

**CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT**

Agenda date: March 9, 2010
Prepared by: JB

ITEM: **6a**

SUBJECT: Saint Mary's College High School. 1600 Posen. Planning Application 06-053.
 Conditional Use Permit.

SITE: **1600 Posen Avenue (mailing address 1294 Albina Ave, Berkeley)**

RECOMMENDATION

Discussion only. No action on the proposed project is to be taken at this meeting.

BACKGROUND

St. Mary's College High School is an existing co-educational high school serving 630 students on a 12.5-acre site. The school is seeking modifications to an existing conditional use permit to allow an expansion of campus facilities. The staff report from the December 8, 2008 and March 25, 2008 Commission meetings are attached for background (Attachment 1).

DISCUSSION

City staff has scheduled this study session with the Planning and Zoning Commission to update the Commission on the planning process associated with the preparation of a new master plan for the St. Mary's College High School. The agenda also provides an opportunity for review of the school's annual reports (Attachments 2 and 3).

Since the previous Commission discussion of the proposed project, several items have arisen:

- ***Football Playoff Game*** - In the fall of 2009, staff administratively approved the scheduling of a playoff football game. The conditions of approval associated with the field improvement project did not include provisions for playoff football games. Attached is correspondence to Chris Hamilton in response to a letter he provided the Commission on November 24, 2009 (Attachment 4).
- ***Baseball Field Netting*** - Recently, the school contacted staff to advise us of a request they have received from a property owner on Monterey Avenue to extend the height of the baseball netting. Staff has not been contacted directly by the concerned property owner. We have, however, received email from PPNA representatives preferring to maintain the netting as it currently stands (Attachment 5). Original City approvals of the

netting also are provided (Attachment 6). Also attached is a photograph of the netting taken from the track (Attachment 7).

- **Condition of Landscaping** - The City Arborist inspected the athletic field project landscaping on March 3, 2010. He found that in general, the landscaping is properly maintained and in good condition. It was noted that on the west end of the Posen Avenue side of the field, rainwater runoff has saturated the soil in the area around several street trees (Attachment 8). This appears to be the result of natural flow of rainwater, and not the result of a failure of a drainage system. Additional monitoring of this area will be required to make sure the stakes provide support and the trees grow properly. Several other Posen street trees will need to have their stakes adjusted once the rainy season is over. In addition, a live oak was planted near the buried stump of a eucalyptus tree near the gymnasium. This particular tree has not fully established itself, and also should be monitored over the next year or two.
- **Mediation** - The school has recently retained a planning consultant to provide guidance to the school. In discussions with city staff, the consultant has suggested that the use of professional mediators may be appropriate. City staff concurs that this is the type of situation that could benefit from mediation. Even if issues are not resolved, mediation can help objectively define the policy issues that the Commission will ultimately have to consider. Correspondence from the Peralta Park Neighborhood Association (PPNA) indicates that mediation is premature until the school provides a full response to their information request (Attachment 9).
- **Music Building** – For the Commission’s information, the school has indicated that in the near future, they may wish to submit an application for design review of the replacement of the band room. From city staff’s perspective, it would be more efficient use of commission workload to process the design review application concurrently with action on the conditional use permit.

Next Steps - No specific Commission action is required at this time. It is staff’s intention to dedicate more time to the processing of this application with the objective of bring the master plan/conditional use permit, associated CEQA review, and possibly the design review of the music building, can come to a close in the next few months. The near term next steps will be to schedule a site tour of the campus for the Commission.

Attachments:

1. December 8, 2008 and March 25, 2008 Staff Reports
2. St Mary’s College High School Annual Reports to the City
3. St Mary’s College High School Annual Reports to the City
4. December 10, 2009 correspondence to Chris Hamilton
5. March 2, 2010 email regarding baseball field netting
6. 2001 Planning and Zoning Commission staff report and meeting minutes related to baseball field netting
7. Photograph of baseball field netting
8. Photograph of Posen Avenue street trees
9. Correspondence from Peralta Park Neighborhood Association received March 5, 2010

**CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT**

Agenda date: 12/08/08

Prepared by: JB

Reviewed by: AC

ITEM: 6a

SUBJECT: Public Hearing to Receive Comments on a Draft Mitigated Negative Declaration of Environmental Significance for St. Mary's College High School.

SITE: 1600 Posen Avenue (mailing address 1294 Albina Ave, Berkeley)

RECOMMENDATION

Continue the public hearing opened on November 25, 2008, take testimony from the public, and provide direction to staff and consultant on the draft document. No action on the proposed project is to be taken at this meeting.

BACKGROUND

St. Mary's College High School is an existing co-educational high school serving 630 students on a 12.5-acre site. The school is seeking modifications to an existing conditional use permit to allow an expansion of campus facilities to a maximum of 141,147 usable square feet (not including bathrooms and mechanical equipment). No increase in enrollment is proposed as part of the project. Elements of the project include:

- New performing arts music building
- Expansion of athletic training and offices
- Renovation and expansion of Shea Student Center
- New multi-use building, primarily for performing arts use
- Renovation and expansion of existing St. Josephs Hall
- New 200-seat school chapel
- Construction of a new classroom building
- Renovation of Cronin Hall, including reinstatement of one classroom in Cronin Hall removed from service per existing conditional use permit
- Renovation of Murphy Hall classrooms into offices
- Expansion of on-campus parking and circulation

The staff report from the March 25, 2008 study session is attached (Attachment 1). Although there have been some modifications to the phasing and size of element of the master plan, the discussion of the planning process and planning issues are relevant.

DISCUSSION

The California Environmental Quality Act requires that an analysis be prepared when a government agency makes a discretionary decision on a project that will result in a physical

change in the environment. The purpose of the analysis is to disclose potential impacts and determine appropriate actions that should be taken to mitigate potential impacts. The preparation of a CEQA document includes preparing an "Initial Study," is based on a checklist of environmental subject areas.

Unless a project is exempt from CEQA, the review process and preparation of the initial study results in either: a negative declaration if there is no environmental impacts from the project; a mitigated negative declaration if the potential impacts are resolved; or an environmental impact report (EIR) if the technical analysis concludes that the project will result in environmental impacts. The decision-making process associated with determining the level of review is summarized in Attachment 2.

The City has retained the consulting firm of Lamphier Gregory to prepare the CEQA analysis for the proposed St. Mary's conditional use permit and associated master plan. As indicated in the environmental checklist, the proposed project could create potentially significant issues in the following subject areas:

- Air Quality
- Biological Resources
- Cultural Resources
- Geology and soils
- Hydrology & Water Quality
- Transportation & Traffic

Because mitigations have been identified that are expected to reduce these impacts to less than significant levels, a draft mitigated negative declaration is proposed (copy of draft Mitigated Negative Declaration previously provided and available on www.albanyca.org).

Attached are written comments received as of mid-day, Friday, December 5th (Attachment 3). Following the close of the public comment period on December 12, 2008, the consultant will prepare responses to questions and comments received at the hearing and in writing. If necessary, the document can be revised if comments reveal that additional analysis is necessary. The mitigated negative declaration will then be brought back to the Commission for action, along with the proposed conditional use permit and associated master plan. Staff anticipates that action on the school's application could occur in the first quarter of 2009.

Master Plan

Based on feedback received from the Commission and the public in March, the school modified its master plan to provide more background and context for the school's programmatic objectives. In addition, refinements have been made to the plan, particularly as it related to parking lot layout and footprint of adjacent buildings. The revised master plan is included as an attachment to the mitigated negative declaration.

Also attached is a summary of the major elements of the master plan by phase and by usable square feet (Attachment 4). As a point of reference, the summary also includes the square footage in the year 1993, when the current CUP was approved (Attachment 5).

Draft Conditions of Approval

As part of the discussions between City staff, neighborhood representatives, and school facilities, staff has prepared administrative draft conditions of approval (Attachment 6). Normally, the preparation of conditions of approval is one of the last things that staff does in preparing an application for Commission consideration. They are prepared late in the process in order to capture any refinements in the project application and to respond to issues and concerns raised in public comments. In this situation, however, there are neighborhood concerns about the proposed projects and operations of the school that are not necessarily appropriate as a CEQA mitigation or as an element of the project description. The Commission, through the conditional use permit, may wish to refine the elements of the master plan to address neighborhood issues. Staff hopes that the administrative draft conditions of approval advance the dialogue on some of these issues. The conditions of approval, however, are very much a work in progress, and intended to provide interested parties a sense of the basic format and level of detail.

Requests for Additional Information

The City has received from Chris Hamilton, resident on Albina Street, a request for detailed information on the master plan. A copy of this request was provided to the Commission at the November 25th meeting, and is attached (Attachment 7). For various elements of the master plan, the request seeks detailed information on the patterns of use during the past two years and detailed information on anticipated use of specific facilities in the future. Staff has provided this list to the school when it was first received earlier this year, but has not required that the school provide a response as a condition of proceeding with consideration of the application.

While this information could be useful in illuminating the details of the operation of the school, in general the level of detail sought does not correspond to the level of detail that staff needs to craft conditions of approval. In establishing conditions of approval, staff will be recommending conditions that effectively address areas of concern, are based on the City's existing legal authority, are relatively easy for the City to monitor, and flexible enough to allow some degree of evolution of programs without frequent amendments of the conditional use permit.

Staff recommends that the current hearing should be focused on the CEQA document and process, and the conditions of approval can be discussed in greater detail as they become better developed and when the project comes back to the Commission for action. Although neighborhood issues seem primarily focused on operational aspects of the school rather than the particulars of the building program, staff would note that in many cases, good design is self-regulating, and thus consideration should be given to trying to address neighborhood issues through physical design.

Attachments:

1. March 25, 2008 Staff Report
2. Lead Agency Decision to Prepare an EIR
3. Written Comments Received as of December 5, 2008
4. Summary of Master Plan
5. 1993 Conditional Use Permit
6. Administrative Draft Conditions of Approval for New Conditional Use Permit
7. Correspondence from Chris Hamilton regarding Request for Information

Draft Mitigated Negative Declaration and Attachments (including proposed master plan)
available online www.albanyca.org

City of Albany
Planning and Zoning Commission
Study Session Staff Report

Meeting Date: **March 25, 2008** Prepared by: _____

Agenda Item: **6f** Reviewed by: _____

Subject: **Saint Mary's College High School, 1600 Posen Avenue (The site is also known by the mailing address of 1294 Albina Avenue, Berkeley). Study Session associated with a new master plan and conditional use permit for the St. Mary's College High School Campus**

Applicant/
 Owner: **St. Mary's College High School/Hal Brandes**

Recommendation

Discuss the proposed project. Receive testimony from the applicant and members of the public. Provide direction to staff on issues of interest during the review process. *No action is to be taken at this time.*

Project Description

The proposed conditional use permit would allow construction of new grade 9-12 educational facilities on the 12.5 acre St. Mary's College High School campus. Current school enrollment stands at a maximum of 630 students, and an enrollment increase has not been proposed as part of the application.

The program for the school involves the upgrading and expansion of facilities serving the school's instructional program, student activities, and campus administration. At build out of the proposed master plan, total campus gross square footage would increase from 95,207 square feet to 148,447 square feet.

Current Campus Gross Square Footage

<i>Campus Building (Year built - primary function)</i>	<i>Gross Sq Ft</i>
Gymnasium (1948)	9,880
Cronin Hall (1952 & 1959 - classrooms)	10,077
St. Joseph's Hall (1956 - classrooms & administration)	16,980
Vellesian Hall (1946 - administration)	3,900
Band & Snack (1959)	2,380
Shea Center (1977 - student activities)	9,630
Murphy Hall (1986 - classrooms)	10,450
Gymnasium Addition (1995)	21,310
Frates Hall (2002 - classrooms)	9,100
Athletic Field Storage Building (2008)	1,500
Total Campus	95,207

ATTACHMENT 1

Proposed Campus Development Program by Phase

<i>Phase 1 (corresponds to 3a, 3b, & 3c on site plan)</i>	<i>Gross Sq Ft</i>
Demolish Existing Band & Snack	(2,380)
New Band	7,500
New Snack	1,000
New Weight Room	4,000
Shea Center Kitchen Addition	1,300
Reactivation of existing unused space	N/A
Net New	11,420
Total Campus	106,627
<i>Phase 2 (corresponds to 4 on site plan)</i>	
New Chapel	4,000
Total Campus	110,627
<i>Phase 3 (corresponds to 5 on site plan)</i>	
Addition to St. Joseph's	11,520
Total Campus	122,147
<i>Phase 4 (corresponds to 6 & 7 on site plan)</i>	
Demolish Vellesian Hall	(3,900)
New Multi-Use Facility	9,000
New Maintenance & Storage (in Multi-Use Facility)	5,500
New parking area on southern portion of campus	N/A
Total Campus	136,647
<i>Phase 5 (corresponds to 7 & 8 on site plan)</i>	
Classroom Building	11,800
Total Campus	148,447

Many of the land use issues associated with the application are related to the use of student activity venues. Current there are three principal venues:

1. Outdoor Athletic Field;
2. Gymnasium/Auditorium; and
3. Shea Student Center.

At build out of the proposed master plan, two additional principle venues would be added:

4. Chapel (200 seats); and
5. Multi-Purpose Facility (750 seats).

Vehicle access to the campus is currently both from Albina Avenue from the south and Posen Avenue from the north. No change to vehicle access is proposed in the master plan. (At one point, an additional vehicle exit from the south side of campus to Monterey Avenue was introduced, but has been dropped

by the campus. Such an access is within the jurisdiction of the City of Berkeley.) Pick-up/drop-off and bus parking area on the south portion of the campus would be substantially improved, allowing buses to wait on campus rather than off campus, and incorporating traffic calming measures to help address neighborhood concerns about speeding on residential streets.

Currently, on-campus parking is provided on the south side of campus with 69 spaces in the main parking lot. In addition, 35 parking spaces are available in the parking lots accessed from Posen Avenue and 18 parking spaces adjacent to the Brother's Residence. Pursuant to the 1993 conditional use permit approval, 44 street parking spaces along the south side of Posen Avenue adjacent to campus have historically been counted as part of the school's parking inventory. Build out of the proposed project would include an increase in the on-campus parking on the south side of campus from 69 spaces to 81 spaces, resulting in a total increase in parking from 163 to 178 spaces.

The proposed project is anticipated to require routine upgrade to on-campus infrastructure and utility systems. No major off-site improvements are expected to be required to serve the campus.

Background on Application

General Plan Policies - The land use designation for the site in the current General Plan is "Public-Quasi Public," with a creek conservation zone along the southern edge of the property. For Public/Quasi-Public land uses, the General Plan *recommends* an FAR of 0.95. There is no other guidance in the General Plan that is specific to the St. Mary's campus.

Planning and Zoning Code - The St. Mary's campus is designated on the Zoning Map as a Public-Quasi Public Facility (PF District). Private schools are allowed in a PF district with a conditional use permit. The only site regulation specified in for the PF district is a maximum building height of 40 feet, leaving the Commission responsible for determining other site regulations on a use permit/design review basis. Parking standards call for one parking space per employee plus one space per ten students.

Existing Conditional Use Permit (CUP)- The school currently operates under a conditional use permit that was adopted by the City Council in 1994 on appeal (City Council Resolution 94-37) of an action by the Planning and Zoning Commission (Conditional Use Permit 93-27). The 1994 action allowed an increase in enrollment from 375 students to 600 students plus 5% for attrition and other student body changes. It also allowed for expansion of the gymnasium. The CUP stated that gross square feet of "classroom facilities" shall not exceed the 90,675 square feet that existed as of April 1994. In addition, the existing CUP has a condition of approval that attempts to limit the number of students that are allowed to park off-campus on public streets. Between 1999 and 2005, various applications for design review of Frates Hall and amendments to the conditional use permit applications were processed, with the school seeking to amend the condition of approval limiting square footage. Ultimately, Frates Hall was approved, and in 2005, the City Council acting on an appeal of a Planning and Zoning Commission action, modified the conditional use permit, requiring the school to convert 460 square feet of snack bar space and 652 square feet of classroom space to uninhabitable space.

Religious Land Use and Institutionalized Persons Act (RLUIPA) - In 2000, Federal law was approved that states that a government agency may not impose a land use regulation in a manner that imposes a substantial burden on religious exercise unless that government agency can demonstrate that the regulation is in furtherance of a compelling government interest and that the regulation is the least

restrictive means of furthering that interest. Staff' preliminary conclusion is that conditions of approval on instructional and student activities venues are not as much of a potential legal issue as are conditions of approval affecting the use of the chapel for customary religious activities.

Field Renovation Project - The Field Renovation project was approved by the Commission in October 2007. The school has submitted plans and documents necessary for building and grading permits. It is expected that the renovation project will occur in 2008 as planned. The removal of the Eucalyptus trees will begin during the school's Easter break, in order to minimize disruption to traffic and parking while school is in session. The school final plans are available in the Community Development Department offices for public review. Staff would recommend that the conditions of approval associated with the Field Renovation project be incorporated into any future conditional use permit so that there internal consistency with one principle reference document to guide the master plan.

Key Elements of the City Planning Process

Conditional Use Permit - The proposed master plan requires Commission approval of a conditional use permit (CUP) that would reference the school's site plan and master plan summary, site regulations as determined by the Commission, as well as include standard conditions of approval, special conditions of approval needed in order to support making findings of approval, mitigations that come out of the CEQA review process, and if desired by the Commission design guidelines for future campus buildings.

California Environmental Quality Act Review - The City has retained the consultant firm of Lamphier Gregory to prepare an environmental analysis pursuant to the requirements of CEQA. An administrative draft has been prepared. Staff has requested that additional traffic and parking analysis be undertaken by the consultant before the release of a draft environmental review document for public comment. Although it is not required by CEQA, staff intends to request that the consultant prepare written responses to any substantive comments received by members of the public.

Design Review - Staff requests that the Commission discuss the potential for design guidelines to serve as a framework for future buildings to ensure the use of materials and design themes that are consistent with the campus. In addition, staff believes that the design of the chapel presents an opportunity for a building of particularly important architectural character. It should be noted that the school is exploring the potential for submitting an application for design review approval of the proposed Music Building concurrent with the CUP approval process.

School-Neighborhood Work Sessions - Following Commission approval of the Athletic Field renovation project in October 2007, staff, school representatives, and neighborhood representatives agreed that large public meetings did not lead to constructive dialogue and discussion about school objectives and neighborhood concerns. As a result, City staff has organized to date four meetings involving ten to fifteen participants to discuss the conditional use permit applicant in substantive detail. From staff's perspective, the intent of these work sessions is to provide a forum for identifying topics that can be resolved to the mutual satisfaction of the neighborhood and the applicant. It also provides staff an opportunity to better understand areas of disagreement so that so that policy questions can be appropriately framed for Commission consideration. Topics of discussion have included Posen Avenue parking, reduction of peak hour vehicle trips, uses of campus venues, potential elements of the conditional use permit, site planning issues, etc. The meetings also have been used for status reports on the field project.

Identification of Key Issues

Key Elements of the Site Plan - The proposed site plan involves the addition of four new buildings, substantial addition to the existing St. Joseph's Hall, and the demolition of Vallesian Hall. Overall, Overall the proposed site plan reinforces the existing central corridor of campus running from the southwest (Frates Hall) to the northeast (gym and athletic fields) with four general precincts centered on this corridor:

1. To the west are primarily instructional facilities. The instructional facilities would expand in St. Joseph's Hall and to the southeast of campus with the construction of the proposed new classroom building.
2. To the north and east of the center of campus are student activity facilities, including athletic facilities and performing arts facilities. The most significant additions to these facilities include a new music building, expansion of athletic weight room facilities, and new multi-purpose building.
3. To the southwest is the existing Brother's Residence and the proposed chapel.
4. To the south and southeast is a parking lot and Codornices Creek.

Staff has discussed with the applicant the siting of the multi-purpose building. While at build-out there could be some functional advantages to located the multi-purpose building closer to the central campus corridor, the phasing of the project, with the Music Building being the initial project, favors the locations proposed by the applicant. It should be noted that the applicant is beginning work on the schematic design of the Music Building, so feedback to the applicant to the location of that particular building would be helpful.

Codornices Creek - The removal of Vellesian Hall is an notable step in the citywide initiatives to improve Codornices Creek. In addition, the school authorized the Urban Creeks Council to restore a portion of Codornices Creek west of the bridge entering onto the campus from Albina. That project was successfully completed in Fall 2007.

Green Building Program - For purposes of meeting the objectives of the city's green building program, staff is exploring the use of the California High Performance Schools program as the basis for future construction and operation of the campus. (See www.chps.net for more information.)

Baseline Level of Activity - One of the key issues in recent work sessions has been how to determine current level of activity on campus, and whether or not to use this information as a basis for conditions of approval that limit increases in school activities over time. This is a significant policy issue that requires additional dialogue in the working group sessions.

Future Change in Enrollment - Neighbors are concerned that an expansion of facilities may lead to a subsequent request for an increase in enrollment. From staff's perspective, this is a particularly difficult issue because there is no effective way to restrict a property owner from some point in the future submitting an application to modify a condition of approval, such as enrollment. Any future application, however, would receive a thorough review, including CEQA review. Staff believes that the future City's next General Plan (targeted for completion in 2010) should incorporate land use policies that are

consistent with the Commission's ultimate action on the CUP. Thus, a future application that involves a substantial policy change would require a General plan amendment as well.

Conditions of Approval - Staff has provided participants in the working group meeting with an outline of the topics potentially to be covered in a new CUP. In addition, in a deviation from our standard practice, staff has agreed to provide a very early draft of specific language of conditions of approval that could ultimately be considered by the Commission. Examples of conditions of approval include:

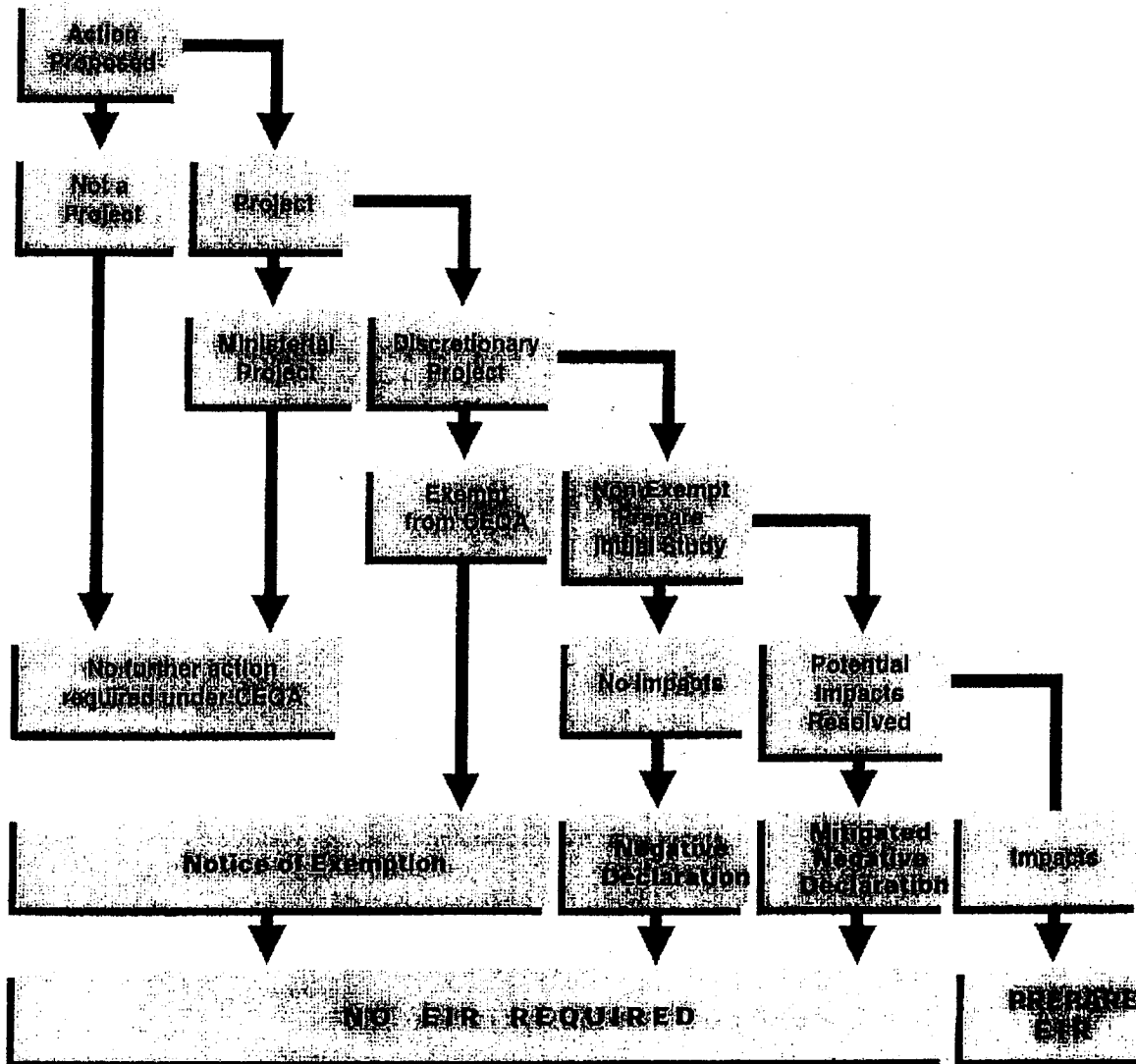
- **Transportation Coordinator** - A staff person could be designated with the responsibility of developing a comprehensive traffic management plan with the objective of reducing the number of vehicle trips to campus, including the expansion of the use of BART, AC Transit, private bus service, car pooling, bicycles, etc. The Coordinator also will be responsible for monitoring and implementing any conditions of approval associated with traffic and parking campus parking, including supervision of traffic monitors during regular school days as well as special events. The coordinator also would be expected to work with the transportation staff with the City of Berkeley, City of Albany, and transit agencies to ensure that the school is taking advantage of all potential resources available to reducing traffic and parking impacts.
- **Event Coordinator** - A school staff person could be designated as the campus event coordinator with the responsibility scheduling events in all of the campus venues. A key responsibility would be to ensure that the campus venues are utilized consistent with conditional of approval, that neighbors are given adequate notice when events are expected to have a substantial impact on the neighborhood, and to make sure that guests to the campus are advised of campus rules and City requirements. The condition of approval could include parameters that regulate the school's ability to schedule simultaneous events that exceed an established threshold.
- **Noise** - Staff will prepare for Commission review a condition of approval that every future construction project incorporate design recommendations of a qualified acoustical engineer to ensure that the project does not create noise that exceeds City standards. In addition, site planning and design guidelines should create locations for student interaction that are away from parking lots and neighboring residential properties.
- **Annual Report** - The conditions of approval could carry forward the annual report process that was part of the Field Renovation approval. The annual report would provide an opportunity for the Commission to review progress made by the school and a venue for neighbors to raise concerns.

