, The Congregation of the Passion, Mater Dolorosa Community (“Applicant”) owns the property located at 700 North Sunnyside Avenue, Sierra Madre, California 91024, Assessor’s Identification No. 5761-002-008, consisting of approximately 65 acres (“Property”);

**WHEREAS**, NUWI Sierra Madre, LLC (“Developer”), in concert with the Applicant, desires to develop a portion of the Property containing approximately 17.3 acres (“Development Parcel”) with up to 42 single-family detached residential units, public rights-of-way, and public park (“Project”);

**WHEREAS**, the Project is commonly referred to as “The Meadows at Bailey Canyon”;

**WHEREAS**, the Congregation has applied to the City to: (1) amend the general plan land use map to change the designation of the Development Parcel from Institutional to Residential Low Density (“General Plan Land Use Map Amendment”); (2) adopt a Specific Plan setting forth development and architectural standards to facilitate the development of the Project (“Specific Plan Amendment”); (3) amend the zoning map to change the designation of the Development Parcel from Institutional to R-1 Single Family Residential with a Specific Plan Overlay (“Zoning Map Amendment”); (4) approve a lot line adjustment to change the boundaries of the Development Parcel and consolidate two lots (“Lot Line Adjustment”); (5) approve a development agreement with the Applicant and the Developer (“Development Agreement”); and (6) certify an environmental impact report (“EIR”) and approve a mitigation monitoring and reporting program (“Mitigation Monitoring and Reporting Program”);

**WHEREAS**, pursuant to 14 CCR 15202, the Planning Commission held a properly noticed public hearing on April 7, 2022, May 5, 2022, June 2, 2022, July 7, 2022, August 4, 2022 and August 18, 2022 to discuss the EIR and adopted Resolution No.22-10 recommending approval of this Resolution to the City Council, included herein as EXHIBIT 1;

**WHEREAS**, the City provided notice of the public hearings listed above pursuant to Government Code Sections 65090, 65091, and 65094, including publication in the Mountain Views News on March 19, 2022, posting at City Hall and project site, and mailings to the Applicant, affected local agencies, and every residence within the City’s boundaries on March 21, 2022;

**WHEREAS**, pursuant to Government Code Sections 65355, 65854, and 65867, and SMMC Section 17.64.040, the City Council held a properly noticed public hearing on September 15 and September 20, 2022; and

**WHEREAS**, the City provided notice of the public hearing listed above pursuant to Government Code Sections 65090, 65091, and 65094, including publication in the Mountain Views News on September 3 and September 17, 2022, posting at the City Hall and project site, and mailings to the Applicant, affected local agencies, and every residence within 300-foot radius from the project site on August 29, 2022.

**THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES RESOLVE AS FOLLOWS:**

**SECTION 1. Recitals.** The Recitals above are true and correct and incorporated herein by this reference.

**SECTION 2. General Plan Land Use Map Amendment.** Pursuant to Government Code section 65354, the Planning Commission recommends the City Council approve the General Plan Land Use Map Amendment, as depicted in EXHIBIT 2, Attachment A.

**SECTION 3. EIR.** Pursuant to 14 CCR 15090, the City Council certifies the EIR because:

- a. The Final EIR has been completed in compliance with CEQA;
- b. The Final EIR was presented to the City and the City reviewed and considered the information contained in the Final EIR prior to approving the Project;
- c. The Final EIR reflects the City's independent judgment and analysis.

Pursuant to Public Resources Code Section 21081(a) and 14 CCR 15091(a), the City Council further finds that, based on all of the evidence presented, including but not limited to the EIR, written and oral testimony given at meetings and hearings, and the submission of testimony from the public, organizations and regulatory agencies, the environmental impacts associated with the Project are either less than significant and do not require mitigation, or are potentially significant but will be avoided or reduced to a level of insignificance through the identified Mitigation Measures.

The City Council further finds that no evidence of a new significant impact, or any new information of "substantial importance" as defined by State CEQA Guidelines, section 15088.5, has been received by the City after circulation of the Draft EIR that would require recirculation of the EIR.

**SECTION 4. Mitigation Monitoring and Reporting Program.** Pursuant to Public Resources Code Section 21081.6 and 14 CCR 15091(d), the City Council approves a Mitigation Monitoring and Reporting Program, included herein as EXHIBIT 1, Attachment A. The Final Environmental Impact Report – EXHIBIT 1, Attachment B is incorporated herein as reference.

**SECTION 5. Records of Proceeding.** Pursuant to Public Resources Code Section 21081.6 and 14 CCR 15091(e), the City Clerk will serve as the custodian of record. The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at 232 W. Sierra Madre Boulevard, Sierra Madre, California.

**SECTION 6. Notice of Determination.** Pursuant to Public Resources Code Section 21152 and 14 CCR 15094(a), the City Clerk shall file a Notice of Determination with the Los Angeles County Registrar-Recorder within five days after the adoption of this Resolution.

**SECTION 7. Lot Line Adjustment.** Pursuant to Government Code Section 66412(d) and Sierra Madre Municipal Code Section 16.20.020(A), the City Council approves the Lot Line Adjustment, as depicted in EXHIBIT 2, Attachment D, finding that the Lot Line Adjustment:

- a. Does not:
  - i. create new lots or a greater number of lots than originally existed;
  - ii. include any lots or parcels created illegally;
  - iii. impair any existing access or create a need for access to any adjacent lots or parcels;

- iv. impair any existing easements or create a need for any new easements serving adjacent lots or parcels;
- v. constitute poor land planning or undesirable lot configurations due to existing environmental or current zoning development standards;
- vi. require substantial alteration of any existing improvements or create a need for any new improvements; and
- vii. result in cross-lot drainage.

b. Is consistent with

- i. the General Plan Policy L10.4 because it maintains development standards and minimum lot sizes which result in development with dimensions, quality, and aesthetics consistent with existing developments;
- ii. The Specific Plan because the resulting lots are greater than 7,800 square feet;
- iii. The Zoning Code because the resulting lots are greater than 7,500 square feet.


**SECTION 8. Filing.** Pursuant to Government Code Section 66412(d) and Sierra Madre Municipal Code Section 16.20.020(C), the applicant must file a certificate of compliance with the Los Angeles County Registrar-Recorder for the lot line adjustment.

**SECTION 9. Severability.** If any sections, subsections, subdivisions, paragraph, sentence, clause or phrase of this Resolution or any part hereof or exhibit hereto is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Resolution or any part thereof or exhibit thereto. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that anyone or more sections, subsections, subdivisions, paragraph, sentences, clauses or phrases be declared invalid.

**SECTION 10. Effective Date.** This Resolution shall take effect immediately upon adoption.

**SECTION 11. Certification.** The Sierra Madre City Clerk shall attest to the passage and adoption of this Resolution by the City Council and shall cause the same to be listed in the records of the City.

**PASSED, APPROVED AND ADOPTED** on this 20th day of September, 2022.

  
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 Gene Goss, Mayor


I **HEREBY CERTIFY** the foregoing Resolution was duly adopted by the City Council of the City of Sierra Madre, California, at a special meeting held on this 20<sup>th</sup> day of September, 2022, by the following vote:

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

**NOES:** None.

**ABSENT:** Council Member Rachelle Arizmendi

**ABSTAINED:** None.

  
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 Laura Aguilar, City Clerk