Please note that the items listed above are not intended to be complete and comprehensive, but rather an example of the conditions that have been mentioned in the working group meetings.

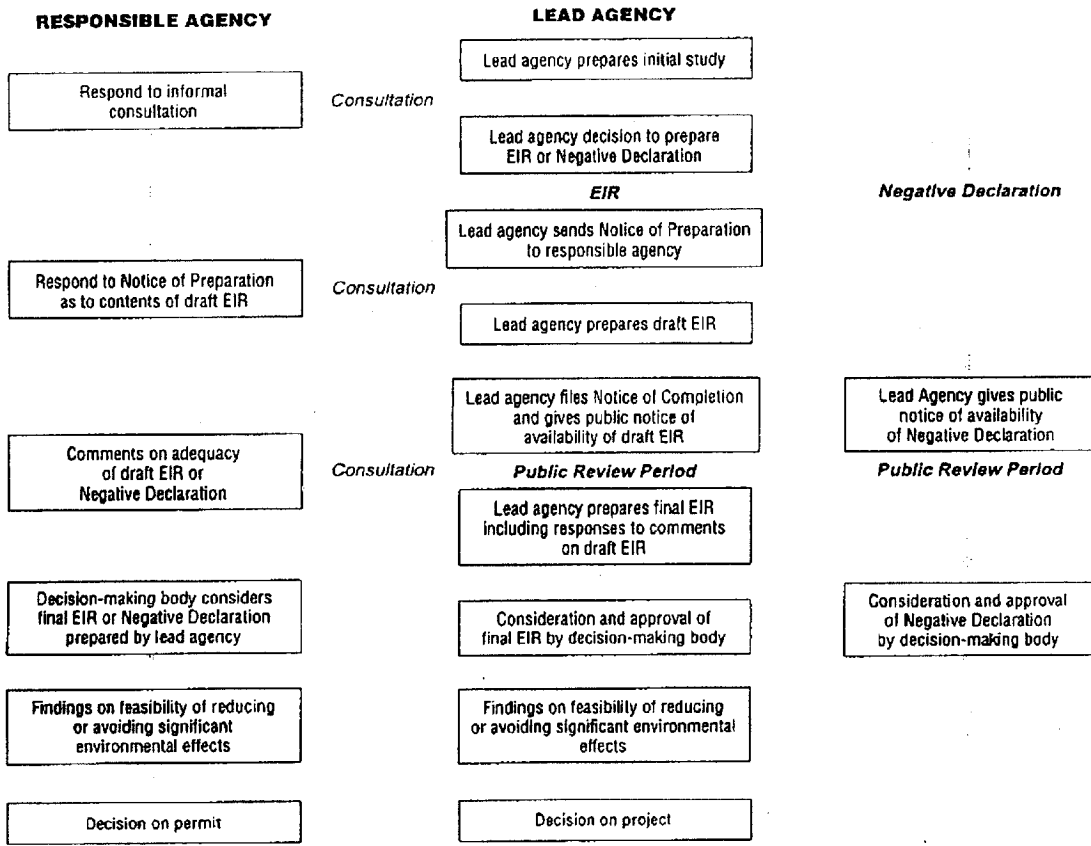
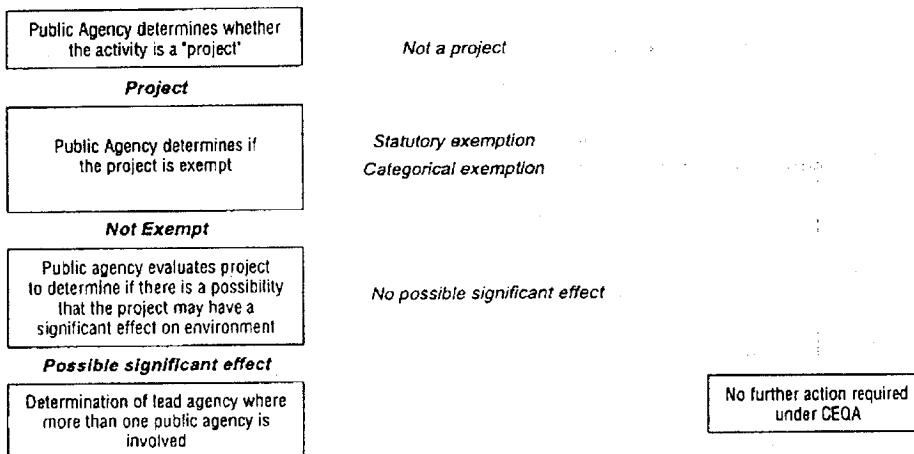
Conclusion

The key purpose of this study session is to provide an opportunity for the Commission to be brought up to date on the processing of St. Mary's application for a conditional use permit. Commission feedback on can be incorporated into the draft CEQA review document as well as aid City staff, the school, and neighbors in future work sessions.

Appendix B Lead Agency Decision To Prepare An EIR



Appendix A CEQA PROCESS FLOW CHART



State Agencies
File Notice of Determination with Office of Planning & Research

Local Agencies
File Notice of Determination with County Clerk

State Agencies
File Notice of Determination with Office of Planning & Research

Local Agencies
File Notice of Determination with County Clerk

Note: This flowchart is intended merely to illustrate the EIR process contemplated by these Guidelines. The language contained in the Guidelines controls in case of discrepancies.

1316 Albina Avenue
Berkeley, CA 94706
December 2, 2008

CITY OF ALBANY

Planning and Zoning Commission
City of Albany
979 San Pablo Avenue
Albany, CA 94706

DEC 02 2008

COMMUNITY DEVELOPMENT
DEPARTMENT

Dear Commissioners,

After spending many hours reading and reviewing the St. Mary's College High School Master Plan and its accompanying Initial Study of Potential Environmental Impacts, I am struck by how, over and over again, findings of No Impact are based solely on the fact that the school is not requesting an increase in enrollment in this application. This comes in spite of the fact that the Master Plan itself states that there will likely be greater use of campus facilities after the buildout, since space limitations currently restrict how many and what kinds of events can be held on campus at any given time. I would also like to point out that the Master Plan and Initial Study do, in fact, call for an increase in enrollment, from the current 600 students (plus an allowance of 5% to allow for attrition) to a permanent 630.

The reliance on no growth in the student population as a basis for determining no impact on Air Quality, Noise, Recreation, and Transportation/Traffic is without merit. Were the facilities being proposed in the Master Plan to be limited to use only during the normal school day, there might be cause to accept this rationale. But there will be no such limitation. Therefore, the only possible way to determine if there will be an impact is by comparing the projected use of the proposed buildings compared to the use the like buildings are getting today. To date, St. Mary's has been unwilling to produce any information on current facility use as a basis for comparison. The constant refrain is that activities that are currently held on campus will simply be transferred to the new facilities, and that the school does not anticipate any new uses. This simply is not a credible position, given that part of the rationale for needing new structures is that there are concurrent demands for space, and that building uses are in conflict with each other (and therefore limited) right now.

To illustrate the absurdity of many of the conclusions in the Evaluation of Environment Impacts which were based solely on student enrollment, I direct you to specific findings:

Pg. 16 a. Air Quality Plans - Since the new buildings will have evening and weekend use, it is total use of the facilities, not enrollment, which will determine changes in traffic patterns. With a new 750 seat multi-use facility, it will be possible to have two large events on campus simultaneously, such as a sports activity in the gym and a performance of some sort in the multi-use building. It would also be possible to have a concurrent activity scheduled in the chapel for up to 200 people. This could not take place currently and would represent a change, despite the fact that student enrollment remains the same.

ATTACHMENT 3

If this situation were to occur, there would absolutely be a change in traffic patterns or volumes in the vicinity of campus. Absent a mitigation prohibiting such scheduling, it is not possible to proclaim that there will be no impact.

Pg. 17 c. Net Increase in Criteria Pollutants – the same rationale as above applies here. The analysis completely ignores that there are brand new facilities being sought in this Master Plan, which will undoubtedly bring in brand new uses. The chapel alone, with seating for 200, introduces possibilities that do not currently exist. Absent a mitigation measure restricting the size and use to those activities currently taking place in other buildings on campus, it is not possible to proclaim that there will be no impact on traffic, and thus pollutants. Yet a finding of No Impact on Air Quality means there will be no mitigation measures.

Pg. 49 XI. NOISE - There is absolutely nothing in this section that addresses the possibility of noise impact from use of the new buildings in the evening or on weekends. As a matter of fact, it doesn't seem to address the Master Plan at all. Rather, it is a section dealing with the athletic field, which we were told the Master Plan would not cover. However, as with everything else, because neither the Master Plan nor the Initial Study addresses the uses to which the new buildings will be put, there would have been nothing for the evaluator to evaluate anyway. Absent a mitigation measure limiting St. Mary's to current crowd size and facility use, it is not possible to say that there will be no noise impact with use of the new, larger facilities.

Pg. 55 XIII. PUBLIC SERVICES – Absent restrictions to current levels of evening/weekend use of the new facilities, it is not possible to determine that there will be no impact on public services, particularly police protection. In the September 2007 Responses to Comments on the Initial Study of the Field Renovation Project, Lamphier-Gregory noted many times community complaints about visitors to St. Mary's blocking driveways, parking on lawns, and other egregious behavior, and responded that those were issues for local law enforcement. Any addition of activities that brings cars into the area on evenings and weekends potentially results in increased need for police assistance, and should be evaluated.

Pg. 57-68 XV. TRANSPORTATION/TRAFFIC – In her Jan. 5, 2007, letter to Jeff Bond during consideration of the Field Renovation, Jill Martinucci, Legislative Assistant to Berkeley City Councilman Laurie Capitelli, stated that the stretch of Hopkins between Sacramento and Gilman carries more daily traffic than any other residential street in Berkeley. As such, it should get a particularly close look when considering Master Plan impacts on congestion. Yet, on page 64, the following explanation for no impact is given: “Although the school's Master Plan proposes several large projects to improve facilities for student, faculty and staff use, it does not propose any increase in enrollment. Therefore, an increase in the number of normal *school-day-related* (emphasis added) vehicle trips is not expected to change as a result of implementation of the Master Plan projects, and a quantitative traffic analysis was not conducted.” Once again, there is no consideration given to any impact use of the buildings would have on evenings and

weekends. Absent a mitigation measure restricting use of the facilities to 'normal school day', there is no basis for drawing this conclusion.

[NOTE: There is a particularly troubling statement in this section, related to Traffic Conditions. On page 62, the following statement appears: "It should be noted that some intersections appear to operate worse without the school in session than when the school is in session. This is primarily due to the variability of daily traffic conditions, which can vary up to ten percent from one day to another." At first glance, this seems to imply that traffic is actually better when St. Mary's has people arriving and leaving, which is obviously ridiculous. There is nothing offered to support the follow-up sentence about a 10 percent day to day variance in daily traffic conditions or to evaluate the statistical relevance of whatever sampling was used to draw that conclusion. It brings into doubt the objectivity with which the traffic analysis was done. In addition, on page 59, between the charts, is the following statement: "The 2005 Korve Traffic Study found that speeding is not significant (i.e., greater than 31 MPH) either on Albina Avenue or Posen Avenue near the school. During the before and after school peak periods, 50th and 85th percentile speeds are lower than the all day 50th and 85th percentile speeds. Based on speed trends throughout the day, speeding seems not to be related to school traffic." This is another example of faulty analysis. Because traffic is significantly heavier during the before and after school peak periods, and because (at least on Albina) there are monitors in place, speeds are of course going to be lower. But on Albina, virtually all traffic all day long is related to the school, so whatever speeding is going on is guaranteed to be related to that source. And finally, the speed survey was apparently taken near the SMCHS entrance, where the street narrows as cars must pass over a one lane bridge. Cars always slow at that location, just as the flow of water slows when it is poured into a funnel. It appears to me that Lamphier-Gregory is simply too unfamiliar with the subject it is evaluating to have much credibility in its analysis.]

Pg. 71 XVII. MANDATORY FINDINGS OF SIGNIFICANCE – Item b. asks if the project has impacts that are individually limited, but cumulatively considerable. The explanation states: "Since implementation of the Master Plan would not result in any substantive increase in the use of the campus relative to current use patterns, there would be no 'cumulatively considerable' impacts associated with Master Plan implementation." Unfortunately, current and projected use patterns are not provided for anything except the field. There is therefore no basis for drawing this conclusion. The same can be said for item c.

These are just some of the things I have found particularly troubling about the Initial Study. There were other things, such as the finding of no impact on emergency access when the plan calls for constructing buildings in a particular order because construction vehicle access will be blocked if done in a different order. I wonder if a fire engine or ambulance can get through to the training facility when a construction vehicle cannot. I also wonder about the surface water drainage into the creek, and whether there is any possibility that water shooting out of a drainage pipe on the north bank could be causing any of the excessive erosion that apparently is only occurring on the south bank. But I

know virtually nothing about these things, so I can only trust that the engineers and consultants are convinced that there will be no problem.

On the other hand, I am an expert about my neighborhood, and I know better than any of the engineers and consultants the problems of noise and traffic and parking on my street. I know that those problems are related to St. Mary's, and are not limited to weekdays and do not end at 4:00 or 5:00. From reading their report, I know that the consultants have not even considered the possibility that new state of the art facilities might be used more than older, smaller ones, or that a new facility, such as the chapel, that has no current counterpart on campus, might invite an entirely new use, such as weddings. I know that when they take measurements of traffic and parking during the day, the measurements have no relevance to the problems occurring in the evenings, and that taking a measurement on one or two days during the evening does not measure the impact of randomly occurring events. I know that in 1994 we were told that a 50% increase in enrollment would have no impact on the neighborhood because, just as now, the consultants failed to consider the obvious. In that case, it was failure to adequately consider where the additional 200 students would come from and how they would likely get here. In this case, it is failure to adequately consider what the likely change in activity levels will be once the school has larger, state of the art facilities that it not only uses to expand its mission, but also makes available to the entire LaSallian community.

I beg of you, do not accept this Initial Study. Require that St. Mary's provide its activity calendar for the last two years, showing exactly what events occurred on campus that drew in people other than St. Mary's students, with the hours of each event and an estimate of the number of attendees. Require that the school then provide information on how it intends to use the new facilities covered by the Master Plan. Give that to Lamphier-Gregory to study, and then issue strong verifiable, measurable mitigation measures in the use permit that hold St. Mary's to its word. If you don't, I fear we may never get away from these long, drawn out battles.

Sincerely,

Donna DeDiemar

CITY OF ALBANY

DEC 05 2008

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Mr. Jeff Bond
Planning and Building Manager
City of Albany Community Development Department
1000 San Pablo Avenue
Albany, CA 94706

December 5, 2008

**SUBJECT: REVIEW OF INITIAL STUDY FOR THE PROPOSED ST. MARY'S
COLLEGE MASTER PLAN PROJECT**

Dear Mr. Bond;

Grassetti Environmental Consulting (GECO) has been retained by the Peralta Park Neighborhood Association (PPNA) to review the California Environmental Quality Act (CEQA) Initial Study (IS) for the St. Mary's College High School Master Plan Project. This review is based on my familiarity with the project gained from working on the St. Mary's Athletic Field project, review of the IS, its supporting technical documents, and numerous background documents provided to me by the PPNA. I have assessed the above-referenced documents for compliance with CEQA statute and guidelines. The analyses and conclusions herein represent my expert opinion developed through my 25 years of experience reviewing and preparing CEQA documents. My qualifications are attached to this letter.

The information reviewed indicates that the CEQA documentation for the project is inadequate and incomplete to comply with CEQA statutory requirements. Specific deficiencies noted in my review include inadequate project description, inadequate description of existing conditions (that form the basis of comparison for the impacts assessment), inadequate/inappropriate future conditions assumptions, defective technical analyses, and failure to adequately consider cumulative impacts. It is my professional opinion that these deficiencies are of sufficient magnitude to render the IS inadequate to meet CEQA's basic goals of full disclosure, informed decision-making, and minimizing the project's environmental impacts. Major deficiencies in the document are discussed below.

MAJOR ISSUES

Inadequate Project Description. The IS's project description is inadequate to allow meaningful assessment of the impacts of the Master Plan project. As noted previously in our comments on the adequacy of the Athletic Field project IS, "An accurate, stable, and

ATTACHMENT

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finite project description is the *sine qua non* of an informative and legally sufficient EIR" (County of Inyo v. City of Los Angeles, 1977). That case also concluded that "Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, [and] assess the advantage of terminating the proposal..."

The IS does not identify the actions/decisions for which the IS will be used as the CEQA compliance document. It is unclear as to whether this IS is a program-level document intended to address only the overall master plan, or if it is also intended to serve as a project-level analysis for construction of the major new buildings envisioned in the Master Plan. If the document is intended to serve not only as the CEQA review for the Master Plan but also for the Design Review and permitting of each building under the Master Plan, then the IS project description and impact analyses must be revised to include enough detail for impacts associated with the project design to be clearly identified, including detailed plans of building locations and facades, as well as landscaping plans and visual simulations.

The current project description is inadequate even to suffice for a program level IS, in part because the Master Plan itself is deficient in describing proposed site development and uses.

This IS's project description also fails to describe all of the existing conditions and project elements critical to assessing its potential impacts, particularly with respect to noise and visual quality. Specific deficiencies include:

- It fails to fully describe the magnitude and intensity of existing activities on the site.
- It fails to describe the stormwater management system.
- It does not include any design guidelines for the proposed new structures.
- It lacks a circulation/emergency access plan.
- It lacks a landscaping plan or guidelines.
- It is unclear as to whether the land use assumptions that form the bases of the IS's impact assessments would be limited to the levels assumed in those analyses, and has no binding mechanisms to assure that those uses will not be exceeded.

It should be noted that the primary purpose of the project is to alleviate constraints that limit the use of the existing campus facilities. Given that purpose, absent any restrictions (other than the enrollment limit) controlling future use of campus facilities, such uses could be expanded incrementally and not receive any subsequent CEQA review.

Erroneous Baseline for Analysis. CEQA Guidelines (Section 15125) require that environmental analyses "must include a description of the physical environment condition

in the vicinity of the project, as they exist at the time...environmental analysis is commenced..."¹.

The Master Plan IS fails to describe existing conditions with respect to intensity of existing uses, particularly with respect to the extra-curricular activities that are the focus of much of the additional building space proposed in the Master Plan. With respect to existing facility use levels the IS never details existing use levels but repeatedly states that proposed use levels will be essentially the same as existing uses based on the maximum number of students permitted at the school². This fails to provide the information necessary to make a comparison of pre-and post-project evening and weekend uses, and the potential impacts of those uses on noise, traffic, parking, and air quality. This, in turn, results in a document that fails to meet CEQA analytical and disclosure requirements.

Failure to Assess Cumulative Impacts. CEQA Guidelines Section 15130 requires that impacts of past, present, and probable future projects be analyzed in CEQA documents. This requirement is reflected in question XVII (b) in the City's CEQA checklist. The response to this question in the IS is "Since implementation of the Master Plan would not result in any substantive increase in the use of the facility for athletic events relative to current use patterns, there would be no "cumulatively considerable" impacts associated with the project." This statement is in error in two areas: 1) the project would allow an approximately 50% increase in square footage to the campus, including major new multi-use and chapel facilities that would likely increase evening and weekend use at the campus, with attendant impacts on noise parking, air quality, and traffic; and 2) the project would overlap with cumulative impacts associated with past and present projects including the past increase in enrollment, gymnasium project, and past/ongoing athletic field enhancement project. Nowhere in the past CEQA documents for these other projects were these cumulative impacts addressed, therefore they must be addressed in full in this document. Failure to analyze the cumulative effects of the project and the past and present projects on noise, traffic, air quality and aesthetics is a substantial defect in the IS. In addition, this IS technical sections are inconsistent in how they address the Athletic Field project; in some instances it assumes that that project is part of the Master Plan, and in other instances, it assumes that they are separate projects.

Technical Deficiencies. In addition to the above structural issues, several of the IS technical analyses are deficient in fully assessing and describing actual project impacts. These are summarized below:

¹ While this section of the Guidelines refers to preparation of an EIR, the same concept is applicable to the preparation of all CEQA documents.

² Even that number is in question, rising from 600 (plus 5% for attrition) to 630.

Aesthetics: CEQA requires that an Initial Study find an impact to be potentially significant if there is a fair argument in light of the record that a significant impact might occur from the project. This puts the burden of proof in determining impact significance on the lead agency. Conclusions of "less than significant" impact must be clearly documented. With respect to visual quality (and also noise), the general public's experiences must be considered in determining significance (see *Pocket Protectors v. City of Sacramento*). The aesthetics analysis lacks any photographs or photosimulations of the project site and proposed new facilities. Further, the Master Plan lacks any design or landscaping guidelines. The light and glare discussion fails to address potential impacts associated with increased evening uses of the campus associated with the new Multi-Use building and chapel. The IS's reliance on the generic statement that "basic concept and purpose behind the existing lighting patterns" not changing is inadequate evidence to support the CEQA finding of "no impact". The Aesthetics discussion relies not on actual analysis but rather on the intent of the MP "to improve and enhance the visual character of the campus." Substitution of the applicant's intent for actual analysis is not permitted under CEQA.

As discussed above, the IS provides no evidence to support its "less than significant" aesthetic impact conclusion. Absent basic building designs or even design guidelines, there is no way for the reader to know if these impacts are, in fact, less than significant. This deficiency is exacerbated by the lack of detailed information on grading, vegetation removal, and landscaping. Given that the project would add several large structures with over 40,000 square feet of new space, and absent any documentation to the contrary, and given the magnitude of visual changes resulting from the project and level of concern of the neighbors, this impact appears to be potentially significant.

Air Quality. The IS should include BAAQMD standard dust control measures in order for the construction impacts to be considered less than significant. Deferral of mitigation to a dust control plan could conflict with the *Sundstrom v. County of Mendocino* requirements that mitigations be described in the IS and not deferred. That section also fails to discuss any increase in emissions associated with additional events that may occur at the expanded facilities. The air quality section also fails to address greenhouse gas emissions; that analysis must be added.

Biological Resources. The biological resources section should include a discussion of the species that use/inhabit riparian habitat along the project's Cordonices Creek corridor. It should be noted that riparian habitat is a sensitive biological community, contrary to the discussion in item IV.b. The IS's conclusion that the project could not have a potentially significant impact on species residing in the creek cannot be supported absent a description of stormwater control and treatment facilities. The IS needs to evaluate these systems, not just assume their effectiveness.

Hydrology. New parking is proposed adjacent to Cordonices Creek, yet the MP includes no stormwater treatment plan. The IS inexplicably assumes that some unidentified future stormwater control plan will mitigate this potentially significant impact. This fails to provide adequate information to determine if the system would work, and also fails to comply with Clean Water Act section c.3. requirements, compliance with which should be evaluated in CEQA documents.

Section VII, Hydrology, continues to make assumptions regarding the effectiveness of the un-designed and un-described stormwater control system. For example, on p. 37, the IS states "...the Master Plan would only affect these creek restoration activities if it were to alter drainage to the creek, which will be prevented by installing all necessary drainage improvements." What are those improvements? The discussion on p. 40 makes the same unsupported assumptions, and relies on "the applicant has indicated...that future projects...will be designed to limit stormwater to Cordonices Creek to ...not to exceed...existing levels." The applicant's "indications" are not adequate evidence upon which to support a finding of no significant impact. The IS uses similarly impermissible vague language on p. 43, first and third full paragraphs. At a minimum, the IS should include a mitigation requiring specific reductions of peak runoff and treatment of the runoff to assure no water quality impacts to the creek and its habitat. This is particularly critical if the City is proposing to use this document to satisfy CEQA requirements for each subsequent building.

The hydrology analysis fails to describe the project's compliance with Federal Clean Water Act section C.3 requirements that all stormwater be treated on the site. How and where will this occur? The underground detention basins mentioned in this section are not described in detail anywhere in the IS. Will they increase the need for off-haul of material? Please provide a schematic of this system with capacity calculations showing compliance with C.3 requirements. Also, please add preparation of a post-construction Storm Water Control Plan as a mitigation measure, as required by the C.3 provisions. Note that the Alameda County Watercourse Protection Ordinance (p.45) does not apply in incorporated cities such as Albany.

Noise. The IS's noise assessment fails to analyze the key noise sources of concern to the sensitive receptors (neighbors), and uses inappropriate noise parameters, metrics, and methodologies, which downplay the project's potential impacts. Noise, Items c. and d., state that the project would not substantially increase the use of Panther Field; does this account for use that would be shifted from the existing practice field to be removed as part of the project? Also, items b, c, and d fail completely to assess any potential increase in noise associated with increased evening use of the new facilities.

Noise item d) states that each new building "would need to be evaluated in a project-specific acoustical report". What's the relevance of this? Would the acoustic report consider off-site noise impacts of the buildings' use? Where is this required?

Traffic. The traffic analysis also is rendered inadequate by the erroneous baseline described above. Most importantly, the traffic and parking study did not focus on the use of the new facilities, which could add substantially to the evening and weekend traffic, but rather is focused on standard school-day activities, which would experience less change from project implementation. This has resulted in the traffic analysis failing to address potential traffic and parking impacts of the additional events that could draw large numbers of people to the campus in the evenings and weekends.

In addition, as detailed in Donna DeDiemar's comment letter of December 2, 2008, the traffic analysis illogically concludes that "some intersections appear to operate worse without the school in session than when the school is in session...", and failed to accurately describe and consider the context and causes of changes in traffic congestion and speeds measured by the traffic consultants.

In addition, page 65, the third from last paragraph should be re-cast as a mitigation measure so that it will be enforceable. "Should" and "can" in that paragraph should be changed to "shall" to assure implementation. Absent these changes, the IS cannot assume that these mitigations would occur. The second paragraph under Item f) on p. 66 should be changed to a mitigation measure, not a vague unenforceable recommendation. Similarly, "Recommendations" on p. 67 should be changed to mitigations for cumulative traffic and parking impacts of past, present, and likely build-out at the site.

Utilities. P. 69, Utilities - Item b) considers the athletic field part of this Master Plan. The IS is inconsistent on this.

P. 70, Utilities, item c), again assumes effectiveness of storm drainage improvements that are not described in the Mater Plan.

Other Issues. Construction of the multi-use facility would displace the existing practice ballfield. The IS should discuss how that may affect/increase use of Panther field, and the potential impacts on noise associated with that change of use.

RELATIONSHIP OF INITIAL STUDY TO THE CUP

The findings of the IS need to be integrated into the use permit, as conditions. Similarly, the proposed Use Permit requirements should be integrated into the Master Plan. The reliance on future Use Permit conditions that are not included in the Master Plan to assume mitigation of impacts in the IS fails to comply with CEQA, which requires that the

mitigation measures either be already in the project description (Master Plan), or in the Initial Study and Mitigation Monitoring and Reporting Program.

CONCLUSIONS

It is my professional opinion that the deficiencies described above are substantial and render the IS inadequate to meet basic CEQA analysis and disclosure standards. I appreciate the opportunity to review this document and am available to answer any questions that you may have regarding these comments.

Sincerely

Richard Grassetti
Principal
Grassetti Environmental Consulting



PRINCIPAL

Expertise

- CEQA/NEPA Environmental Assessment
- Project Management
- Geologic and Hydrologic Analysis

Principal Professional Responsibilities

Mr. Grassetti is an environmental planner with over 19 years of experience in environmental impact analysis, hydrologic and geologic assessment, project management, and regulatory compliance. He is a recognized expert on California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) processes, and has served as an expert witness on CEQA and planning issues. Mr. Grassetti regularly conducts peer review and QC/QA for all types of environmental impact analyses, and works frequently with public agencies, citizens groups, and applicants. He has managed the preparation of over 50 CEQA and NEPA documents, as well as numerous local agency planning and permitting documents. Mr. Grassetti has prepared over 200 hydrologic, geologic, and other technical analyses for CEQA and NEPA documents. He has analyzed the environmental impacts of a wide range of projects including residential developments, waste management projects, mixed-use developments, infrastructure improvements, energy development, military base reuse projects, and recreational facilities throughout the western U.S. In addition to his consulting practice, Mr. Grassetti is an adjunct professor at California State University, Hayward, where he teaches courses on environmental impact assessment, among others.

Professional Services

- Management and preparation of all types of environmental impact assessment and documentation for public agencies, applicants, citizens groups, and attorneys
- Peer review of environmental documents for technical adequacy and regulatory compliance

- Expert witness services
- Assisting clients in CEQA and NEPA process compliance
- Preparation of hydrologic and geologic analyses for EIRs and EISs
- Preparation of project feasibility, opportunities, and constraints analyses, and mitigation monitoring and reporting plans

Education

University of Oregon, Eugene, Department of Geography, M.A., Geography (Emphasis on Fluvial Geomorphology and Water Resources Planning), 1981.

University of California, Berkeley, Department of Geography, B.A., Physical Geography, 1978.

Professional Experience

1992-Present	Principal, GECO Environmental Consulting, Berkeley, CA
1994-Present	Adjunct Professor, Department of Geography and Environmental Studies, California State University, Hayward, CA
1988-1992	Environmental Group Co-Manager/ Senior Project Manager, LSA Associates, Inc. Richmond, CA
1987-1988	Independent Environmental Consultant, Berkeley, CA
1986-1987	Environmental/Urban Planner, City of Richmond, CA
1982-1986	Senior Technical Associate - Hydrology and Geology - Environmental Science Associates, Inc. San Francisco, CA
1979-1981	Graduate Teaching Fellow, Department of Geography, University of Oregon, Eugene, OR
1978	Intern, California Division of Mines and Geology, San Francisco, CA

**Professional
Affiliations and
Certifications**

Member and Past Chapter Director, Association of
Environmental Professionals, San Francisco Bay
Chapter
Member, International Association for Impact Assessment

**Publications
and Presentations**

Grassetti, R. *NEPA Improvement Or Dismemberment? An Analysis of The Recent Efforts on Improving and Updating The National Environmental Policy Act.* Paper Presented at International Association for Impact Assessment Conference, Stavanger, Norway. May 2006.

Grassetti, R. *Round Up The Usual Suspects: Common Deficiencies in US and California Environmental Impact Assessments.* Paper Presented at International Association for Impact Assessment Conference, Vancouver, Canada. May 2004.

Grassetti, R. *Understanding Environmental Impact Assessment – A Layperson's Guide to Environmental Impact Documents and Processes.* (in press).

Grassetti, R. *Developing a Citizens Handbook for Impact Assessment.* Paper Presented at International Association for Impact Assessment Conference, Marrakech, Morocco. June 2003

Grassetti, R. *CEQA and Sustainability.* Paper Presented at Association of Environmental Professionals Conference, Palm Springs, California. April 2002.

Grassetti, R. and M. Kent. *Certifying Green Development, an Incentive-Based Application of Environmental Impact Assessment.* Paper Presented at International Association for Impact Assessment Conference, Cartagena, Colombia. May 2001

Grassetti, Richard. *Report from the Headwaters: Promises and Failures of Strategic Environmental Assessment in Preserving California's Ancient Redwoods.* Paper Presented at International Association for Impact Assessment Conference, Glasgow, Scotland. June 1999.

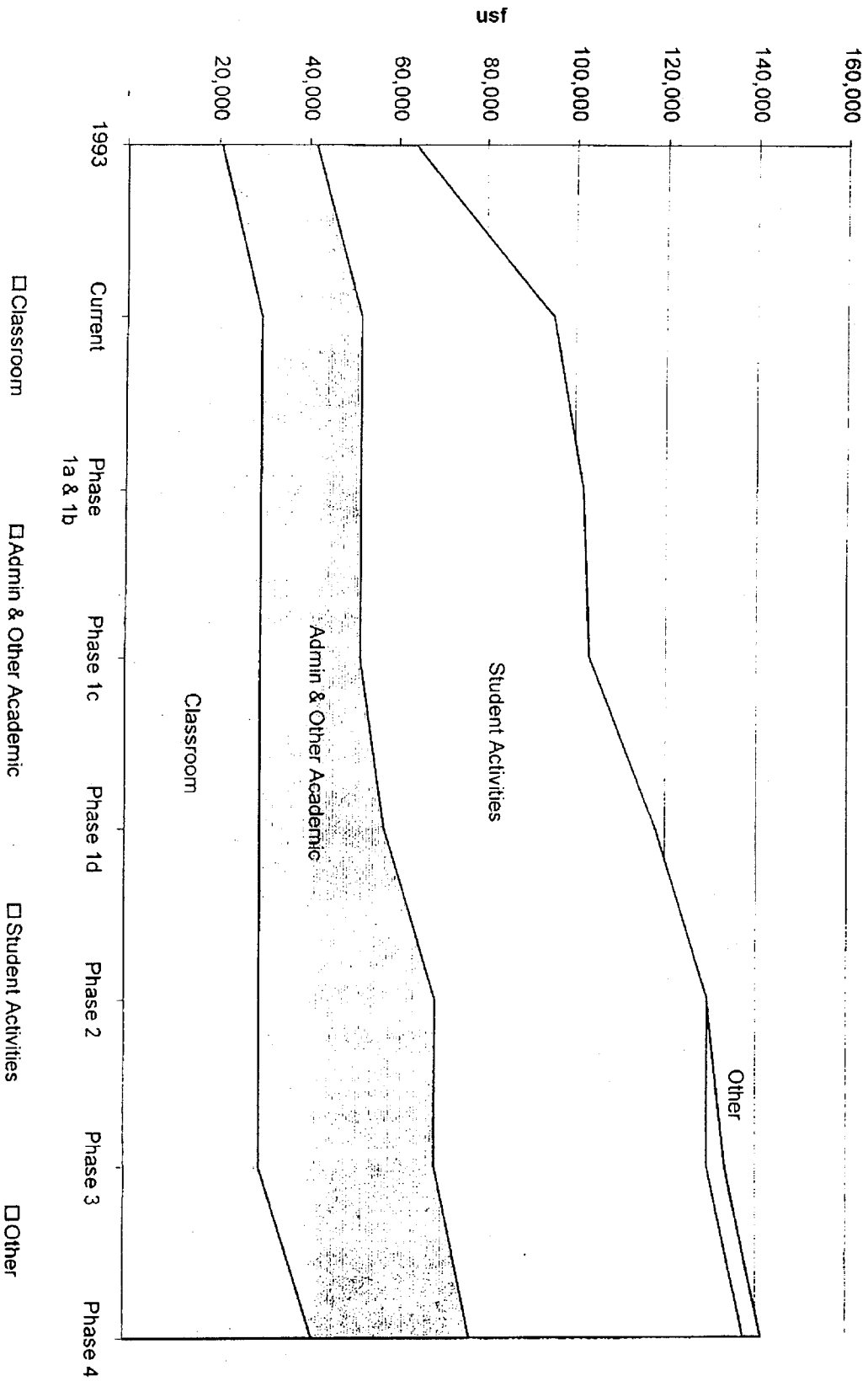
Grassetti, R. A., N. Dennis, and R. Odland. *An Analytical Framework for Sustainable Development in EIA in the USA.* Paper Presented at International Association for Impact Assessment Conference, Christchurch, New Zealand. April 1998.

Grassetti, R. A. *Ethics, Public Policy, and the Environmental Professional*. Presentation at the Association of Environmental Professionals Annual Conference, San Diego. May 1992.

Grassetti, R. A. *Regulation and Development of Urban Area Wetlands in the United States: The San Francisco Bay Area Case Study*. Water Quality Bulletin, United Nations/World Health Organization Collaborating Centre on Surface and Ground Water Quality. April 1989.

Grassetti, R. A. *Cumulative Impacts Analysis, An Overview*. Journal of Pesticide Reform. Fall 1986.

**Proposed St. Mary's Master Plan
Summary of Usable Square Footage by Phase**



signed copy

**ALBANY CITY COUNCIL
Resolution No. 94-37**

A Resolution of the Albany City Council Denying the Appeal and Upholding the Planning and Zoning Commission's Approval of the Negative Declaration and Conditional Use Permit No. 93-27, Amending the Master Plan For St. Mary's College/Highschool (CUP # 587), Allowing for Co-educational and Increased Enrollment; Approving the Design Review Application for the Gymnasium Expansion, Parking Lot Improvements and Other Physical Improvements on Posen Avenue; and Approving a 4 Ft. Height Variance for the Western Elevation of the Gymnasium Expansion and Making the Required Findings By Law.

Whereas, St. Mary's College/Highschool has applied for a conditional use permit, design review and variance application to provide for co-educational and increased enrollment starting in September, 1995, and to allow for physical modifications of the campus including parking lot improvements off of Posen; a 26,000 sq.ft. expansion of the existing gymnasium and modification of existing classroom and campus facilities that do not involve an increase in the total amount of gross square footage beyond what presently exists for the campus classrooms; and

Whereas, the new application requires an amendment to the existing master plan (which was approved by the City in 1982 as Conditional Use Permit No. 587) for the site with a new project description which is attached to this resolution as Exhibit A and hereby incorporated by reference; and

Whereas, the Planning and Zoning Commission held duly and properly noticed public hearings on these applications on September 14, 1993, March 8, 1994 and April 13, 1994 and also held a scoping and informational meeting on November 23, 1994; and

Whereas, the Planning and Zoning Commission on September 14, 1993 held a duly and properly noticed public hearing on the proposed negative declaration and held another duly and properly noticed public hearing on a revised negative declaration on April 13, 1994; and

Whereas, the Planning and Zoning Commission took action to unanimously approve the negative declaration, Conditional Use Permit No. 93-27 and the associated design review and variance applications for the St. Mary's College High School project including co-educational and increased enrollment, the gymnasium expansion and parking lot and numerous other improvements both on and off site, and this approval is contained in Planning and Zoning Commission Resolution No. 94-01.

Whereas, on April 25, 1994 an appeal was filed by Bonnie and Richard Miller, 1521 Posen Avenue, concerning the visual impacts of the proposed gymnasium; and

Whereas, the City Council held a duly and properly noticed public hearing on May 23, 1994 to consider the appeal of the Planning and Zoning Commission action, closed the public hearing and directed staff to revise Resolution No. 94-37 be revised to reflect modified conditions pertaining to landscaping requirements, traffic and parking mitigation measures, creek protection and storm water and urban runoff and setback requirements;

NOW THEREFORE BE IT RESOLVED THAT:

Section I. The Albany City Council hereby acknowledges that the appeal filed by Bonnie and Richard Miller, 1521 Posen was primarily focused on the visual impacts of the gymnasium expansion. The Council hereby denies the appeal of this project and finds that the Commission acted within their authority under Section 20-4.1 and 20-10.1 of the Albany City Code and did not abuse their discretion in approving the expansion of the gymnasium project. The Council further finds that the visual impacts associated with the gymnasium have been comprehensively analyzed through both architectural and visual simulation work, and have been adequately and appropriately mitigated to a level of insignificance.

ATTACHMENT 5

Section II. The Albany City Council hereby upholds the Planning and Zoning Commission approval of Conditional Use Permit No. 93-27, as revised, and confirms that the permit shall be subject to the following conditions:

General.

G-1. This conditional use permit supersedes and incorporates all the previous use permits for the St. Mary's College/Highschool campus and shall act as the master document for the operation of and improvements of the campus facilities. Specifically, this use permit authorizes the construction of a gymnasium expansion and new parking lot on Posen Avenue, pursuant to a detailed project description contained in Exhibit A.

G-2. St. Mary's College High School (SMCHS) may operate a co-educational high school facility for grades 9 through 12 beginning in September, 1995, for up to 600 total students. Prior to September, 1995, the school is permitted to operate as a male-only school for grades 9 through 12 with a total enrollment not exceeding 420 students. The maximum enrollment figures may be exceeded on an absolute basis by up to five percent to allow for attrition and other student body changes.

In addition to the academic year activities, SMCHS may authorize the operation of summer programs for teacher training and for K-12 children. All conditions and requirements concerning traffic and parking, noise and activity limitations shall apply to these summer programs.

The following enrollment limitations and restrictions on operation and activity are placed on the school:

a. Enrollment increases on a per year basis from 1995-1999 shall not exceed the approved on and off-street parking capacity for the campus (163 spaces total) for students, faculty and staff. (Please refer to Traffic, Circulation and Parking Section, Condition TCP-6.)

b. Modifications to or expansion of classroom facilities including Cronin Hall and St. Joseph's Hall, shall not exceed the total, existing gross square footage as of April, 1994, including the two temporary classroom buildings. Prior to the issuance of an occupancy permit for the gymnasium expansion, or prior to any construction activity to modify classroom space, whichever occurs first, SMCHS shall submit a detailed, phased construction schedule to the Planning Department for modifying the classroom facilities to the Planning Department for review and approval. This plan shall include the total, existing classroom square footage on campus and plans for how and when existing classrooms will be modified, demolished or newly constructed. At the discretion of the applicant, temporary buildings may be used to account for required classroom space between the time of building demolition and the completion of a new facility. These arrangements, including time frames, shall also be included in the phased construction plan.

As per Conditional Use Permit No. 587, SMCHS shall be permitted to construct new classroom buildings to replace Cronin Hall and the two temporary buildings. Prior to the issuance of a building permit for these facilities, they shall be reviewed and approved by the Planning and Zoning Commission through a design review process. The property owners around the campus shall receive public notice of the design review process and when it is scheduled. No further amendment to the Master Plan shall be required for these modifications. The design review criteria shall focus on assuring architectural compatibility with existing campus buildings and confirming that the gross square footage of the new construction does not exceed the existing classroom square footage as of April, 1994. Further, all construction activity associated with the classroom modifications and rebuilding shall conform to the construction requirements section of this Resolution (Conditions CR-1 through CR-8.)

c. Pursuant to Conditional Use Permit No. 587, and this current master plan amendment, this approval does not include any form of conceptual approval or other entitlement for the performing arts center building or related parking lot (Building K on plans dated June, 1993.) This phase is not proposed and is speculative at this time. If this part of the master plan is pursued in the future, it shall be subject to a conditional use permit amendment, design review, all required review under the California Environmental Quality Act (CEQA), and any other future, applicable zoning and planning requirements.

G-3. Prior to the issuance of a building permit for the gymnasium expansion, a mitigation monitoring program for the conditional use permit requirements and CEQA shall be developed, reviewed and approved by the City at the applicant's expense, and cash deposit shall be submitted to perform the required monitoring work and inspections as acceptable to the Public Works Director and the Planning Director.

G-4. Prior to the beginning of each school year, SMCHS shall send an information notice to neighbors within 300 feet of the campus boundaries informing them of anticipated, scheduled campus events and activities during the year including those events that exceed the hours of operation restrictions set forth in Condition N-3 of this resolution. This information shall include but not be limited to dates, hours, the type of event and an available contact person in the event of a problem.

Soils, Geology, Drainage and Erosion Control.

Potentially significant impacts pertaining to seismic safety, site drainage and groundwater were identified and assessed during the environmental review for this project. The following mitigation measures are required to reduce these impacts to a level of insignificance.

Impact: The project is located within an area that is subject to severe seismic activity, which is a significant, adverse impact.

SGD-1. Mitigation measure: The design of all site improvements and new structures shall conform to the appropriate seismic design criteria of the latest Uniform Building Code (UBC) adopted by the City of Albany.

Monitoring: This requirement is a standard part of the Building Department plan check for conformance of the building plans to the UBC. It shall be verified by the City Building Inspector, in conjunction with an independent plan check firm hired by the City, prior to the issuance of a building permit (as part of the plan check process.)

Impacts: The project will add new impervious surface runoff to a presently inadequate surface storm drain system along Ventura and Posen. The existing project conditions contribute to the Posen/Ventura storm water runoff problems during peak event storm periods. The project may also contribute to the existing drainage problems downslope from the new parking lot at 1508 and 1510 Posen. Posen.

SGD-2. Mitigation measure: The project grading, drainage and improvement plans shall include all recommendations and schematic drainage plans as prepared by Jacobs Engineers with plans dated 11/1/93 and letters dated 10/29/93 and 1/6/94. The final plans shall be submitted at the building permit stage and shall be prepared by a registered civil engineer approved by the City Engineer. The information contained in the plans and specifications shall include but not be limited to:

a. Full engineering calculations and information to support the recommendations and design details of the project, including directing parking lot drainage away from the property at 1508 and 1510 Posen and the size and design of the detention basins on-site so that run-off during peak storm events will be retained on-site so that there will be no net impact on Posen and Ventura.

b. Identification of all recommendations made to date by both Jacobs Engineers and Leptein-Cronin and Cooper for the project drainage system.

c. Specific provisions and requirements for the maintenance of the drainage system designed for the site, including screening or other clean-out features to prevent clogging, and other associated maintenance standards for any other part of the system, as required.

Monitoring: The Public Works Director and Planning Director shall review and approve the drainage plan prior to the issuance of a building, encroachment or grading permit for the project, and work with an independent civil engineer, if required, hired by the City at the applicant's expense.

d. Action and provisions to correct the remedial drainage problems adjacent to the playing fields by Monterey Avenue, as described in a letter from James Allen, dated September 14, 1993.

SGD-3. Mitigation Measure: Overall storm drainage system improvement plans for the Posen/Ventura area have been schematically designed to solve existing drainage problems. A pro-rated share of improvements has been calculated for SMCHS campus based on an evaluation of the run-off and watershed. SMCHS shall be required to pay this pro-rated amount (\$15,520) to the City prior to the issuance of an occupancy permit for the new gymnasium.

Monitoring: Planning Department shall require SMCHS to pay this amount prior to the Building Department signing off the occupancy permit for the new gymnasium.

Impact: Groundwater may be encountered during excavation for the new gymnasium.

SGD-4. Mitigation Measure: Final plans and specifications shall include measures to account for the potentially high groundwater table by insuring that the foundation is protected and that adequate pump, drainage and ventilation facilities are incorporated into the project within the ground level area of the building.

Monitoring: The Public Works and Planning Director shall check that these specifications and contingencies are incorporated into the final building permit plans for the gymnasium project.

Additional conditions: The following additional measure, while not required to mitigate a significant adverse impact, shall be incorporated into the project as part of the conditional use permit and design review approvals for the project:

SGD-5: Plans submitted for the building permit shall include detailed erosion control measures as part of the parking lot and improvement plans along Posen. Plans shall include both temporary and permanent erosion control measures, following the ABAG Erosion Control Standards. This plan shall be reviewed and approved by the City Engineer prior to the issuance of a building, encroachment or grading permit for the gymnasium or parking lot project.

Traffic, Circulation and Parking.

Less than significant impacts pertaining to increased vehicle trips and parking demand were identified and assessed during the environmental review for the project. The following mitigation measures are required for the project as part of the conditional use permit, and are further required to be monitored to assure that the standards for traffic and parking are being met and that impacts to the surrounding neighborhood are minimized to the greatest extent feasible.

Impact: The project will produce additional vehicle trips on Albina and Posen Avenues throughout the course of the increased enrollment period. Although the levels of service for these streets will remain acceptable, measures are required to assure safe driving at slow speeds for trips into and out of the campus.

TCP-1 Mitigation measure: Speed bumps shall be installed on Albina and Hopkins Court at SMCHS expense in conjunction with the City of Berkeley. The bumps shall be installed no later than prior to the start of the Fall, 1995 school year.

Monitoring: The Planning Director and Public Works Director shall work directly with the City of Berkeley to schedule and complete construction by September, 1995.

TCP-2 Mitigation measure: A traffic safety plan shall be provided by SMCHS and approved by the City, in conjunction with the City of Berkeley and the Traffic and Safety Commission. The plan shall include but not be limited to slow speed signs and speed limit signs on Albina, Hopkins Court, and Posen; a no thru traffic sign on Hopkins Court, and if required, similar signs for Ventura. The traffic safety plans shall be completed by the start of the 1995 school year.

Monitoring: The Public Works and Planning Director shall review and approve the plan in conjunction with the City of Berkeley and the Traffic and Safety Commission and shall confirm its completion prior to the issuance of an occupancy permit for the new gymnasium.

TCP-3 SMCHS shall establish a written contract procedure at the beginning of each school year (starting with Fall, 1994), with each student and parent driver and each faculty and staff member pertaining to the rules of driving conduct, parking restrictions and acceptable pick up and drop off locations. Each new driver throughout the year shall execute the contract as part of the conditions and requirements of enrollment or employment. City staff shall review and approve the items covered prior to finalization of the contract.

Monitoring: The Planning Director shall review and approve the items to be covered in the contract prior to the beginning of the 1994 school year. Two times during each school year from 1994-99 City staff shall randomly check that the contracts are being executed with each SMCHS driver.

Impact: Increased enrollment will produce an additional demand on parking, both on and off-street.

TCP-4 Mitigation measure: A parking sticker system shall be instituted for all SMCHS vehicles that use parking in and around the campus, prior to the beginning of Fall, 1995.

Monitoring: The Planning Director shall verify that the parking sticker system has been instituted by the beginning of the Fall, 1995 school year. (At SMCHS discretion, this condition may be combined with TCP-3, so that a sticker is issued upon execution of the contract.)

TCP-5 Mitigation measure: Prior to the start of the Fall, 1995 school year, SMCHS shall apply for and establish time limited parking restrictions on the north side of Posen and Ventura Street, and any other areas deemed required on the basis of a joint review by the City of Albany Traffic Engineer and the City of Berkeley. These limits shall be established concurrently with a residential parking sticker system. SMCHS shall be responsible for the initial costs associated for establishing this system, including street signs and sticker costs for residents during the first year only. Thereafter, it shall be at the discretion of the individual property owners and residents whether they desire to continue to be part of the residential parking sticker system on an annual basis.

Alternatively, prior to initiating the residential permit parking zone, SMCHS shall request that a survey be mailed to all affected property owners so that they may indicate whether or not they would like such a system instituted. If a majority of property owners wish to institute such a system, SMCHS shall proceed accordingly. If a majority of property owners do not want such a zone, SMCHS shall be relieved of this requirement but shall be responsible for monitoring on-street parking useage six times/year to assure that SMCHS vehicles are not parking in an unauthorized manner (as per condition TCP-6. a).

Monitoring: In conjunction with the provisions of City Code Section 9-12, the Planning Director and Public Works Director shall follow the procedures for establishing a permit parking system on Ventura, the north side of Posen and West Place at the initial expense of SMCHS during the first year.

TCP-6 Mitigation measure: At no time shall the overall SMCHS student, faculty and staff parking demand shall not exceed the 163 space on and off-street parking capacity (119 spaces on-site, 44 spaces on the south side of Posen.), except as specified for the six special events per year as provided in N-3. This space limitation shall ensure that not more than thirty percent of SMCHS students, faculty and staff drive to school in any given school year.

a. As enrollment increases, beginning with the 1996-97 school year, parking shall be monitored during at least two random time periods (Fall and Spring) to assure that parking restrictions are being followed and that the parking demand does not exceed 163 cars.

b. Prior to the issuance of an occupancy permit for the gymnasium, SMCHS shall submit a traffic, trip and parking management plan that includes alternative modes of travel to campus, ridesharing programs and incentives, provisions for secured bicycle parking, preferential parking for carpoolers and other arrangements. The plan shall also outline additional measures, if found to be necessary or desirable, that may help to control the rate of speed or other characteristics of driving to and from the campus along any of the surrounding residential streets (in addition to those measures already required in TCP-2. This plan shall be reviewed by the Traffic and Safety Commission and the Planning and Zoning Commission at a public meeting with notification provided to all affected or potentially affected residents in the surrounding neighborhoods in Albany and Berkeley.

c. Prior to the beginning of Fall, 1996, SMCHS shall institute the traffic and parking management plan, including establishing a preferential, off-street parking area for carpool vehicles (a carpool shall be defined as two or more occupants per vehicle.)

Monitoring: The Planning Director shall confirm that the three requirements have been met according to the schedule established.

TCP-7 Mitigation measure: Prior to the beginning of the Fall, 1995 school year, SMCHS shall submit a plan for the reconfiguration and improvement of the parking lot with access from Albina so that it is more efficient and meets the standards to provide a hard, all weather surface. These plans shall be reviewed and approved by the City Engineer prior to construction. Construction shall be completed by June, 1996.

In designing and engineering this parking area, SMCHS shall evaluate the potential impacts of surface run-off and storm water run-off on the adjacent creek area, and shall incorporate specifications and features to minimize these potential impacts with the overall goal of minimizing stormwater runoff. In addition, all requirements and standards to ensure that pollutants will be trapped and filtered, and that all storm water run-off requirements of the City and other relevant agencies will be met.

Noise.

Impact: Noise disturbances may increase due to the more consistent student use of the Posen Street parking lot, and from the new gymnasium. This impact, although found to be less than significant, has been mitigated as part of the conditional use permit in order to reduce the potential impacts of the increased enrollment on the immediate, surrounding neighborhood.

N-1 **Mitigation measure:** Final plans for the building permit shall include an acoustically designed, wooden fence shielding the neighbors at 1508 and 1510 Posen from the parking lot. This fence shall be designed according to the requirements and recommendations of C. Salter Associates, dated 11/8/93.

Monitoring: The Planning Director shall check the final building permit plans for the gymnasium to confirm that this fence is included in the project.

N-2 **Mitigation measure:** Final plans for the building permit shall include noise attenuation features for the new gymnasium in order to reduce the potential for noise from the building to be heard from outside.

Monitoring: Same as for N-1.

N-3 **Mitigation measure:** Hours of campus events shall be limited to no earlier than 7:00 AM and no later than 10:30 PM, except that the SMCHS personnel shall have additional time, if necessary, to turn off lights and secure the campus at the conclusion of campus events. On an academic year basis, these time limits may be exceeded a maximum of six times to allow for campus events where participants and attendees leave no later than 12:00 midnight, pursuant to Condition G-4. An exception is hereby granted for existing residential activity on the campus itself (Brothers Residence.)

Monitoring: SMCHS administrators shall confirm that student and campus activity conforms to the established time limit.

Light and Glare.

Impact: There will be potential for light and glare to be directed onto adjacent properties from the new parking lot lighting and from the new gymnasium.

LG-1 **Mitigation Measure:** Final building permit plans shall include detailed lighting plans and shall be evaluated so as to assure that light and glare are directed onto the site only, are minimized to the greatest extent feasible while still providing sufficient light, and are not directed onto adjacent properties.

Monitoring: The Planning Department, as part of the building permit plan check, shall check the lighting plans for conformance to the above requirements prior to the issuance of a building permit.

Visual Impacts and Design Review Requirements for the New Gymnasium and Parking Lot.

Impact: The new gymnasium may result in visual impacts on Posen.

VDR-1 **Mitigation measure:** Final building plans shall include a detailed street tree and landscape plan along Posen to buffer the parking lot and new gymnasium building from the street. This plan shall include fencing (of a type other than vinyl clad chain link), and landscaping along the Posen Street boundary of the building project. The applicant shall also provide tree planting along both sides of Posen Street, such plantings limited to the length of the Posen Street boundary of the campus. At the discretion of SMCHS, the street tree planting requirement may be fulfilled by depositing sufficient funds with the City to cover costs of purchasing and planting the trees, and the City shall plant them during a subsequent, periodic City administered planting contract. At a minimum, information contained in the plan shall include but not be limited to: number, species, size and type of planting. Native, drought resistant, and eucalyptus tolerant plantings should be emphasized. This plan shall be prepared by a qualified landscape architect.

This landscape plan shall be designed with the following criteria and standards:

A). Providing the maximum coverage and buffer from Posen while maintaining parking lot and site visual security.

B) Providing some planting and tree species that will grow faster than others (two to five years) so that coverage will be established within a shorter time frame.

C) Assure that the type and location of new plantings account for the existing eucalyptus trees and the potential difficulty of establishing new planting under and around them.

Final building plans shall also include a more developed facade for the gymnasium building elevation facing Posen Avenue to provide more interest and to break up the mass and bulk of the building. The Planning and Zoning Commission shall review and approve these plans prior to the issuance of a building permit for the gymnasium.

Monitoring: The Planning Department shall review the plans prior to the issuance of a building permit, and inspect the installation of the fencing, street trees and landscaping for compliance with the approved plans prior to the issuance of an occupancy permit for the new gymnasium.

VDR-2 Mitigation measure: The eucalyptus trees and black acacia tree along Posen Street are important to visually buffer the gymnasium building and shall be retained and protected during construction. Temporary fencing a minimum of 4 ft. high, welded wire with posts spaced no more than 4 ft. apart, erected around the perimeter of all trees fronting on Posen, an acceptable distance from the dripline. The placement of these fences may be subject to a review of a qualified arborist, if deemed necessary by the Planning Director.

Alternatively, a series of perimeter fences may be installed around portions of the site to protect areas, including the Posen trees and other trees to be retained, that are to remain undisturbed during construction, or other measures taken to protect the trees. The placement of the perimeter fences and other tree protection measures may be subject to review of a qualified arborist, if deemed necessary by the Planning Director.

Monitoring: This plan shall be reviewed and approved by the Public Works and Planning Department prior to the issuance of a building permit for the new gymnasium. Prior to the issuance of a building permit, the Planning Director shall inspect the site to assure compliance and the Building Inspector shall observe the condition of fencing during the course of construction.

VDR-3 All mechanical equipment, including electrical and gas meters, shall be architecturally screened from view. These screening details shall be submitted at the final building permit plan stage.

VDR-4 All vents, gutters, downspouts, flashings and the like shall be painted to match the color of the adjacent surface.

VDR-5 The gymnasium building wall facing Posen Avenue shall be a minimum of 74 feet from the front face of the Posen Street curb, as shown on the building plans from Marquis Associates L1.1 dated May 17, 1994.

Construction Requirements for the New Gymnasium.

CR-1 Prior to the issuance of a building or grading permit for the new gymnasium and Posen parking lot, the applicant shall submit a construction management and phasing plan for review and approval by the Planning and Public Works Department. This plan shall include:

a. An overall construction schedule, including drainage improvements, grading, building, landscaping and other improvements.

- b. A specific staging plan to assure that there is minimum disturbance to Posen Street residents. This information shall include anticipated equipment, maneuvering of construction vehicles on local streets and major points of access, area of construction, delivery areas, hours of construction, a prohibition on weekend construction, street cleaning schedule, where students, faculty and staff will park in the during construction, where construction workers will park, and other pertinent details.
- CR-2 A minimum of one week prior to the commencement of construction, SMCHS shall send a written notice to the immediately adjacent neighbors along Posen and Ventura informing them of the construction management plan, the overall timetable, and providing them with a contact person in the event of a construction problem.
- CR-3 Final inspection and/or occupancy permits shall not be granted until all construction and landscaping is complete and in accordance with the final approved plans, or until cash, a letter of credit or a certificate of deposit, as acceptable to the Planning Director and the City Attorney has been posted to cover all the costs of the unfinished work plus 25 percent.
- CR-4 A landscape maintenance agreement shall be completed between the City and SMCHS prior to the issuance of an occupancy permit for the project, to guarantee the establishment of the new trees and landscaping along Posen Street. Cash, a letter of credit or a certificate of deposit shall be posted in the amount of 25 percent of the costs of installation and plant materials, to secure the agreement for a one year period.
- CR-5 All improvements shall be installed as approved by the Planning and Zoning Commission. Once constructed or installed, all improvements shall be maintained as approved. Minor changes may be approved by staff.
- CR-6 A construction inspection deposit, completion and maintenance deposit, in an amount to be determined by the City Engineer, and in a form acceptable to the City Engineer and the City Attorney, shall be submitted prior to the issuance of a building or grading permit in order to:
- a. Guarantee the completion of improvements in the public right-of-way.
 - b. Guarantee the repair and maintenance of roads and other publicly maintained features.
 - c. Cover the costs of contract inspection construction services by the City during the course of the project.
- CR-7 Improvement plans shall be submitted for the site with the building permit and shall include a curb extension along the applicant's street frontage along Posen. These plans shall be reviewed and approved by the City Engineer or his designee prior to the issuance of a building permit.
- CR-8 Hours of construction, in any event, shall be limited to Monday - Friday, 8:00 AM to 5:00 PM for power equipment and any noise generating activity. After the building shell is built, extended hours and weekend construction may be permitted as long as it is completely interior to the building and does not result in any noise disturbances.

Section III. The Planning and Zoning Commission hereby makes the following findings concerning the Negative Declaration for Conditional Use Permit No. 93-27, modifying the Master Plan for St. Mary's College Highschool, prior to approving the project:

- 1) A notice of intent to adopt a negative declaration was circulated during August and September, 1993 and during March and April, 1994, each time meeting the minimum 20 and 21 day review periods. Two public hearings to receive comments and testimony on the negative declaration were held on September 14, 1993 and April 13, 1994.

- 2) The Planning and Zoning Commission has considered the information and analysis contained in the negative declaration, together with any comments which have been received during the public testimony.
- 3) The Planning and Zoning Commission finds that on the basis of the initial study and all comments received during the public testimony that the project will not have a significant effect on the environment.
- 4) The Planning and Zoning Commission further finds that, for the potentially significant impacts, that the following mitigation measures and monitoring have been incorporated into the project to eliminate the impacts or reduce them to a level of insignificance, as follows:

a. **Impact:** The project is located within an area that is subject to severe seismic shaking as the of an earthquake, which is a significant, adverse impact.

Mitigation measure: The gymnasium project will incorporate seismic safety within the construction and design meeting the latest Uniform Building Code standards adopted by the City of Albany (Condition SGD-1).

b. **Impacts:** The project will add new impervious surface runoff to a presently inadequate surface storm drain system along Ventura and Posen. The existing project conditions contribute to the Posen/Ventura storm water runoff problems during peak event storm periods. The project may also contribute to the existing drainage problems downslope from the new parking lot at 1508 and 1510 Posen. Posen.

Mitigation Measures: The final project grading, drainage and improvement plans will incorporate measures to protect the downslope properties at 1508 and 1510 Posen and to create no net increase in drainage onto Posen. (Condition SGD-2). Further, SMCHS will pay their pro-rated share of a new storm drainage system along Posen (Condition SGD-3.)

c. **Impact:** Groundwater may be encountered during excavation for the new gymnasium.

Mitigation Measure: Final plans and specifications shall include measures to account for the potentially high water table (Condition SGD-4).

d. **Impact:** There will be potential for light and glare to be directed onto adjacent properties from the new parking lot and from the new gymnasium.

Mitigation Measure: Final building permit plans shall include a detailed lighting plan and this plan shall be evaluated to assure that lighting is directed on-site only, and not onto adjacent properties (Condition LG-1).

e. **Impact:** The new gymnasium may result in visual impacts on Posen.

Mitigation Measures: A detailed street tree and landscape plan will be incorporated into the final plans for the gymnasium project (Condition VDR-1).

The existing eucalyptus trees fronting on Posen will be retained and protected during construction (Condition VDR-2).

The other following impacts and mitigation measures have been incorporated into the project to reduce or eliminate less than significant impacts:

f. **Impacts:** The project will produce additional vehicle trips on Albina and Posen Avenues throughout the course of the increased enrollment period. Increased enrollment may also produce additional demand for on-street parking.

Mitigation measures: A traffic safety plan will be developed, including but not limited to speed bumps on Albina and Hopkins Court; a no thru traffic sign on Hopkins Court; other signs and pavement markings to increase traffic safety awareness and notify drivers about conditions; an annual contractual agreement between all SMCHS drivers and the school pertaining to driving rules of conduct, acceptable travel routes and parking restrictions; institute a parking sticker system for SMCHS cars; institute a residential parking sticker system along Ventura, the north side of Posen and West Place; at no time shall parking demand exceed 163 total on and off-street spaces unless other parking or transportation system management plans are instituted; establish a preferential parking system for carpoolers (Conditions TCP 1-6.)

g. Impact: Noise disturbances may increase due to more consistent use of the Posen Street parking lot and from the new gymnasium.

Mitigation measures: Plans include a new, acoustically designed wooden fence along the side of the new parking lot closest to the adjacent neighbors; acoustical measures shall be designed into the gymnasium structure to reduce noise potential; hours of campus activity are restricted (Conditions N 1-3.)

Section IV. In conditionally approving Conditional Use Permit No. 93-27, modifying the Master Plan for St. Mary's College Highschool (SMCHS) and amending Conditional Use Permit No. 587, the Planning and Zoning Commission hereby makes the following findings required by Albany City Code Section 20-4.3 of the Albany City Code:

1) The size, intensity and location of the proposed use will provide a development that is necessary, or desirable for, and compatible with the neighborhood and the community.

SMCHS has been operating within the same area of the community since 1903. During the late 1960's and early 70's, enrollment reached over 700 students. The current use permit will allow co-educational enrollment to a maximum of 600 students, and other physical changes to the campus including a new parking lot, a 26,000 sq.ft. gymnasium expansion, and modification of existing classroom space that does not exceed the total, overall classroom square footage as of April, 1994.

The Albany Zoning Code contains an objective about the orderly expansion of and establishment of community facilities, such as educational institutions. Toward this end, the current use permit amendment and the project, along with the conditions and requirements for operation and construction, will assure that SMCHS continues to provide a development that is desirable and compatible with the neighborhood and the community.

Requirements have been set forth in Section I of this resolution, that for the first time establish a specific framework to reduce or minimize neighborhood impacts associated with operating a high school in this location, and provide a clearer set of neighborhood and school expectations regarding the operation of the campus and the methods that will be used to regulate the educational use and activities. Conditions include setting hours of operation, restricting on-street parking, controlling driving behavior, constructing and improving physical features that will improve the appearance and operation of the site, and improving the visual appearance of the campus. Most of these conditions and requirements contain monitoring responsibilities that assure that established standards are being met.

2) Such use as proposed will not be detrimental to the health, safety convenience and general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity

Conditions of approval and other requirements have been incorporated into the project plans and the use permit (refer to Section I of this resolution) which will safeguard the health, safety and general welfare of persons and property in the vicinity of the campus. These conditions include:

- Establishment of hours of campus activity.
 - Notification of neighbors of anticipated, annual campus events.
 - Traffic safety improvements and measures including speed bumps on Albina and Hopkins Court, signing, contractual agreements with all campus drivers, and limiting on-street parking to designated, immediately adjacent areas only through a sticker system.
 - Visual improvement and enhancement of the Posen Street side of campus, including street trees and landscaping.
- A drainage improvement plan and monetary contribution to improve the Posen Street storm drainage system.

3) That such use or feature as proposed will comply with the applicable provisions of this Chapter and will be consistent with the policies and standards of the General Plan.

The Albany General Plan designates this site for public facilities. The conditional use permit, as modified and expanded, is consistent with the overall General Plan policies of enhancing and protecting the environment through public improvements (drainage and seismic safety) and improving visual quality (street trees along Posen and improved entrance.) Further, the project establishes more specific limits and requirements on a long-standing, loosely regulated use, thereby improving traffic and neighborhood safety and general welfare.

The project meets all the planning and zoning requirements with the exception of a 4 ft. high section of roof along the west elevation of the new gymnasium. This resolution includes the granting of a variance to account for this exception.

Section V. The master plan amendment for SMCHS includes a gymnasium expansion and expansion and improvements for the parking off of Posen. The Planning and Zoning Commission hereby makes the following findings for design review of these improvements, pursuant to Section 20-10.6 of the Albany City Code, as follows:

1. The gymnasium structure and parking lot improvements will visually enhance the street scape and appearance of the St. Mary's College Highschool campus from Posen and Ventura Avenue. The plans call for enhancing the design, articulation and overall architectural quality of the gymnasium building, and improving the landscaping and buffering along the Posen Street edge with additional landscaping, street trees along the entire north edge, and fencing. The overall design, massing and architectural colors and materials of the building is consistent with the design of other campus buildings, notably the adjacent new science building.
2. The project, from both major entrances to the campus (Posen and Albina) has incorporated new traffic safety features to assure safe and convenient access for campus users and enhanced safety to the surrounding neighborhood. On-street parking restrictions will be established to minimize campus-related parking impacts and a ceiling has been established for campus cars so that parking demand does not exceed capacity. Monitoring requirements have also been established as part of the use permit.
3. The project includes tree protection measures for the eucalyptus trees along Posen Street because they represent an important visual buffer for the Posen Street side of the campus. In addition, the landscaping improvements call for planting new street trees along the entire north side of Posen. On-site excavation is proposed as part of the new gymnasium expansion, but it will not affect the visual appearance of the property from the street.
4. The project plan calls for increased landscaping and buffering along the Posen Street edge to provide a visual barrier between the campus and the adjacent residential areas.

5. The project area is designated in the Albany General Plan as a public facility. This designation includes educational activities. This project also includes setting forth, within the conditional use permit procedures, a list of specific requirements and conditions of campus operations and construction measures to assure that the use complies with all applicable City codes.

Other findings for non-residential design review:

2. The project includes parking lot improvements, drainage improvements (both actual and in-kind through a monetary contribution to a new storm drain system on Posen), traffic and safety improvements, and landscaping and street tree improvements, thereby improving the existing site and the surrounding area.

3. There are no signs as part of this project other than directional and traffic safety signs which have been included as part of the traffic safety plan and will be installed on public right of way.

4. This project is not in an area which is affected by the San Pablo Avenue Design Guidelines.

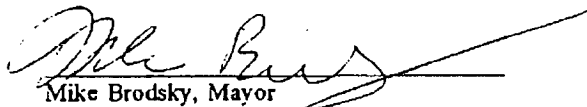
Section VI. In approving the conditional use permit for the master plan amendment for the St. Mary's College/Highschool, the Planning and Zoning Commission grants a four foot height variance for the new gymnasium building along the west elevation of the building, and hereby makes the required findings pursuant to Section 20-4.2 of the Albany City Code:

a. The site of the gymnasium expansion includes a gradual, downslope gradient from east to west, thereby resulting in a difference in the absolute measurement of height (from roof ridgeline to the grade directly below at any point), between one end of the building and the other. This downslope gradient is a special, physical circumstance of the property.

b. This four foot height variance does not represent a grant of special privilege. Other properties in Albany with similar physical characteristics have been granted height exceptions to account for the difference in slope between one part of the property and the other.

c. This variance is necessary to expand and upgrade the existing gymnasium building in the most efficient manner feasible, accounting for the difference in grade between the east and west portions of the building site.

d. The granting of this variance will not be materially detrimental to the surrounding properties because the four foot height exception is visually insignificant. The gymnasium expansion project will visually improve this portion of campus from Posen Street, and the overall project includes substantial on-site and off-site improvements which will improve the overall operation of the campus and provide visual, drainage and traffic safety enhancements to the surrounding community.


Mike Brodsky, Mayor

APPROVED AS TO FORM:


Robert Zweben, City Attorney



City of Albany

1000 SAN PABLO AVE. • ALBANY, CALIFORNIA 94706-2295

Resolution No. 94-37

FAX (415) 524-9359

CITY COUNCIL
(415) 528-5720

ADMINISTRATIVE
OFFICER
(415) 528-5710

BUILDING
INSPECTION
(415) 528-5780

CITY ATTORNEY
(415) 528-5717

CITY CLERK
(415) 528-5720

CIVIL SERVICE/
PERSONNEL
(415) 528-5710

FINANCE/
TREASURER
(415) 528-5730

FIRE
(General)
(415) 528-5771

FIRE
(Prevention)
(415) 528-5773

PLANNING
& ZONING
(415) 528-5780

POLICE
(415) 525-7300

PUBLIC WORKS/
ENGINEERING
(415) 528-5780

RECREATION
& COMMUNITY
SERVICES
958 Masonic
(415) 528-5740

SENIOR SERVICES
848 Masonic
(415) 528-5748

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

THIS 6th day of June, 1994, by the following votes:

AYES: Council Members Baker, Good, Mast, Rubin & Mayor Brodsky

NOES: None

ABSENT: None

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, THIS

16th day of August, 1994


JACQUELINE L. BUCHOLZ, CITY CLERK

Attachment A

The St. Mary's College High School campus site and facilities would be expanded to support a co-educational program for Fall, 1995. Enrollment would increase from approximately 375 students (Fall, 1994) to a maximum of 600 students over a five year period (1995-1999.) (The enrollment was as high 790 students during the late 1960's and early 1970's).

The existing gymnasium would be expanded by removing the original locker rooms and replacing them with a new, 26,000 sq.ft. structure. This building would include locker rooms, restrooms, offices, a lobby and weight rooms. The proposed structure would match adjacent buildings with light colored stucco finish and may reach 54 feet to the top of the roofline at its highest point along the west elevation.

Other site modifications are also proposed as part of this project. First, a new, 33 space parking lot will be constructed along the northwest edge of the campus, with access from Posen Avenue. Two temporary classroom buildings would be removed to accommodate the new parking area and to facilitate modification St. Joseph's Hall, demolition of Cronin Hall and building new classroom facilities to account for the co-educational enrollment and the increased number of students. No physical expansion beyond the existing total square footage of the two temporary classroom buildings, Cronin Hall and St. Joseph's Hall is proposed. Expansion and modification of the playing fields along the east portion of the site may also be incorporated.

This use permit and amendment to the master plan (CUP # 587) does not include the new performing arts building or associated parking lot off of Albina Avenue.

IT'S LIKELY THIS DESCRIPTION IS THE "EXHIBIT A" REFERENCED IN P.C. & C.C. RESOLUTIONS - BUT THERE IS NO MEANS TO ENSURE THAT

filed with a 8/29/95 memo from Gary Patton to Council
EP 11/17/05

**CITY OF ALBANY PLANNING AND ZONING COMMISSION
ST. MARY'S COLLEGE HIGH SCHOOL
ADMINISTRATIVE DRAFT - NOVEMBER 18, 2008
CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT**

GENERAL PROJECT CONDITIONS

1. **Project Approval.** This Conditional Use Permit (CUP) approval is for St. Mary's College High School (SMCHS) located at 1600 Posen Avenue (mailing address 1294 Albina Avenue, Berkeley, CA), as substantially shown and described on the master plan date received _____, as presented to the Planning and Zoning Commission on _____, except as may be modified by conditions herein. As of effective date of this conditional use permit, application for construction of improvements on campus shall be in substantial conformance with the CUP.
2. This Conditional Use Permit and its attachments supercedes all previous conditional use permits for SMCHS and shall act as the guiding document for the construction and operation of the school. On the effective date of the this CUP, the school may fully utilize all existing buildings, subject to these conditions of approval, and subject to standard state and local codes and requirements.
3. **Athletic Field Renovation Project.** The conditions of approval associated with the Athletic Field Renovation Project approved by the Planning and Zoning Commission on October 16, 2007 remain in full force and effect, are incorporated by reference, and included as Attachment _____.
4. **California Environmental Quality Act .** Pursuant to the California Environmental Quality Act (CEQA) requirements, an Initial Study and Mitigated Negative Declaration on the Athletic Field Renovation Project dated _____ was prepared and approved by the Planning and Zoning Commission on _____. In addition, an Initial Study and Mitigated Negative Declaration on the Master Plan Project dated _____ was prepared and approved by the Planning and Zoning Commission on _____. The Mitigation Monitoring and Reporting Program in those documents are incorporated by reference and included as Attachment _____ and Attachment _____.
5. **Approved Use.** The primary use of the SMCHS campus shall be as a grades 9 through 12 private coeducational high school, operated by a religious corporation under the Nonprofit Religious Corporation Law for religious purposes. The school shall maintain in good standing accreditation from _____. Other ancillary or temporary uses, shall be limited to activities typically pursued by private East Bay high schools and shall be related to the school's religious purpose, educational

ATTACHMENT 6

ADMINISTRATIVE DRAFT NOVEMBER 18, 2008
CONDITIONS OF APPROVAL
PAGE 2

mission, or related community service. All ancillary or temporary uses shall comply with all relevant conditions of approval (see condition of approval ____).

6. **School Calendar.** The school shall operate with a standard school calendar typical of private East Bay high schools, with the start of the school year in August/September, holiday break in December, and completion of the school year in May/June.
7. **Enrollment.** No more than 630 students in grades 9 through 12 may be enrolled at any time.
8. **Summer Programs.** Other summertime ancillary or temporary uses shall be limited to activities typically pursued by private East Bay high schools and shall be related to the school's religious purpose, educational mission, or related community service. All summer activities shall comply with all relevant conditions of approval. Summer programs should be sized in a manner so that student, guest, and staff parking can be reasonably expected to be absorbed on campus (taking into consideration 44 public parking spaces on Posen Avenue). Whenever possible, phasing of major construction should be scheduled so that if possible, major interruptions to the availability of on-campus parking and heavy construction-related traffic occurs during summer months. During these periods of time, summer programs should be further reduced in scale.
9. **Hours of Operation.** Academic programs shall be scheduled to begin no earlier than 7:00 a.m. Student activities such as athletics and performing arts shall be completed and guests and participants off campus by 10:30 p.m. SMCHS is allowed to schedule events to six events per year that shall be completed and guests and participants off campus by 12:00 midnight.
10. **Gross Square Footage.** The total gross square footage of building area on the campus shall not exceed 141,147 square feet. The square footage of individual buildings may vary, subject to Design Review.
11. **Site Regulations.** All improvements incorporated in the CUP and associated master plan shall be subject to the Planning and Zoning Code requirements in effect at the time of application for Design Review, including site regulations associated with the Public Facilities zoning district. SMCHS may submit an application for a Variance or Planned Unit Development as allowed by the Planning and Zoning Code, and the City has its regular discretion in consideration of any such applications.
12. **Subsequent Conditions of Approval.** The City of Albany reserves the right to impose conditions of approval related to the subsequent approval of Design Review or a building permit. Such additional conditions shall be based on standard city procedures and Federal, State, Regional or City regulatory

requirements in effect at the time of the subsequent approval. Subject matter covered by subsequent conditions of approval may include:

- a. general engineering,
- b. site drainage
- c. grading,
- d. infrastructure,
- e. utility services,
- f. repair of construction-related damage to public streets and sidewalks
- g. water quality,
- h. air quality,
- i. off-site public improvements,
- j. pollution controls,
- k. location of construction staging, access, storage
- l. construction noise and dust controls
- m. campus parking during construction
- n. construction employee parking during construction
- o. traffic controls during construction
- p. fire department requirements, and
- q. police department requirements.

13. **Religious Activities.** Use of school facilities for religious activities shall comply with the requirements of the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA), which limits the City's authority to impose or implement conditions of approval in a manner that imposes a substantial burden on religious exercise unless the City's demonstrates that the imposition of the burden is in furtherance of a compelling governmental interest. The school is encouraged, however, to schedule and manage religious activities in a manner that is consistent with CUP conditions of approval on educational activities.
 14. **Vesting and Expiration.** The issuance of this CUP shall be vested upon the initiation of substantial construction in furtherance of the projects described in the master plan. This CUP shall expire five years of the effective date of the approval of the CUP if substantial construction is not initiated. Prior to the expiration of the CUP, SMCHS may request annual extensions to the CUP, which will be subject to Planning and Zoning Commission review and approval.
 15. **Fees.** SMCHS shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the fee structure in effect at the time the relevant permits are secured, and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project developer shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and developer.
-

16. **Requirement for Building Permit.** Approval granted by the Planning and Zoning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure. An appropriate permit issued by the Community Development Department must be obtained prior to constructing, enlarging, moving, converting, or demolishing any building or structure within the City.

17. **Construction Hours.** Construction activity shall be restricted to the hours of 8:00 a.m. to 6:00 p.m. Mondays through Saturdays, and 10:00 a.m. to 6:00 p.m., Sundays and legal holidays, unless otherwise approved in writing by the City Engineer for general construction activity. Failure to comply with construction hours may result in stop work orders or other administrative actions.

18. **Hold Harmless Agreement.** Pursuant to Government Code Section 66474.9, SMCHS (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Albany and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application, which action is brought within the time period provide for in Section 66499.37. The City will promptly notify SMCHS of any such claim action or proceeding and cooperate fully in the defense.

19. **Procedure for Amendments to the Conditional Use Permit.** Minor changes of a technical nature to the CUP may be approved administratively by the Community Development Department utilizing public notice requirements of the Planning and Zoning Code. Refinements to a particular project previously approved in the master plan may be approved pursuant to Design Review procedures or Planned Unit Development procedures contained in the Planning and Zoning Code. The following changes should be considered substantive in nature constituting a major amendment to the Conditional Use Permit, and shall be subject to the appropriate level of CEQA review and Planning and Zoning Commission approval:
 - a. Any changes in the approved use;
 - b. Any changes in enrollment;
 - c. substantive changes in size or location or general function of buildings;
 - d. substantive changes in location and amount of parking;
 - e. substantive changes in internal automobile circulation system; or
 - f. substantive changes in vehicle or pedestrian access from nearby streets onto campus,

DESIGN REVIEW

20. **Application for Design Review.** All new construction and renovation of existing structures, including fencing and other screening, are subject to Design Review, pursuant to Planning and Zoning Code Section 20.100.050, as may be amended from time to time.
21. **Material Samples.** Samples of final exterior materials and the proposed color palette shall be submitted for review and approval by the Community Development Department as part of building permit application.
22. **Exterior Lighting.** As part of the Design Review process, SMCHS shall submit a lighting plan, which shall be reviewed and approved by the Commission, prior to processing a building permit application. All exterior lighting shall be installed in such a manner that glare is shielded or directed away from surrounding properties and rights-of-way. If required, exterior light fixtures shall be equipped with "cut off" lenses to minimize light and glare spill over onto adjacent properties.
23. **Landscape Plan.** As part of the Design Review process, SMCHS shall submit a landscape plan, which shall be reviewed and approved by the Commission, before processing a building permit application. The landscape plan shall show existing landscaping, landscaping to be removed, proposed landscaping, and irrigation systems. The landscape plan shall include a landscape maintenance agreement to be completed between the City and SMCHS before installation of landscaping, to guarantee the establishment of new trees and landscaping as approved by design review.
24. **Signage.** All construction/installation of signage shall be subject to the standards and procedural requirements of the Planning and Zoning Code.
25. **Public Art.** As part of the Design Review, SMCHS shall submit to the Arts Committee and Planning Zoning Commission a conceptual description of the public art elements of the project, pursuant to the procedures in place at the time of the application for Design Review.
26. **Temporary Buildings and Storage Containers.** No additional storage containers or temporary buildings shall be allowed on campus at any time, unless expressly approved by the City of Albany as part of design review or a building permit. As a condition of approval of the use of shipping containers or temporary building, a fixed date for removal must be established. While in use, square footage of temporary buildings and storage containers shall count towards total square footage allowed in the Master Plan. (Construction trailer and portable rest rooms associated with an active construction project are not subject to this

requirement.) At build-out of the Master Plan, all such temporary buildings and storage containers must be removed.

27. **Sustainable Building Practices.** As part of an application for design review approval, SMCHS shall meet the requirements of the City of Albany Green Building requirements utilizing the Collaborative High Performance School (CHPS) Best Practices Manual and Scorecard and seek to achieve the maximum feasible number of points.
28. **Codornices Creek.** Codornices Creek should be considered an important campus asset, and student access to the creek should be encouraged and building design should include allow for views and access to the creek as applicable. In addition, any construction of structures, grading, landscaping or other site work within 100 feet of the center-line of Codornices Creek shall take into consideration regulatory requirements and best management practices including preservation and enhancement of riparian vegetation, preservation of habitat, improving water quality in the creek, erosion control, etc.
29. **Refuse & Recycling Enclosures.**

PARKING CONDITIONS

30. **Parking.** The general configuration and location of on-campus parking shall conform to the master plans. At any phase in the implementation of the master plan, a minimum of ___ on-campus parking spaces shall be available for parking during the school year, except for temporary disruptions during construction. As part of the Design Review process, SMCHS shall submit a construction parking and construction access plan, which shall be reviewed and approved by the Commission, before processing a building permit application. The Community Development Director may approve short term (30-days or less) reduction in on-campus parking or change in construction access.
31. **Parking Dimensions.** Dimensions and landscaping of parking areas shall comply with the requirement of the Planning and Zoning Code and the California Building Code.
32. **Parking of School-owned Vehicles.** The location of parking spaces reserved for school-owned vehicles shall take into consideration the appearance from neighboring properties or the public right-of-way and shall be screened or landscaped where practical.

NOISE

33. **Noise Generation.** The installation of any bells or loudspeakers shall comply with the City of Albany's noise standards, and are subject to review by the Community Development Department and/or the Planning and Zoning Commission.

SCHOOL COORDINATORS AND NEIGHBORHOOD OUTREACH

34. **Construction Management.** The school shall designate a staff person as the school's Construction Coordinator, responsible for neighborhood outreach during the construction of major elements of the master plan. Construction management responsibilities include scheduling a preconstruction meeting with neighbors before the start of construction of any significant element of the master plan.
35. **Event Management.** The school shall designate a staff person as the school's Events Coordinator, responsible for preparing and distributing to all staff and faculty written procedures regarding the scheduling of evening and weekend events that may result in exceptional traffic and parking volumes on nearby residents. Particular consideration shall be given to:
- a. Limit large events to functions that are germane to the school's educational mission;
 - b. Providing advance notice to neighbors of large events;
 - c. Avoid scheduling simultaneous events that cumulatively overwhelm neighborhood roadway and parking capacity; and
 - d. Discouraging students and guests from congregating outdoors in parking areas or public right of way close to nearby residences after evening and weekend events.
36. **Traffic and Parking Management.** The school shall designate a staff person as the school's Transportation Coordinator, responsible for traffic, parking and events. The school shall adopt written parking and traffic rules and procedures, and incorporate rules and procedures by reference in all enrollment contracts with student families. Repeated violations of parking and traffic rules shall result in disciplinary action or fines for the student and/or family and ultimately denial of renewal of the enrollment contract.
37. **Annual Report Process.** SMCHS shall prepare and submit an annual report summarizing construction management, event management, transportation management plan, and athletic field usage. The athletic field portion of the annual report shall comply with the conditions of approval associated with conditions of approval of the Athletic Field Renovation Project. The Planning and Zoning Commission shall hold a public hearing on the annual report. Public notice shall be provided 10 days before the public hearing to all property owners and residents within 300 feet of the campus. The purpose of the public hearing is to receive public comment on construction management, event management, transportation

management plan, and athletic field usage during the prior year and review operating parameters to ensure that the school is operating consistent with its conditional use permit and other City requirements. The Planning and Zoning Commission may change the frequency of annual reports if it makes a finding that the school has operated in substantial compliance with approved conditional use permit and other operating parameters.

TRANSPORTATION

38. **Transportation.** Pursuant to the recommendations contained in the Mitigated Negative Declaration, the following conditions of approval are incorporated into the Conditional Use Permit:

- e. The use of Hopkins Court by school traffic shall be discouraged;
- f. School staff shall monitor vehicle speeds and along Albina Avenue, and seek City of Berkeley approval for traffic calming measures if speeding is a serious issue;
- g. The use of the Monterey Avenue drop-off zone shall be encouraged;
- h. The school shall provide discounted transit passes;
- i. The school shall actively pursue an increase in AC Transit service to the school;
- j. The school shall actively pursue an increase in car pooling;
- k. The school shall transportation links between campus and BART and/or major AC Transit lines during peak hours.

39. **Neighborhood Parking Policies.** The school is encouraged to prepare policies for student parking in nearby neighborhoods that are more stringent than City of Albany or City of Berkeley parking regulations. For parking policies within the City of Albany, the Planning and Zoning Commission may provide guidance and feedback on the scope and enforcement of the proposed policies.

Appeals: The Albany Municipal Code provides that any action of the Planning and Zoning Commission may be appealed to the City Council, if such appeal is filed within 14 days of the date of the action. Appeals may be filed in the Community Development Department by completing the required form and paying the required fee.

1316 Albina Avenue
Berkeley, CA 94706
August 11, 2008

Jeff Bond
Planning & Building Manager
City of Albany
979 San Pablo Avenue
Albany, CA 94618

Dear Mr. Bond:

You will recall that the Peralta Park Neighborhood Association posed questions to St. Mary's regarding the school's master plan (copy enclosed). PPNA wants the information in order to compare operation of the school in the future under the proposed master plan with its operation for a reasonable period in the past. The scope of environmental impacts cannot be evaluated absent such comparisons.

We understood you wanted us to seek a response to our request for information directly from St. Mary's. Not having received any reply from Brother Edmond other than that the school would supply information the city seeks, I again raised the issue of a reply following the July 25, 2008 Planning and Zoning Commission meeting. Brother Edmond made it clear that St. Mary's will not provide information or answer PPNA's questions, nor does he wish to discuss conditions PPNA has proposed. He said PPNA was simply trying to control the school and we were not "moderate."

At the March 13, 2008 Planning and Zoning Commission meeting, PPNA addressed the need to expand the project description with considerably more detail in order to compare past and future operation of the school. The commissioners expressed agreement that more information was needed. So far as we know, St. Mary's has not amplified its proposal with any further details of proposed operation under a new master plan.

Though you seemed to see it as a positive step when PPNA presented a clearly laid out list of conditions we wanted to discuss regarding the Master Plan, the meetings between PPNA and St. Mary's, which you chaired, have yielded almost no details about the project. More importantly, they have not led to any negotiation of conditions that might satisfy neighborhood concerns about impacts of programs the school wants to conduct in buildings under the proposed new plan. As PPNA continues firmly to believe that valid evaluation under CEQA is not possible without response to questions posed to the school, we again request that the city require St. Mary's to amplify its proposal with details requested many months ago.

Very truly yours,

Chris Hamilton

ATTACHMENT

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Chris Hamilton

Request for Information Re Master Plan

Request for Information Re Master Plan

Cronin Hall

What "serious structural deficiencies" has St. Mary's identified?

Will remedying them require meeting current code requirements?

Might code requirements possibly require replacing the building?

If the classroom removed from use for classes is reinstated, how many rooms will then be available in Cronin for classes (before converting one to "student activities (yearbook, etc.)"?)

Music Building, Athletic Facilities and Student Center

What is the unlabeled building just to the upper left of the Music Building on the 9/06 MP Map?

What space is currently used for rehearsal of band, choir/chorus, dance, and drama? What space is currently used for art and photography? What those spaces be used for after construction of the new buildings(s)?

Where do performances of band, choir/chorus, dance, and drama currently take place on campus? What is the size of current facilities for performance by each (band, chorus, etc.), including audiences (square feet and number/types of seating)?

For each of the past 24 months, what were the dates, times, and locations of each of their performances on campus? Who and how many came to the performances (St. Mary's students, parents/other relatives, non-St. Mary's students, general public)? What charges, if any, are there for performances?

Is any part of the music building to be designed for audiences? If so, what design and number to be accommodated? What type of performances and projected frequency of events for audiences, and who are the expected audiences?

What design will ensure against annoying noise beyond the campus from any of the band, choir/chorus, dance, and drama events and practices?

Is the upper level of the music-athletic building solely for athletic uses of weight room and storage? Where is the existing (small) weight room? Is that the unlabeled building, and will it also contain the snack bar, or will the snack bar be part of 3b shown on the map?

Will the kitchen and dining room in the student center be enlarged enough to serve lunch to all students at once (even in inclement weather), or in shifts? Will the school prohibit leaving in vehicles for lunch once the facility can serve all the students?

What "large gatherings" are projected in student center for which kitchen enlargement needs to provide for catering? Frequency and day of week and time of events? Who (and how many) to attend?

For each of the past 24 months, what were the dates, times, and locations of each such "large gathering" on campus? Who and how many came (St. Mary's students, parents/other relatives, non-St. Mary's students, general public)? What charges, if any, for attendance?

Where will suggested "covered outdoor dining" be located and for how many people and what types of attendees?

What events currently housed in the Shea Center are projected to be moved to other locations if all aspects of the master plan are approved? Where will the events go?

Request for Information Re Master Plan

Chapel

What specific events, including those mentioned in the MP summary, does St. Mary's plan to hold in the chapel? How many of each and when (day of week, hour of day)?

Which of the events are ones that the school already holds? For each of the past 24 months, what were the dates, times, and locations on campus of each such event? Who and how many came (St. Mary's students, parents/other relatives, non-St. Mary's students, general public)? What charges, if any, for attendance? Provide St. Mary's records documenting occurrence of those events.

Specifically, how many funerals, memorials, christenings, weddings, confirmations, masses, prayer services, or other such events sometimes conducted in church were held at St. Mary's, in which building, on what day, and at what time?

What caused St. Mary's to alter its earlier plans for a much smaller chapel?

St. Joseph's Hall

If St. Mary's finds it can't bring the building to "an acceptable level of seismic safety," will the school then need to replace it?

Multi-Use Facility

What events now held elsewhere will be held in the building? For each of the past 24 months, what were the dates, times, number of attendees, and locations on campus of each event that will now be held in this building? Who and how many came (St. Mary's students, parents/other relatives, non-St. Mary's students, general public)? What charges, if any, for attendance? Provide St. Mary's records documenting occurrence of those events.

Will the auditorium have a stage? Will it be in a fixed location or movable?

What events of "religious assembly" will be held in the building (as opposed to in the chapel)? How many of each and when (day of week, hour of day)? Who (and how many) will attend (St. Mary's students, parents/other relatives, non-St. Mary's students, general public)?

What other events does St. Mary's expect to use the building for? Drama, musicals, concerts, films, or other types of events? What, if any, overnight events does St. Mary's project for this or any other buildings on campus?

How did St. Mary's derive the need for 750 seats? How will the school ensure that events for this number of attendees do not adversely impact parking and traffic on surrounding streets, especially Albina, which is the feeder street to the largest parking area?

What sporting events does St. Mary's anticipate may be held in the building (day of week, hour of day)? Where are they held now? Will the gymnasium be a separate part of the building?

What banquets are projected for the multi-use building (day of week, hour of day)? Will the building have a kitchen? Will it be donated/rented to non-St. Mary's organizations?

For each of the past 24 months, what were the dates, times, number of attendees, and locations on campus of each banquet that will now be held in this building? Who and

Request for Information Re Master Plan

how many came (St. Mary's students, parents/other relatives, non-St. Mary's students, general public)? What charges, if any, for attendance? Provide St. Mary's records documenting occurrence of those events.

Demolition of Vellesian Hall

How does the MP provide for "improvement of parking and vehicle circulation?" What, if any, benefits to surrounding neighborhoods can be expected? With the circle closer to the school entrance, how will the school control backup of cars over the creek and onto Albina?

With parking moved closer to residences, how will St. Mary's minimize annoying sound for neighbors?

How will the parking lot design address creek runoff issues?

What plan does the school have for minimizing traffic up and down Albina?

Hopkins Court?

What plan does the school have for minimizing parking on surrounding streets?

For whom are the 58 parking spaces in the new lot and the 23 in the space where Vellesian now stands to be available? For whom are the 35 spaces near Cronin Hall and the 18 spaces near the brothers' hospitality facility available? Are any of those spaces reserved for particular members of the St. Mary's community or St. Mary's vehicles during the school day, nights, weekends? How many parking spaces and which ones will actually be available for student, parent, visitor use?

Classroom Building

What "aged and inadequate facilities" will this building replace? Are those facilities being removed or redirected to other use? If other use, what is it? What are 2D and 3D studios, and what activities do they support? What are the plans for audiovisual/television education and/or productions?

General

How will St. Mary's address parking needs on campus during various stages of construction of the buildings and parking lot shown on the MP map?

What plans are there for allowing other members of the "St. Mary's community" to use facilities on the campus? Who does the school consider to be members of the "St. Mary's community?" What plans are there for allowing any group outside the "St. Mary's community" to use the facilities?

For each of the past 24 months, what were the dates, times, number of attendees, and locations on campus of each event held by either of these groups? Who and how many came (St. Mary's students, parents/other relatives, non-St. Mary's students, general public)? What donation/charges, if any, for attendance or facility rental? Provide St. Mary's records documenting occurrence of those events.

**SAINT MARY'S COLLEGE HIGH SCHOOL
PERALTA PARK
1294 ALBINA AVENUE
BERKELEY, CALIFORNIA 94706
(510) 526-9242**

October 31, 2009

To: Ann Chaney, Community Development, City of Albany
From: Saint Mary's College High School
Re: Annual Report: Parking, Traffic, and Community Relations

Enclosed is the information and documentation that Saint Mary's College High School is required to file annually as stated in the Notice of Action of the Planning and Zoning Commission section A-8 document dated October 26, 1999 and in the Conditional Use Permit dated August 22, 1999. The information covers the twelve-month period since the 2008 report: November 2008 through October 2009.

PARKING AND TRAFFIC

Saint Mary's provides 163 parking permits for its faculty, staff, and students. There are 119 parking spaces on site and 44 spaces on Posen Street.* There are two bike racks on campus for students, faculty, and staff who bike to school. The school has traffic monitors on duty during the morning commute before school on three sides of campus: generally, two faculty and two students on Posen Street with cones used to designate the drop-off area and "slow" and "no U-turn" signs used; one faculty member on Albina Avenue at Hopkins Court; and one faculty member and two students at the Monterey Avenue campus gate, with cones to designate the drop-off area. Student monitors are posted in the Albina parking lot in the morning to help traffic move smoothly. Monitors are regularly on duty during the lunch period on Posen and Albina.

Since 2008, freshman families who drive students to school have been required to use the Monterey Avenue drop-off rather than Albina or Posen. Freshmen who do not get dropped off at Monterey arrive at school in a variety of ways: walk through Monterey from BART or the 688 bus; walk and enter on Posen or Albina; carpool with older siblings, faculty or staff, or other students with campus parking permits; carpool with families with non-freshman students who are dropped off on other sides of campus. Bikes and skateboards are other means of transportation.

Carpooling students continue to receive priority for parking permits; the school helps families coordinate carpooling by putting interested parents in the same areas in contact with one another.

The AC Transit bus line 688 continues to bring about forty students to school most mornings; the number of riders on the return trip after school varies because of students' after-school activities and departure times. BART tickets at discounted student prices continue to be sold on campus.

**On any given school day, there are at least five vehicles belonging to neighbors parked in Posen Street spots specifically designated for Saint Mary's use. The school has asked the neighbors not to park there, but it continues.*

Since 2006, school dances have had an earlier start and stop time out of sensitivity to the neighborhood. All dance traffic is directed to Posen Street, with security posted there and on

Albina Avenue. Students must be picked up immediately after the dance. Security and/or school personnel and students help monitor traffic at larger sporting events and at well-attended events such as the annual Open House in November. The Monterey Market lot is used for parking on the Open House Sunday. Professional security is on site for every home football game, and the school's softball field is used for on-campus parking at large events.

Mr. Herman Shum, Vice-Principal of Student Affairs, supervises and enforces the parking policies as written in our Student-Parent Handbook. Herman is available to address parking and traffic concerns. Verbal reminders to students and parents about driving and parking are frequent, along with those made in school publications and notices.

Documentation Enclosed (November 2008-October 2009)

Student-Parent Handbook 2009-2010

PT1: Chapter 8 and Chapter 19

Summer Mailing to Families for 2009-2010 School Year

PT2: Driving and Parking Responsibilities and Parking Permit Student Agreement 2009-2010

PT3: Student Driver, Carpool, and Vehicle Information Form 2009-2010

PT4: Restricted Student Parking for Saint Mary's Map (original is in color)

PT5: Student Parking Permit*

PT6: Route 688 AC Transit Information Flyer

Samples of Prefecting Schedules

PT7: Lunch Prefecting Descriptions for Traffic Monitors 2009-2010

PT8: Fall 2008 Final Exams Prefecting Assignments (December 2008)

PT9: Spring 2009 Final Exams Prefecting Assignments (May 2009)

PT10: Spring 2009 Semester Lunch Prefecting Duty

Web Site Information

PT11: Web page: Directions & Transportation: Campus Location & Environment 2009-2010

**The permit had been double-sided for several years, with the school's parking and traffic directives as reminders on the back side. The cost is prohibitive; the permit is now single-sided.*

COMMUNITY RELATIONS

Saint Mary's continues to send regular notices to 350 neighborhood residences, including local merchants, about events that may impact area traffic and parking. Copies of all neighbor mailings are sent to certain Albany and Berkeley city personnel. The school installed a speed hump on the Albina Avenue bridge in 2008. The school has continued to request that Berkeley install a three-way stop at the Albina/Hopkins Court intersection.

The school web site contains reliable calendars, event details, and updates to school information posted whenever possible; daily school announcements are posted online. School notices, calendars, and newsletters to neighbors continue to encourage use of the web site for up-to-date information that may be of use to the community.

Documentation Enclosed (November 2009-October 2010)

Newsletters/Calendars/Informational Notices to the Neighborhood Community

CR1: 2009-2010 Student-Parent Handbook, Chapter 8.5: Behavior in the Neighborhood

CR2: January 2009 / Spring Semester 2009 Information and Calendar

CR3: Summer 2009 Information and Calendar

CR4: August 2009 / Fall Semester 2009 Information and Calendar

CR5: November 2008 Open House Web Site Information

CR6: Miscellaneous postcard and other notices to neighbors about event.

If any additional information is required about this report, please contact one of the following:

- Mr. Herman Shum, Vice Principal of Student Affairs, (510) 559-6220, hshum@stmchs.org
- Mr. Mark Headley, Buildings & Grounds, (510) 559-6259, mheadley@stmchs.org
- Ms. Jeanne Loughman, President's Assistant, (510) 559-6220, jloughman@stmchs.org

Thank you,

SAINT MARY'S COLLEGE HIGH SCHOOL

SAINT MARY'S
COLLEGE HIGH SCHOOL



STUDENT-PARENT
HANDBOOK

2009-2010

PT-1

ALMA MATER

THE BELLS OF SAINT MARY'S
THEY ALWAYS SHALL GUIDE US,
IN ALL OF OUR SORROWS,
OUR VICTORIES, AND HOPES.
FOR WE WILL BE FAITHFUL
TO ALL YOU HAVE TAUGHT US,
TO LIVE FOR TRUTH,
TO TRUST IN GOD,
SAINT MARY'S HAIL!

SAINT MARY'S COLLEGE HIGH SCHOOL
1294 ALBINA AVENUE • BERKELEY, CA 94706
PHONE: 510-526-9242 • FAX: 510-559-6277
WWW.SAINTMARYSCHS.ORG

CHAPTER 6: ACADEMIC AWARDS

6.1 HONOR ROLL

Honor roll status is determined each semester by the student's weighted academic GPA.

First Honors	3.75-4.0 GPA
Second Honors	3.50-3.74 GPA
Commendation	3.20-3.49 GPA

6.2 HONORS AT GRADUATION

The student's cumulative weighted academic GPA determines academic honors granted to seniors at graduation after seven semesters. Grades received for the spring semester of the senior year are NOT included in the determination of these awards.

Graduation Award	Cumulative GPA
Summa Cum Laude	3.75 - 4.00
Magna Cum Laude	3.50 - 3.74
Cum Laude	3.20 - 3.49

Valedictorian & Salutatorian

Saint Mary's selects students to represent their class at graduation as Valedictorian and Salutatorian. A committee of faculty, administration, and students will make the recommendations to the Principal based upon the following criteria:

- Active participation in co-curricular activities, which may include athletics.
- Original contributions in leadership, creative thinking, and innovation in co-curricular activities.
- Achievement of an overall unweighted GPA of 3.75 (*Summa Cum Laude*).
- Exemplary citizenship and behavior, which models Lasallian virtues, throughout the student's career at Saint Mary's College High School.
- Effective public speaking skills.

Applicants for these awards must complete a written application and submit an original written valedictory or salutatory speech to the Committee by a designated date. The Committee will determine which applicants will qualify as Finalists. Finalists will be asked to present their speech in person before the Committee. The Committee will deliberate and submit its recommendations to the Principal who makes the final decision.

6.3 STUDENT ACHIEVEMENT AWARDS

During the Spring semester of the academic year, faculty members are asked to nominate freshman, sophomore, and junior students from their classes for a Student Recognition Award. The number of students given awards by each faculty member is based upon the number of sections of a certain course taught by the faculty member. The Student Recognition Award is given to the student who has demonstrated passion for the subject through their contribution to the classroom learning community. High academic performance is not a necessary qualification for a Recognition Award.

CHAPTER 7: ACCESS TO STUDENT RECORDS

Although Saint Mary's College High School is not a covered entity under the Family Education Rights and Privacy Act (FERPA), Saint Mary's College High School generally follows certain guidelines of the Family Education Rights and Privacy Act to protect the confidentiality of student records.

The law provides for the following:

- Parents or an eligible student may review and inspect the student's educational records by making an appointment with the Registrar.
- Educational records generally mean those records that are directly related to a student and that are maintained by the school. Personal notes and records made by teachers and other school officials, including instructional, supervisory, and administrative personnel and educational personnel ancillary thereto, that are not shared with others, except for a temporary substitute for the maker of the record, are not considered educational records.

3. Parents or an eligible student may seek amendment of the student's educational records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights by submitting to the Registrar a written request clearly articulating the proposed amendment and the reasons for the amendment. The Principal will review the request, meet with the parents or eligible student if necessary, and make a determination on the request.

4. The school will obtain written permission from the parents or an eligible student before disclosing educational records to other persons except for the following: other officials of the school, including teachers, for educational purposes; officials of another school where the student seeks or intends to enroll; certain federal, state and local authorities performing functions authorized by law; individuals or organizations concerning a student's application for financial aid; organizations conducting certain studies for or on behalf of the school or other educational agencies; accrediting organizations; parents of a dependent student over 18; court or law enforcement officials to comply with a judicial order or lawfully issued subpoena; other persons in connection with a health or safety emergency; and to other persons and institutions in the event of specified disciplinary proceedings or legal violations.

CHAPTER 8: CODE OF CONDUCT

8.1 SAINT MARY'S HONOR CODE

As members of a Lasallian Catholic institution, students are expected to be respectful, considerate, and supportive of fellow students, teachers, and staff. Saint Mary's students are expected to conduct themselves with honor and integrity at all times. Students enrolled at Saint Mary's College High School assume personal responsibility for their behavior. Violations of the Saint Mary's Honor Code may result in disciplinary sanctions including loss of co-curricular eligibility, suspension from school honor and service organizations, and suspension or expulsion from school.

- Students are to follow the directives of the administration, faculty, coaches, moderators, and staff at all times.
- Students' behavior in the classroom must contribute to and not hinder the learning process.
- Students should behave appropriately at all times on campus and in the neighborhood.
- If students are told to leave the classroom for disciplinary reasons, they are to report immediately to the Main Office, fill out an incident report, and remain there until dismissed by the Vice Principal for Student Life or designate.
- The following infractions are especially serious and will generate disciplinary consequences up to and including expulsion:
 - Any act of violence against another person, or the threat of such violence.
 - Disrespect, dishonesty, and/or disobedience.
 - Theft. (See §8.3.)
 - Possession of pornographic or similarly inappropriate material.
 - Vulgar language or conduct.
 - Possession of alcohol and other controlled or illegal substances.
 - Possession or use of any weapons, which include, but are not limited to guns, knives, bats, sticks, laser guns, mace, or pepper spray.
 - Graffiti or vandalism.
 - Forgery, alteration, or misuse of school documents or records of identification.
 - Any on-campus or off-campus activity that is detrimental to the reputation of Saint Mary's College High School.
 - Use of alcohol, drugs, or other controlled or illegal substances. (See §11.1.)
 - Hazing or harassment, or persecution of another person in any manner.
 - Hacking or any unauthorized accessing of the school's computer network or the school's informal system.

PT-1

8.2 GENERAL BEHAVIORAL GUIDELINES

- The following rules govern basic student behavioral expectations:
 - Except for specific and special occasions, food and drink are not to be consumed in any school buildings, including the Gym and Auditorium.
 - Saint Mary's maintains a closed campus policy during normal school hours. All student visitors must report to the Main Office to obtain an authorized pass.
 - Students are responsible for the care of their personal property. The school does not assume responsibility for the loss, theft, or damage to personal student property. Personal property items should be clearly marked.
 - Gum chewing in school buildings and on school grounds is prohibited.
 - Toy weapons (including, but not limited to, plastic knives, cap guns, disc or rubber pellet guns, water guns) are not allowed on campus or at any school function.

8.3 THEFT

Theft violates the core principles of community. Students who steal personal or intellectual property are subject to disciplinary actions up to and including expulsion from school. The school requires parents and students to report students observed engaging in such activities. Incidents of theft must be reported to the Vice Principal for Student Life or other administrator immediately. All reasonable efforts will be made to recover lost or stolen property. The school does not assume responsibility for lost or stolen property, whether on school property before, during, or after the school day, or at school sponsored events.

8.4 LUNCHTIME PRIVILEGES/RESTRICTIONS

Off-campus lunch is a privilege accorded to seniors and juniors only. Any student who is late to class immediately following lunch for any reason may have this privilege revoked in addition to other disciplinary measures as deemed appropriate by the Vice Principal for Student Life. Students who are restricted and leave the school premises during lunch without written permission from the Vice Principal for Student Life will face disciplinary consequences.

The following areas are out-of-bounds:

- The road to the Brothers Residence and garage/maintenance areas.
- The lower campus area near Vellesian Hall.
- Cordonices Creek.

8.5 BEHAVIOR IN THE NEIGHBORHOOD OF THE SCHOOL

It is expected that students will respect the privacy as well as the property of neighbors in the area of the school. Congregating on neighborhood streets, littering, detaching property, driving unsafely, playing music loudly, and showing disrespect toward neighbors and their property are behaviors that injure a student's personal reputation and that of Saint Mary's College High School. Students are expected to act respectfully and see themselves as ambassadors of Saint Mary's College High School on and off campus. Students found to be violating these policies will be dealt with seriously, up to and including expulsion.

8.6 STUDENT DRIVING AND PARKING RESPONSIBILITIES, AND PARKING PERMITS

Driving on or near school grounds is a privilege afforded to Saint Mary's College High School students. The Vice Principal for Student Life can revoke this privilege if a student's driving is in any way reckless, obtrusive, or detrimental to the reputation of the school. Any faculty or staff member who witnesses unsafe driving (e.g., racing, speeding, peeling out, etc.) on or near the Saint Mary's campus will immediately report the student-driver to the Vice Principal for Student Life. The only students who may drive to the school and park at the school are students who have applied for and received a parking permit from the Vice Principal for Student Life. Students may not park in front of any residence on Posen Avenue and are not allowed to park anywhere on Peralla, Ordway, Ventura, West Place, Beverly Place, Monterey, Albina, and Hopkins Court. Freshmen and sophomores are not allowed to drive to and park at school.

Applications for parking permits are made available in the summer mailing and must be submitted on time in order to be considered for a permit. Parking permit fees will be determined on a graduated scale based upon the number of students in a carpool. The purpose of the graduated scale is to reward those who carpool, thereby reducing negative environmental impacts. Carpools will be monitored throughout the year. Students who have applied for and received a parking permit based on the number of individuals they indicated on their carpool application may lose their permits if they are found in violation of the

agreement. Students must display the Saint Mary's parking permit at all times while they are parked at Saint Mary's. Students who park on- or off-campus do so at their own risk. Saint Mary's is not responsible for theft or damage to anyone's car or belongings.

ON-CAMPUS PARKING PERMIT HOLDERS

On-campus parking places will be reserved for students who have an on-campus parking permit; entry to and exit from the front of the school is permitted via Albina Avenue only. Students must park in student-designated spots only. Students are not allowed to park in visitor or employee parking.

OFF-CAMPUS PARKING PERMIT HOLDERS

Off-campus parking permits will first go to carpoolers, then to seniors, and then to juniors. Students with off-campus parking permits must park on the south side of Posen Street and never in front of the property of any neighbor.

8.6 DO'S AND DON'TS

Any Saint Mary's College High School student-driver agrees to the following conditions:

- Students who apply for a parking permit must have a valid California Driver's License.
- Students must always drive the speed limit.
- Students must always drive safely and respectfully to and from school.
- All students who drive on campus must turn their music devices off. Music must remain low as students drive in the neighborhood surrounding the campus.
- Students must not honk their horns unless there is an emergency.
- Any Saint Mary's student understands that excessive speed, donuts, peeling out and/or other unsafe driving (as determined by any Saint Mary's employee) is not allowed.
- Students should never litter.

Failure to comply with these driving and parking regulations will result in consequences including detention, loss of privileges inclusive of off-campus lunch, loss of athletic eligibility, suspension, and expulsion.

8.7 DRESS AND APPEARANCE CODE (STANDARD DAYS)

Saint Mary's College High School expects that its students demonstrate modesty and good taste in their appearance, as is appropriate for a Lasallian Catholic school community. The Administration, faculty, and staff collaboratively enforce the Dress and Appearance Code. If a student is not in conformity with the Dress and Appearance Code, he or she will be sent to the Main Office and be expected to conform to the code before returning to classes, and will automatically receive a detention. More serious consequences may result if a student is habitually out of the Dress and Appearance Code. Consequences may include a mandated uniform or suspension from school. Chronic noncompliance may result in dismissal or expulsion from school.

The administration reserves the right to make final decisions regarding student grooming and appearance. This dress code is in full effect from the time students arrive on campus until the end of the day both inside and outside of class.

The following are to be observed by all:

- Shoes must be worn; the absence of shoes will be allowed only for a demonstrated medical necessity.
- Clothing which allows undergarments to be visible is not permitted. Sports bras are undergarments and must be covered.
- Bare midriffs are not permitted.
- All shirts must have sleeves. No tank tops, halter-tops, or sleeveless shirts are permitted. No exposed cleavage is permitted at anytime.
- Lycra and spandex tights may be worn under clothing that meets other school guidelines. Skirts worn with leggings, spandex, or other like materials must be the appropriate length (two inches above the knee-cap).
- Sweats, athletic pants, swishy pants, velour pants, athletic shorts, and board shorts are not permitted during the school day.
- Dresses and skirts, including slits, may not be more than two inches above the top of the knee-cap.
- Shorts may not be more than two inches above the top of the knee.

The tuition and fees for international students must be paid either annually or semiannually. Aforementioned payment plans are not available to international students.

Non-Refundable Registration Fee	\$650 (9th Grade)	\$600 (10-12th Grade)
Tuition	\$16,100	
Graduation Fee	\$230 (12 th Grade)	
Late Fee	\$25 per month	

CHAPTER 19: COMMUTING TO SCHOOL

One of the attractive features of Saint Mary's College High School is its location in a clean, safe, and pleasant residential neighborhood. Saint Mary's wants to maintain a beautiful neighborhood environment we all can enjoy. Saint Mary's strongly encourages using public transportation, forming carpools, bicycling, and walking to and from school. Parents and students can visit www.511.org to plan the most efficient route to school using public transportation.

19.1 BART

Half-price BART tickets are available for students in the Business Office. The North Berkeley BART station is a short walk from school.

19.2 AC TRANSIT

There are bus stops very close to school. Monthly AC Transit passes can be purchased through the Business Office. On school days, AC Transit Bus Route #688 serves Saint Mary's. The route originates at Grand Avenue and MacArthur Boulevard and ends up at the corner of Monterey and Hopkins. For more information about the bus routes please go to www.actransit.org.

19.3 BICYCLING

Students are encouraged to ride bicycles to and from school. Saint Mary's has bicycle racks for students to park bikes on campus located near Vellelian Hall and behind Frates Hall. Students must provide their own bicycle lock. Biking routes and information can be found at www.511.org.

19.4 AUTOMOBILES

Parents and students who drive to school must always respect speed limits and practice safe driving for the sake of our students and our neighborhood.

19.5 PARENT COMMUTING, DROP-OFF AND PICK-UP RESPONSIBILITIES

Parents who drop off or pick up students are expected to drive safely at all times. Moreover, parents are encouraged to consider alternative drop-off locations for students other than at the Posen Street or Albina Avenue entrances. Alternative locations include Hopkins Street (near Monterey Market), California Street, or Monterey Avenue. Using an alternate drop-off/pick-up spot greatly reduces the amount of traffic on Posen Street and Albina Avenue.

DROP OFF VIA ALBINA AVENUE

Parents and students who use Albina Avenue are requested to keep in mind that it is a narrow street and therefore practice caution and prudence at all times.

DROP OFF VIA POSEN STREET

Parents and students may not enter the Posen Street parking lot for morning drop-off or during the first 20 minutes of school. Parents who drop students off on Posen Street must pull forward, into the drop-off zone. Students who are dropped off in the drop-off zone should use swiftness when exiting the car to keep traffic flowing smoothly. No U-turns are allowed near the drop-off zone.

DROP OFF VIA MONTEREY AVENUE - All freshmen must be dropped off at the Monterey Avenue gate. Parents must pull off of the street into either the drop-off zone in front of the Monterey Avenue gate entrance or into the bus stop. Students who are dropped off in the drop-off zone should be swift when exiting the car to keep traffic flowing smoothly. Please be sure to keep your music off.

CHAPTER 20: PARENT PARTNERSHIP

20.1 PARENT AND SCHOOL RELATIONSHIP

Parents are expected to uphold the mission, philosophy, learning outcomes, and policies of Saint Mary's College High School. As the primary educators of their children, parents are integral, welcome members of the Saint Mary's community. Education is a joint effort between parents and school. At times parents and the school may disagree over policies, procedures, or decisions, yet at all times the tenor of such disagreements must remain respectful and consistent with Catholic principles. Should a situation arise in which a parent's behavior is acutely or chronically uncooperative, abusive, disrespectful, or disruptive, the school reserves the right to suspend or expel the parent's child. Any parent, or other person, who upbraids, insults, abuses, or threatens any teacher, administrator, or staff member of the school or who otherwise disrupts the educational environment may have the incident reported to law enforcement officials.

20.2 PARENT ASSOCIATION

The Parent Association is comprised of all parents and guardians of students attending Saint Mary's College High School. The purpose of the Association and its Board is to:

- partner with the Saint Mary's staff to ensure the intellectual, spiritual, social, and physical well being of all students,
- partner for clear, consistent means of communication between families and the school, and
- further the mission of Saint Mary's in the community at large.

20.3 STUDENTS - EIGHTEEN YEARS OLD

All school procedures, policies, and regulations continue to apply to students who are 18 years of age or older as long as they are enrolled at Saint Mary's College High School. Accordingly, after a student becomes 18 years of age, the school will continue to send all official correspondence regarding the student to his or her parents or guardians.

20.4 OUT-OF-TOWN PARENTS AND GUARDIANS

Parents and guardians who leave town during the school week must notify the Main Office and designate an adult who in their absence is responsible for the welfare of their student in case of an emergency.

20.5 OFF-CAMPUS PARTIES

The staff of Saint Mary's College High School is concerned about alcohol and other drug use by students. With this concern in mind, some guidelines are offered to parents for consideration:

- All parties should be chaperoned.
- Parents of party attendees should contact host parents.
- Parents should have the phone number and address of where the party is being held.
- Parents should assure students that, in case of unexpected circumstances, they can call for a ride home.
- Parents are advised to instruct teenagers not to have parties when parents are not at home.
- Drinking by minors is illegal.
- Drugs are illegal substances.
- Adults are criminally responsible if they knowingly allow minors to consume alcohol or use other drugs.
- Driving under the influence of alcohol or other drugs is unacceptable and potentially dangerous behavior at any age.

While the school is not interested in monitoring the off-campus activities of its students, too often unhealthy behavior at such events has a direct effect on the lives of students at school. For that reason, Saint Mary's will work in partnership with parents to support their efforts in raising and guiding their children. This partnership may include disciplinary consequences if students are found to be putting themselves or their school peers at risk.

PT-1



PT-2

SAINT MARY'S COLLEGE HIGH SCHOOL

PERALTA PARK • 1294 ALBINA AVENUE • BERKELEY • CALIFORNIA 94706-2599
TELEPHONE (510) 526-9242 • FAX (510) 559-6277 • WWW.SAINTMARYSCHS.ORG

2009-2010

Driving and Parking Responsibilities and Parking Permit Student Agreement

I am applying for a student parking permit and agree to the following:

- I will drive safely and slowly at all times.
- I will keep my music down to a low level so that it can not be heard outside my car.
- I will only park in the designated areas and never park in front of any of the residences on Posen Avenue, Ordway, Ventura, Beverly, West Place, Albina Avenue, Hopkins Court, and Peralta or anywhere on Monterey Avenue.
- I will display my permit at all times and will not give or sell my pass to anyone.
- My passengers and I agree to conduct ourselves in a manner that reflects positively on Saint Mary's.
- I have a valid California driver's license and will adhere to all of the vehicle laws.
- Students who have applied for and received a parking permit based on the premise of having a carpool may lose their permits if they are found not to be carpooling or driving the designated number of students.
- Parking privileges can be revoked at any time due to rule violations or poor school behavioral conduct.

ON-CAMPUS PARKING PERMIT HOLDERS

On-campus parking permits will be reserved for carpoolers only. Carpools are defined as two or more persons traveling from an area not in the vicinity of the school neighborhood. Carpools with more than two students will be given priority over carpools with just two students. For students who have an on-campus parking permit, entry to and exit from the front of the school is permitted via Albina Avenue only. Students must park in student-designated spots only. Students are not allowed to park in visitor or employee parking.

OFF-CAMPUS PARKING PERMIT HOLDERS

Off-campus parking permits will first go to carpoolers, then to seniors, and then to juniors. Carpools are defined as two or more persons traveling from an area not in the vicinity of the school neighborhood. Students with off-campus parking permits must park on the south side of Posen Street and never in the school passenger zone or in front of the property of any neighbor.

I agree with the guidelines listed above and in the student – parent handbook. I understand that failure to comply with the driving and parking regulations may result in loss of parking permit, driving privileges, athletic eligibility, co-curricular activities, and other consequences including expulsion.

Student Name (print)

Student Signature

Date

Permits will first be granted to those who carpool the greatest number of students. Non-carpool students are at risk of not receiving a permit and may only receive a permit after all carpool applications have been processed.

This form must be completed and submitted to Herman Shum, Vice Principal of Student Affairs by Friday, July 31, 2009. Do not include any money. Parking fees will be collected when permits are awarded. You will receive a letter in August informing you of your status.

(Please complete the back of this form.)

Student Driver, Carpool and Vehicle Information

Name of Driver: _____ Grade: _____

Driver's License Number: _____

Please list any car that will be driven to school.

Vehicle #1

Year _____ Make _____ Model _____ Color _____
License Plate Number _____

Vehicle #2

Year _____ Make _____ Model _____ Color _____
License Plate Number _____

Vehicle #3

Year _____ Make _____ Model _____ Color _____
License Plate Number _____

Location (check the one that applies):

- _____ Off Campus Parking Space (see rates below)
- _____ On Campus Parking Permit (see rates below)

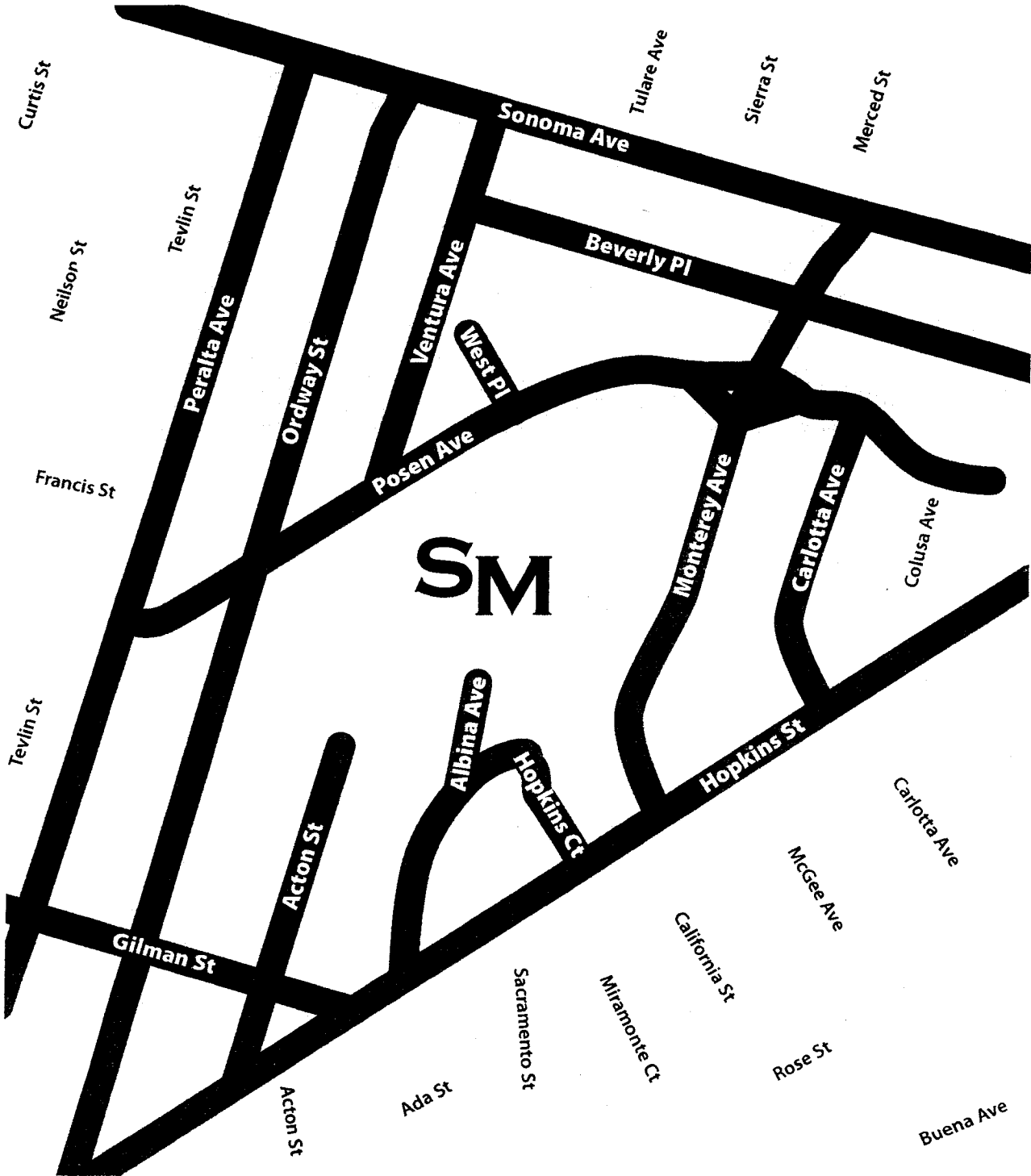
Parking Permit Rates (check the one that applies):

- _____ \$75 3 carpoolers + driver
- _____ \$150 2 carpoolers + driver
- _____ \$250 1 carpooler + driver
- _____ \$400 non-carpool

Carpooler #1 _____
Student Name Parent's Signature
Carpooler #2 _____
Student Name Parent's Signature
Carpooler #3 _____
Student Name Parent's Signature

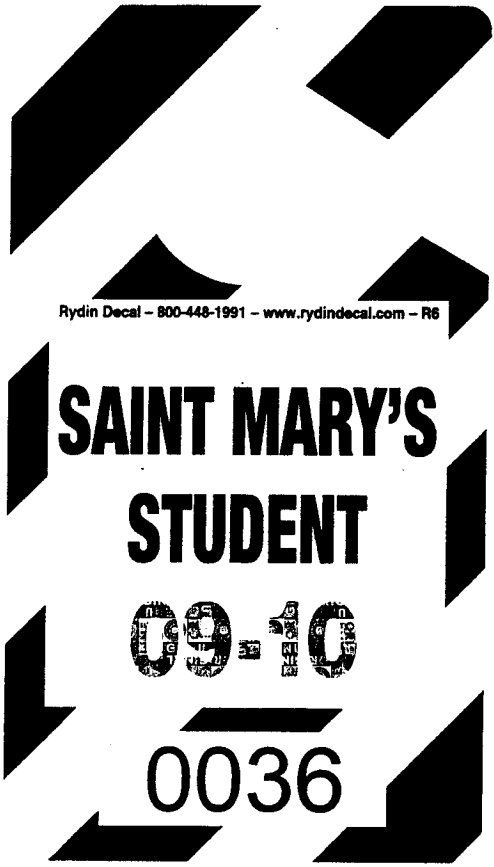
(Please complete the back of this form.)

RESTRICTED STUDENT PARKING FOR SAINT MARY'S

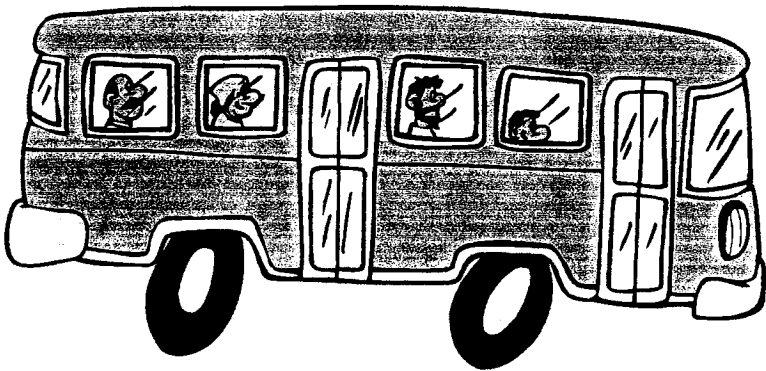


 Students are forbidden from parking on these streets

PT-5



PT-6



GET ON THE BUS!

AC Transit Bus Route 688

Service to Saint Mary's from Lake Shore/Mac Arthur Blvd.

Route: 688
New Supplementary Service to St. Mary's High School

AM Service @ 7:00am
 Start: Lake Shore/Mac Arthur - Via Mac Arthur EB
 L/Park Blvd;
 L/Mountain Blvd.;
 R/Thornhill;
 L/Mountain Blvd;
 L/Florence Ave;
 R/Duncan; into Bdwy Ter;
 R/Broadway;
 L/Miles;
 R/College;
 L/Alcatraz;
 R/Sacramento;
 R/Hopkins to Monterey St. @ 7:45 am

PM Service @ 3:40pm
 Via Hopkins at Monterey St.
 L/Sacramento;
 L/Alcatraz;
 R/College Ave;
 L/Kieth Ave;
 R/Broadway;
 R/Broadway Ter into Duncan;
 L/Florence;
 R/Mountain Blvd;
 L/Moraga into Mountain;
 R/Park Ave;
 R/Mac Arthur Blvd. To Grand Ave @ 4:18pm.

BUS STOPS:

AM	Gran/Maca	Park/Maca	Mora/Meda	Bdwy/Bdwy Terr.	Ashb/Sacto	Mont/Hopk
688	7:00am	7:04am	7:14am	7:26am	7:38am	7:45am
PM	Mont/Hopk	Ashb/Sacto	Bdwy/Bdwy.Terr.	Mora/Meda	Park/Maca	Gran/Maca
688	3:40pm	3:50pm	4:02pm	4:14pm	4:24pm	4:28pm

All times are approximate. Be sure to arrive to your bus stop early.

Lunch Prefecting Descriptions

Albina Avenue

Prefects should show up at the beginning of lunch and be there the entire lunch period. Prefects should be down on Albina Ave. at the intersection of Hopkins Ct. and be visible to students. Please watch for and correct any drivers who are speeding, driving recklessly, or playing music too loud. Sophomores and Freshman are not allowed to leave campus. If it is a student from another school, inform them that the school has a closed campus policy and that they cannot be on campus. Report all incidents to Herman.

Posen Street

Prefects should show up at the beginning of lunch and be there the entire lunch period. Prefects should be out on the sidewalk on Posen Street where you can be visible to students. Please watch for and correct any drivers who are speeding, driving recklessly, or playing music too loud. Sophomores and Freshman are not allowed to leave campus. If it is a student from another school, inform them that the school has a closed campus policy and that they cannot be on campus. Report all incidents to Herman.

Shea Center

Prefects should show up at the beginning of lunch and be in the Shea the entire lunch period. David Simril will be the full-time prefect for the Shea at lunch. So, check in with him at the beginning of the lunch period and ask where he needs your assistance.

Library

Prefects should check-in with Brian Thomas and assist with the supervision of students in the library.

Frates Hall / Amphitheater Area

Prefects should show up at the beginning of lunch and be there the entire lunch period. Position yourself in an area between Frates Hall and the Amphitheater. Ask students to pick up any trash they leave behind. Students should not be throwing footballs, frisbees, baseballs, etc... around the cross or near Frates Hall. If there is anyone on campus who doesn't go to the school, approach that person and ask if they need any assistance. If it is a student from another school, inform them that the school has a closed campus policy and that they cannot be on campus.

Outside lunch line / Founder's Plaza

You must show up at the beginning of lunch and be there the entire lunch period. Stand in between the lines at the counter to ensure that there are straight lines and that students are not cutting in line. Once there are no more lines, walk around and ask students to pick up after themselves.

Gymnasium

Prefects must show up at the beginning of lunch and remain the entire period. Please ensure that play in the gym does not get out of hand. No food or drink is allowed. Ask students to pick up trash before they leave.

Prefecting Final Exams Week, Fall 2008

PT-8

	CROSS			ALBINA		POSEN ST.
		SHEA CENTER	PARKING LOT	PARKING LOT	PARKING LOT	
Tuesday	8:00 - 8:30	Henning & Fulay	Fripp(7:30) & Simril	Hearne (7:30)	Gonzales & Banks	
1st	10:00 - 10:30	McManus	Simril & Fripp	XXXXXX	XXXXXX	
2nd	12:00 - 12:30	Graviss & Harkness	XXXXXX	Hearne & Jaeger	Forte & Morales	
Wednesday	8:00 - 8:30	Davis & Aschinger	Fripp(7:30) & Simril	Hearne (7:30)	Gonzales & Banks	
3rd	10:00 - 10:30	Ross	Simril & Fripp	XXXXXX	XXXXXX	
4th	12:00 - 12:30	Sutphin	XXXXXX	Hearne & Wright	Smith & Pickens	
Thursday	8:00 - 8:30	Cook & Long	Fripp(7:30) & Simril	Hearne (7:30)	Gonzales & Banks	
5th	10:00 - 10:30	Mohun	Simril & Fripp	XXXXXX	XXXXXX	
6th	12:00 - 12:30	Mihaly & Palladino	XXXXXX	Hearne & Mullane	Mahoney & Shafai	
Friday	8:00 - 8:30	Lawson	Fripp(7:30) & Ferreira	Hearne (7:30)	Gonzales & Banks	
7th	10:00 - 10:30	Rogers & Ferrigno	XXXXXX	Hearne & Martin	McCormick & Ridgeway	

Prefects at the Cross

Ask students to pick up any trash they leave behind. If there is anyone on campus who doesn't go to the school, inform the student that the school has a closed campus policy and that they cannot be on campus.

Prefects in the Shea Center

Please ensure that students are acting appropriately and cleaning up after themselves.

Prefects on Posen Street

When you are perfecting you should be out on the sidewalk on Posen Street. Be visible to students. Please watch for, and correct any drivers who are speeding, driving recklessly, or playing music too loud. Also, report any incidents to the Vice-Principal of

Prefects on Albina Avenue

When you are perfecting you should be down on Albina Ave. at the intersection of Hopkins Ct. Be visible to students. Please watch for, and correct, any drivers who are speeding, driving recklessly, or playing music too loud. Report any incidents to the

If you cannot serve on the day that you are scheduled, please find someone else to switch with and then tell me. Thanks a lot, Herman

Prefecting Final Exams Week, Spring 2009

PT-9

		CROSS	SHEA CENTER	ALBINA PARKING LOT	POSEN ST. PARKING LOT
Tuesday	Morning	Davis & Rogers	Fripp & Simril	Ashinger	Gonzales & Banks
7 th	Break	Fulay & Filson	Simril & Long	XXXXXX	XXXXXX
6 th	Lunch	Forte & Ridgeway	XXXXXX	Fripp & Quach	Mihaly & Martin
Wednesday	Morning	Lawson & Sutphin	Fripp & Simril	Ashinger	Gonzales & Banks
5 th	Break	Mohun & Halverson	Simril & Graviss	XXXXXX	XXXXXX
4 th	Lunch	Harkness & McCormick	XXXXXX	Fripp & Quach	Pickens & Ross
Thursday	Morning	Ferreira & Henning	Simril & Frripp	Ashinger	Gonzales & Banks
3 rd	Break	Sommers Jaeger	Simril & Wright	XXXXXX	XXXXXX
2 nd	Lunch	Cook & Smith	XXXXXX	Fripp & Quach	Palladino & Shafai
Friday	Morning	McManus & Minor	Simril & Frripp	Ashinger	Gonzales & Banks
1 st	Break	Mahoney & Mullane	XXXXXX	Fripp & Quach	Olivier & Morales

Prefects at the Cross

Ask students to pick up any trash they leave behind. If there is anyone on campus who doesn't go to the school, inform the student that the school has a closed campus policy and that they cannot be on campus.

Prefects in the Shea Center

Please ensure that students are acting appropriately and cleaning up after themselves.

Prefects on Posen Street

When you are perfecting you should be out on the sidewalk on Posen Street. Be visible to students. Please watch for, and correct any drivers who are speeding, driving recklessly, or playing music too loud. Also, report any incidents to the Vice Principal of Student Affairs.

Prefects on Albina Avenue

When you are perfecting you should be down on Albina Ave. at the intersection of Hopkins Ct. Be visible to students. Please watch for, and correct, any drivers who are speeding, driving recklessly, or playing music too loud. Report any incidents to the Vice Principal of Student Affairs.

If you cannot serve on the day that you are scheduled, please find someone else to switch with and then tell me. Thanks a lot, Herman

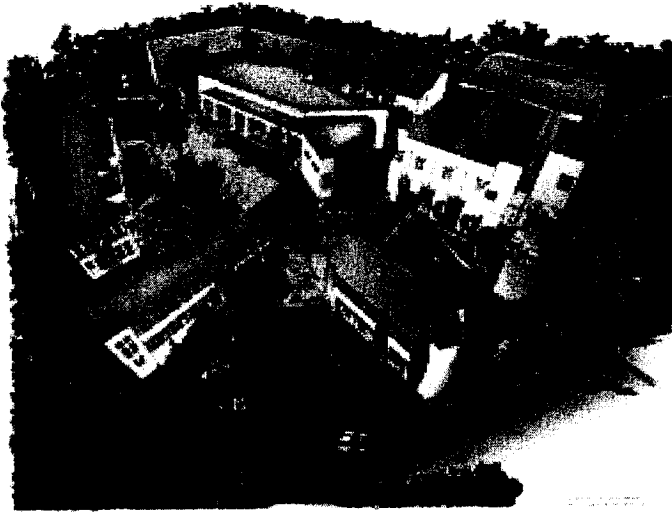
Spring 2009 Semester Lunch Prefecting Duty

	Monday	Tuesday	Wednesday	Thursday	Friday
Shea Center	McCormick & Simrill	Mullane & Cook	Pickens & Simrill	Mihaly & Simrill	Sutphin & Simrill
Frates Hall / Amphitheater	Rogers	Forte	Fulay	Palladino	McManus
Outside lunch line / Founder's Plaza	Mahoney	Jaeger	Gonzales	Filson	Banks
Albina Street	Hearne	Hearne	Hearne	Hearne	Hearne
Library	Shafai	Harkness	Ross	Ridgeway	Ferreira
Posen Street	Martin	Lawson	Wright	Henning	Mohun
Gymnasium	Long	Smith	Sommers	Halverson	Aschinger
Auditorium	Morales / Olivier	Morales / Olivier	Morales / Olivier	Morales / Olivier	Morales / Olivier
Science Building	Graviss / Davis	Graviss / Davis	Graviss / Davis	Graviss / Davis	Graviss / Davis

PT-11

Directions & Transportation

Campus Location and Environment 2009-2010



Saint Mary's park-like campus is located in North Berkeley and occupies a beautiful 13-acre site tucked inside of a quiet residential neighborhood, making school a safe and easily accessible place for students and their families. Saint Mary's is committed to providing students with a clean, safe learning environment. Saint Mary's is committed to providing students with a clean, safe learning environment.

The campus layout is a balance of formal and natural geometry with the center of campus characterized by an academic quadrangle. Throughout the course of the day, students move between several classroom buildings, giving them sense of life on a small college campus. Each building on our campus represents the love and appreciation that graduates and friends feel for Saint Mary's. Students can relax on these incredible grounds while eating their lunch, socializing with their friends, or just enjoying the beautiful sites and sounds at Peralta Park. Certain campus viewpoints feature impressive views of the San Francisco Bay, the Berkeley hills, and the U.C. Berkeley campus.

Directions to Saint Mary's College High School

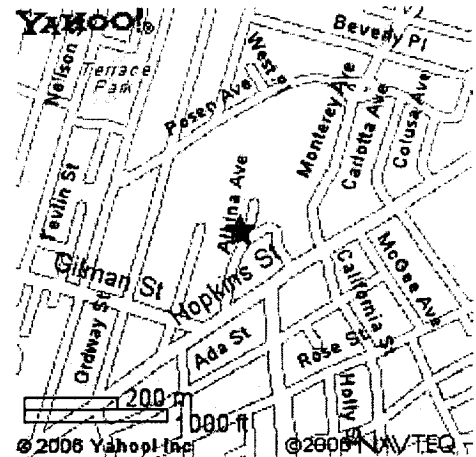
Coming from Hwy 80 North

Take Hwy 80 southbound towards Berkeley
 Take the Gilman Street Exit
 Turn left onto Gilman Street
 Take Gilman Street for 1.3 miles
 Turn left on Hopkins Street
 Go ½ block and turn left again on Albina Avenue
 Albina Avenue leads directly into our parking lot

Coming from Hwy 80 South

Take Hwy 80 northbound towards

Berkeley



Take the Gilman Street Exit
Turn right onto Gilman Street
Take Gilman Street for 1.3 miles
Turn left on Hopkins Street
Go ½ block and turn left again on Albina Avenue
Albina Avenue leads directly into our parking lot

Saint Mary's Transportation Information 2009-2010

Saint Mary's actively promotes and encourages our students to organize carpools, ride bikes, or utilize public transportation, such as AC Transit or BART to get to and from school. The school has several secure bike racks for students on campus.

AC Transit Bus Service:

Line 9
Line 52 Cedar
Line 688

On school days, Saint Mary's and AC Transit have arranged for dedicated bus service that travels directly to Saint Mary's from the Lake Merritt area. Bus Route #688 operates between Grand Avenue and MacArthur Boulevard in Oakland, and Saint Mary's College High School at the corner of Monterey and Hopkins, once in the morning and once in the afternoon. The morning bus leaves at 7:00 a.m. and the afternoon bus leaves at 3:40 p.m. *Discount bus passes* may be purchased through Ms. Jennifer Chang in the Saint Mary's Business Office.

For more information, please visit the AC Transit website at www.actransit.org and select 'Rider Info', scroll down the menu on the left side to 'Buses to Schools', then 'Private Schools', and select 'St. Mary's College High School'.

Bay Area Rapid Transit (BART): North Berkeley Bart Station

Saint Mary's College High School is approximately five (5) blocks from the North Berkeley Bart Station on Sacramento Street. Many of our students take BART to school. It is a safe and easy walk from the BART station to Saint Mary's. *Half-price BART tickets* are available to students through Ms. Jennifer Chang in the Saint Mary's Business Office.

Carpools and Parking Permits

Sign-ups for carpooling and parking permits for student-driven automobiles are made available in the summer mailing packet. A carpool list will be generated and families are able to make their own carpool arrangements within a given geographic area. In addition, students will have an opportunity to apply for a parking permit on and off campus. These permits are issued with the following priority ranking in mind: carpoolers, seniors, juniors.

[Contact Info](#) | [Calendar](#) | [Privacy Policy](#) | [Directions](#) | [Forms](#)

© Saint Mary's College High School

8.5.1 PERSONAL BEHAVIORAL GUIDELINES

- The following rules govern basic student behavioral expectations:
- Except for specific and special occasions, food and drink are not to be consumed in any school buildings, including the Gym and Auditorium.
- Saint Mary's maintains a closed campus policy during normal school hours. All student visitors must report to the Main Office to obtain an authorized pass.
- Students are responsible for the care of their personal property. The school does not assume responsibility for the loss, theft, or damage to personal student property. Personal property items should be clearly marked.
- Gum chewing in school buildings and on school grounds is prohibited.
- Toy weapons (including, but not limited to, plastic knives, cap guns, disc or rubber pellet guns, water guns) are not allowed on campus or at any school function.

8.5.2 THEFT

Theft violates the core principles of community. Students who steal personal or intellectual property are subject to disciplinary actions up to and including expulsion from school. The school requires parents and students to report students observed engaging in such activities. Incidents of theft must be reported to the Vice Principal for Student Life or other administrator immediately. All reasonable efforts will be made to recover lost or stolen property. The school does not assume responsibility for lost or stolen property, whether on school property before, during, or after the school day, or at school sponsored events.

8.5.3 LUNCHTIME PRIVILEGES/RESTRICTIONS

Off-campus lunch is a privilege accorded to seniors and juniors only. Any student who is late to class immediately following lunch for any reason may have this privilege revoked in addition to other disciplinary measures as deemed appropriate by the Vice Principal for Student Life. Students who are restricted and leave the school premises during lunch without written permission from the Vice Principal for Student Life will face disciplinary consequences.

The following areas are out-of-bounds:

- The road to the Brothers Residence and garage/maintenance areas.
- The lower campus area near Vellelian Hall.
- Cordonices Creek.

8.5.4 BEHAVIOR IN THE NEIGHBORHOOD OF THE SCHOOL

It is expected that students will respect the privacy as well as the property of neighbors in the area of the school. Congregating on neighborhood streets, littering, defacing property, driving unsafely, playing music loudly, and showing disrespect toward neighbors and their property are behaviors that injure a student's personal reputation and that of Saint Mary's College High School. Students are expected to act respectfully and see themselves as ambassadors of Saint Mary's College High School on and off campus. Students found to be violating these policies will be dealt with seriously, up to and including expulsion.

8.5.5 STUDENT DRIVING AND PARKING RESPONSIBILITIES, AND PARKING PERMITS

Driving on or near school grounds is a privilege afforded to Saint Mary's College High School students. The Vice Principal for Student Life can revoke this privilege if a student's driving is in any way reckless, obtrusive, or detrimental to the reputation of the school. Any faculty or staff member who witnesses unsafe driving (e.g., racing, speeding, peeling out, etc.) on or near the Saint Mary's campus will immediately report the student-driver to the Vice Principal for Student Life. The only students who may drive to the school and park at the school are students who have applied for and received a parking permit from the Vice Principal for Student Life. Students may not park in front of any residence on Posen Avenue and are not allowed to park anywhere on Peralta, Ordway, Ventura, West Place, Beverly Place, Monterey, Albina, and Hopkins Court. Freshmen and sophomores are not allowed to drive to and park at school.

Applications for parking permits are made available in the summer mailing and must be submitted on time in order to be considered for a permit. Parking permit fees will be determined on a graduated scale based upon the number of students in a carpool. The purpose of the graduated scale is to reward those who carpool, thereby reducing negative environmental impacts. Carpools will be monitored throughout the year. Students who have applied for and received a parking permit based on the number of individuals they indicated on their carpool application may lose their permits if they are found in violation of the

agreement. Students must display the Saint Mary's parking permit at all times while they are parked at Saint Mary's. Students who park on- or off-campus do so at their own risk. Saint Mary's is not responsible for theft or damage to anyone's car or belongings.

ON-CAMPUS PARKING PERMIT HOLDERS

On-campus parking places will be reserved for students who have an on-campus parking permit; entry to and exit from the front of the school is permitted via Albina Avenue only. Students must park in student-designated spots only. Students are not allowed to park in visitor or employee parking.

OFF-CAMPUS PARKING PERMIT HOLDERS

Off-campus parking permits will first go to carpoolers, then to seniors, and then to juniors. Students with off-campus parking permits must park on the south side of Posen Street and never in front of the property of any neighbor.

8.6 DO'S AND DON'TS

Any Saint Mary's College High School student-driver agrees to the following conditions:

- Students who apply for a parking permit must have a valid California Driver's License.
- Students must always drive the speed limit.
- Students must always drive safely and respectfully to and from school.
- All students who drive on campus must turn their music devices off. Music must remain low as students drive in the neighborhood surrounding the campus.
- Students must not honk their horns unless there is an emergency.
- Any Saint Mary's student understands that excessive speed, donuts, peeling out and/or other unsafe driving (as determined by any Saint Mary's employee) is not allowed.
- Students should never litter.

Failure to comply with these driving and parking regulations will result in consequences including detention, loss of privileges inclusive of off-campus lunch, loss of athletic eligibility, suspension, and expulsion.

8.7 DRESS AND APPEARANCE CODE (STANDARD DAYS)

Saint Mary's College High School expects that its students demonstrate modesty and good taste in their appearance, as is appropriate for a Lasallian Catholic school community. The Administration, faculty, and staff collaboratively enforce the Dress and Appearance Code. If a student is not in conformity with the Dress and Appearance Code, he or she will be sent to the Main Office and be expected to conform to the code before returning to classes, and will automatically receive a detention. More serious consequences may result if a student is habitually out of the Dress and Appearance Code. Consequences may include a mandated uniform or suspension from school. Chronic noncompliance may result in dismissal or expulsion from school.

The administration reserves the right to make final decisions regarding student grooming and appearance. This dress code is in full effect from the time students arrive on campus until the end of the day both inside and outside of class.

The following are to be observed by all:

- Shoes must be worn; the absence of shoes will be allowed only for a demonstrated medical necessity.
- Clothing which allows undergarments to be visible is not permitted. Sports bras are undergarments and must be covered.
- Bare midriffs are not permitted.
- All shirts must have sleeves. No tank tops, halter-tops, or sleeveless shirts are permitted. No exposed cleavage is permitted at anytime.
- Lycra and spandex tights may be worn under clothing that meets other school guidelines. Skirts worn with leggings, spandex, or other like materials must be the appropriate length (two inches above the knee-cap).
- Sweats, athletic pants, swishy pants, velour pants, athletic shorts, and board shorts are not permitted during the school day.
- Dresses and skirts, including slits, may not be more than two inches above the top of the knee-cap.
- Shorts may not be more than two inches above the top of the knee.

Saint Mary's College High School
Peralta Park • 1294 Albina Avenue
Berkeley, California 94706
(510) 526-9242



1863-2008
145 Years of Lasallian Education

News for the Neighborhood Community - January 2009

Dear Friends and Neighbors of Saint Mary's College High School,

Saint Mary's will begin the Spring 2009 semester on Monday, January 5 with faculty workshops, followed by the first day of classes on Wednesday, January 7. We wish all our neighbors a very Happy New Year!

Enclosed please find an overview of the Spring 2009 Semester, with an emphasis on certain weekend and evening events. The complete school calendar is available on the school web site at www.saintmaryschs.org and is your best resource for all school information. Events that will impact traffic and parking on area public streets include various home basketball games and playoffs, the January 9 Brady Park Dedication, the Crab Feed on February 7, CASE Studies Workshop on April 21, Achievement Awards on May 14, and the Class of 2009 Baccalaureate Mass on Saturday, May 30. Founder's Week in May will include music and activities during lunch, ending with a school-wide celebration on Friday, May 15. Activities at other times during the school year sometimes include music played on campus, particularly during the lunch hour for student activities.

Saint Mary's again invites our neighbors to join the school community at some of our home athletic and performing arts events. Specific events are marked with an asterisk on the calendar that follows. To attend, please phone (510) 559-6220 at least two to three days in advance of the event date and leave your name, address, and phone number. Two persons will be allowed entry free of charge as guests of Saint Mary's (excludes all playoff games).

You can be an active part of the Saint Mary's community: join us for events, donate blood at the annual Red Cross drive, buy a raffle ticket for the annual student fundraiser for tuition assistance, enjoy the annual Crab Feed on Saturday, February 7. Reservations for this event go quickly. For information, please check the school web site's Parents' Association section.

SAINT MARY'S COLLEGE HIGH SCHOOL

Contact Information:

Parking & Behavior: Mr. Herman Shum
(510) 559-6256
hshum@stmchs.org

Calendar & Web Site: Mr. Lawrence Puck
(510) 559-6235
lpuck@stmchs.org

Buildings & Grounds: Mr. Mark Headley
(510) 559-6259
mheadley@stmchs.org

A SPECIAL INVITATION TO SAINT MARY'S NEIGHBORS

On Friday, January 9, 2009, the Saint Mary's Community will celebrate the dedication of our new Thomas M. Brady Park track and field complex.

School neighbors are cordially invited to attend that afternoon's women's Soccer game vs. Kennedy High School on the new field at 3:30 p.m.

Saint Mary's personnel will be available in the bleachers beginning at 4:30 p.m. to answer any questions you might have about the new Brady Park facility.

No rsvp is necessary. We hope you'll join us.

Please visit the school web site for news, information, events, sports schedules, daily announcements, the school calendar, and more: www.saintmaryschs.org

Saint Mary's Calendar of Events Published for the Neighborhood Community – Spring Semester 2009

Please find more complete information on the school web site at www.saintmaryschs.org.

At print time, a few tentative Student Activities events had yet to be confirmed. If impactful to the neighborhood, the school will send a post card with event details to residences in the more immediate vicinity of the school.

The information will also be on the school calendar on the web site.

January 7	Classes resume.
January 9	Dedication of Thomas M. Brady Park Track and Field Facility, morning/afternoon
January 10	Entrance exam for freshman applicants, 8:00 a.m. – 12:00 noon.
January 23	Dance Concert* - 7:30 p.m.
January 25	Super Bowl Pool lunch and tuition assistance fundraiser.
February 7	Annual Crab Feed and Silent Auction Fundraiser, evening.
February 12	Interview Night for freshman applicants.
February 24	Red Cross Blood Drive – Please call the school if you wish to participate.
March 2-6	Enrichment Week (see below); special schedules.
March 20	Career Day
April 2, 3, 4	Spring Musical* "Grease" - evenings. (Rehearsals in the auditorium after school and evenings.)
April 9-17	Holy Week and Easter Vacation
April 21	Annual CASE Studies Educational Workshop, afternoon/evening.
April 25	Seventh Grade Day Workshop, begins at 8:00 a.m.
April 30	AP Art Show – 6:00 p.m.*
May 2	Placement Tests and Orientation for Incoming Freshmen and Parents, morning/afternoon.
May 14	Achievement Awards Night, begins at 6:00 p.m.
May 11-15	Founder's Week honoring St. John Baptist de La Salle (music, activities, liturgy).
May 15	Spring Concert, 7:30 p.m.*
May 19-22	Semester Exams – special schedule with early dismissal; last day of school.
May 26-29	Faculty meetings.
May 30	Class of 1959 Golden Reunion and Class of 2009 Baccalaureate Mass; events begin at 4:00 p.m.

Enrichment Week programs are held both on- and off-campus. Regular school hours are adjusted for program needs and may include buses and vans traveling to and from campus mornings and afternoons. **On-campus dances** are usually held from 7:30 to 10:30 p.m. Access is via Posen Street. Security is present on both Posen and Albina, as well as on the campus.

Winter/Spring Athletics Schedule: Please visit the school web site for a complete sports calendar. Schedule changes are posted on the web site whenever possible. **Playoff games played at Saint Mary's are generally posted on the site as dates are set.**

Boys' Basketball – Winter 2009 Home Games (Subject to change; does not include possible playoff dates. Check web site.)

Friday, January 9	Kennedy High School
Wednesday, January 14	Encinal High School*
Saturday, January 17	Cardinal Newman High School
Wednesday, January 21	Albany High School*
Friday, January 30	Piedmont High School*
Thursday, February 5	John Swett High School*
Friday, February 13	St. Joseph's High School*
February 17 – 21	BSAL Playoffs: Saint Mary's may host some games. NCS and State tournaments follow.

Girls' Basketball – Winter 2009 Home Games (Subject to change; does not include possible playoff dates. Check web site.)

Wednesday, January 7	Piedmont High School*
Friday, January 16	St. Joseph's High School*
Friday, January 23	St. Patrick-St. Vincent High School
Saturday, January 24	Pinole Valley High School
Wednesday, January 28	Kennedy High School*
Wednesday, February 4	Holy Names High School*
Wednesday, February 11	Encinal High School*
February 17-21	BSAL Playoffs: Saint Mary's may host some games. NCS and State tournaments follow.

Home soccer and baseball games are generally 3:30 – 5:30 PM. Weeknight home basketball games are generally: Freshmen - 4:00 PM; JV - 5:30 PM; Varsity - 7:00 PM. Saturday basketball games are usually in the afternoon and evening.



Saint Mary's College High School
Peralta Park • 1294 Albina Avenue
Berkeley, California 94706
Founded 1863

Summer 2009 Calendar Information for the Neighborhood Community

Dear Saint Mary's Neighbors,

Please find below an overview of the school calendar for Summer 2009. The majority of the events listed will likely have minimal impact on the neighborhood, but the dates are provided for your information. Please refer to our school web site at www.saintmaryschs.org for up-to-date information about these and other campus events. Saint Mary's thanks our neighbors for their attendance at our Spring 2009 Blood Drive, sports events, and the three sold-out performances of "Grease!" We wish you a pleasant summer. Thank you.

SAINT MARY'S COLLEGE HIGH SCHOOL

Main Office (Summer hours will be posted on the school web site.): (510) 526-9242
Calendar and Web Site: Mr. Lawrence Puck, lpuck@stmchs.org
Buildings & Grounds: Mr. Mark Headley, (510) 559-6259, mheadley@stmchs.org

Dates, times, and events may be subject to change.

Academic and Arts Programs

June 22 - July 17 Academic and Arts programs for middle school and high school students and Saint Mary's summer school for incoming Freshmen:
Weekdays, 8:00 a.m. to 4:00 p.m., approximately 100 students.

Athletic Programs

The gym and auditorium will be in use most weekdays and evenings throughout the summer for volleyball, basketball, and football conditioning programs for Saint Mary's students, and for the return of Panther Hoop Camp and Panther Volleyball Camp. Days and times of use vary depending on the program.

Other

Month of June Painting: exteriors of several campus buildings.

Opening of 2009-2010 School Year

Teachers will be on campus for a retreat, meetings, and classroom prep beginning Monday, August 10. Students will return to campus for orientation programs by grade on various days, beginning with the Freshman Class on Wednesday, August 13. The first day of classes will be Tuesday, August 18.



A calendar for the Fall 2009 semester and 2009-2010 school year overview will be mailed in August. For more information, visit the school web site at www.saintmaryschs.org

Class of 2009 Saint Mary's College High School graduated its 146th senior class on May 31 at commencement exercises at Saint Mary's College in Moraga. The "Golden Grads" of the Class of 1959 joined in the ceremonies and received honorary "golden diplomas" as part of their fifty-year reunion weekend. 152 seniors have been accepted to colleges and universities throughout the United States, although final college choices for many are greatly affected by the current economic climate. The Class of 2009 achieved an 89% acceptance rate to the University of California and a 98% acceptance rate to the California State University system. Congratulations to Saint Mary's Class of 1959 and Class of 2009! You will always have a home at Peralta Park.

Panthers Rule! Saint Mary's Panther girls and boys had a great sports year, made particularly memorable by the opening of Brady Park track and field complex in January. The students attributed the unprecedented success of their annual tuition assistance fundraiser this past Spring - selling nearly \$65,000 of raffle tickets to help provide aid for their peers to attend Saint Mary's - to the inspiration of the many alumni donors who gave back to the school to make the new Brady Park complex possible. *Right: Blessing of Brady Park, January 9, 2009. Tom Brady '54, far left, returned some of the old field's soil to the new field, bringing the project full-circle. Catholic Deacon Jorge Angel, in white, was job superintendent for Brady Park.*



Service Learning At Saint Mary's, faith- and values-based "Service Learning" is incorporated as a teaching methodology throughout the curriculum as an integral part of the overall education of the student. Students and teachers further the Catholic Lasallian mission of the school through direct involvement with those in need at the local, national, and global level. Some of the agencies, schools, and events that are served by Saint Mary's students and staff annually are: ACES Foundation, Alameda County Community Food Bank, American Red Cross, Big Brothers & Sisters of the East Bay, Building with Books, Catholic Charities, Chaparral House, Casa Vincentia, Dominican Sisters of Mission San Jose, Harrison House, Susan G. Komen Foundation, Lion's Club, Locks of Love, Mercy Care Center, Multiple Sclerosis Society, Nothing But Nets Campaign, St. Vincent's Day Home, St. Vincent de Paul Society, Solano Stroll, Friends of the Creeks, Saint Anthony School, Saint Jarlath School, Saint Elizabeth School, Green Panthers Club, YARN Club, Service Immersion trips to El Salvador, Montana, New Orleans, Tijuana, and support for sister school St. Mary's School in Kenya. The annual Student Fundraiser for tuition assistance takes place each Spring. *Above: The YARN Club sells hand-knitted goods to support Breast Cancer Awareness.*



Dedicated Faculty are Thanked

At the school's annual Founder's Day celebration on May 15, the community honored the life of Saint John Baptist de La Salle, founder of the De La Salle Christian Brothers (1680) and the Catholic Church's Patron Saint of All Teachers of Youth. Special honors that day went to sixteen-year faculty member Michael Henning, who was awarded the *Lasallian Educator of the Year* medal by his peers. "Twelve Virtues of a Good Teacher" were established by De La Salle himself in the 17th century, and still today guide Lasallian teachers in their teaching vocation: Gravity, Silence, Humility, Prudence, Wisdom, Patience, Reserve, Gentleness, Zeal, Vigilance, Piety, Generosity. Nearly a third of a 1785 circular on the Twelve Virtues was dedicated to the virtue of Gentleness. Educator honoree Mike Henning was one of ten faculty men who were a big hit at the three sold-out Spring performances of "Grease!" dancing and singing in the famous "Teen Angel" scene. *Above: John Forte (in white), 20-year faculty member, 1981 school alumnus, and new Saint Mary's parent, joins fellow faculty and students on stage for the Teen Angel scene. First-year teachers to 40-year veteran teachers wowed the crowds with their performances. Currently, thirteen faculty men are school alumni. Eighteen school personnel are current SM parents, alumni parents, or both.*



SAINT MARY'S COLLEGE HIGH SCHOOL
PERALTA PARK • 1294 ALBINA AVENUE
BERKELEY, CALIFORNIA 94706
(510) 526-9242



CR-4

AUGUST 2009
146 YEARS OF LASALLIAN EDUCATION
82 YEARS AT PERALTA PARK

Newsletter for the Neighborhood Community – August 2009

Dear Friends and Neighbors of Saint Mary's College High School,

Saint Mary's will open the new school year on Tuesday, August 18, 2009, preceded by class orientations and faculty workshops (please see calendar for dates). Summer sports camps and conditioning programs continue during August. We're looking forward to another successful school year and to welcoming the Class of 2013. This August, Saint Mary's marks the 146th year since its founding in San Francisco in 1863 and 141 years since the De La Salle Christian Brothers arrived in California to take over management of the school in 1868. August 28 will mark the school's 82nd year on the Peralta Park campus in Berkeley.

Enclosed you will find an overview of the Fall 2009 Semester, with an emphasis on certain weekend and evening campus events. Several events of particular note that will impact area traffic and parking are noted below. On occasion, music will be played for outdoor lunchtime and after school student activities. A Spring 2009 calendar will be mailed to you in late December.

The complete school calendar is available on the Saint Mary's web site at www.saintmaryschs.org and is your best bet for all school information. Updates and information about special events are generally posted on the web site home page, as well. **Please note several events that will impact traffic and parking on area public streets:** Various home football games, Back to School Night for parents (August 25), Admissions Information Night (September 23), "block parties"/dances (August 28 and September 26), and our annual Open House for prospective students and families (November 22). Homecoming on Saturday, September 26 will be very well-attended since the football game will be played against rival Salesian High. There will be a dance that evening.

Saint Mary's again invites our neighbors to join the school community at some of our home athletic and performing arts events. Specific events are marked with an asterisk. To attend, please phone (510) 559-6220 at least two to three days in advance of the event date and leave your name, address, and phone number. Two persons will be allowed entry free of charge as guests of Saint Mary's (excludes league playoff games).

The school calendar, daily announcements, and more information are on the web site. Thank you.

SAINT MARY'S COLLEGE HIGH SCHOOL

Contact Information:

Parking & Behavior: Mr. Herman Shum
(510) 559-6256
hshum@stmchs.org

Calendar/Web Site: Mr. Lawrence Puck
(510) 559-6235
lpuck@stmchs.org

Buildings & Grounds: Mr. Mark Headley
(510) 559-6259
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Saint Mary's Campus & Thomas M. Brady Park, 2009

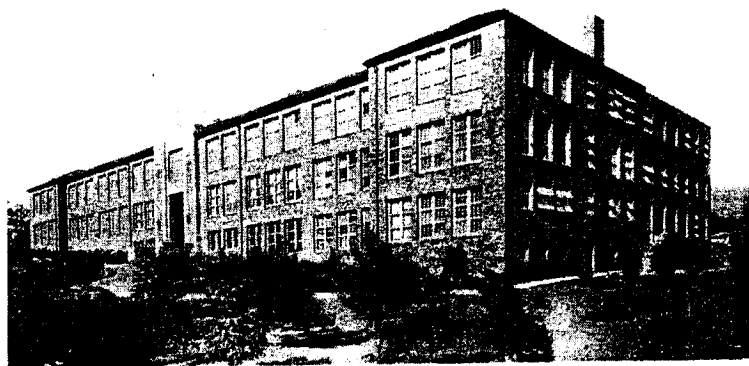
Excellence in Sports and Academics Go Hand-in-Hand at Saint Mary's

In mid-July, Saint Mary's was named CIF Division IV Enrollment *State School of the Year* for the second year in a row by CalHiSports.com, a division of ESPN and a leading source for California's high school sports rankings, for the achievements of the Panther baseball, boys' and girls' basketball, boys' and girls' track, and girls' cross country teams during 2008-2009. Our softball, baseball, and boys' track teams each also earned a **North Coast Section (NCS) Scholastic Championship Team Award**. The award is given to the top three teams with the highest grade point averages in their divisions. In addition, 25 of Saint Mary's sports teams were recognized by NCS for overall team GPAs of 3.0 or higher during the 2008-2009 school year, attaining the designation of **NCS Distinguished Scholastic Teams**. These major accomplishments by our sports teams are a strong indication of Saint Mary's Lasallian commitment to educating the whole student.



Left: "The Brickpile," as it was affectionately known. Saint Mary's College and High School outgrew their original site in San Francisco (1863) and relocated to larger facilities at 30th and Broadway in Oakland in 1889. The new school building burned in 1894, was damaged by the 1906 San Francisco earthquake, and burned again in 1918. After the 1894 fire, classes returned to the original school campus in San Francisco for two years until repairs were completed. The high school and college moved to separate facilities in Berkeley (1927) and Moraga (1928).

The Brickpile was demolished. College alumni placed a bronze plaque at the site at 3093 Broadway & Hawthorne in 1959. A State historical marker on Mission Street in San Francisco marks the site of the original 1863 Saint Mary's College, now a residential area known as Saint Mary's Park.



Right: De La Salle Hall at Peralta Park. The 51,000-square foot building was completed in 1927 for the high school's move from Oakland to Berkeley. It was razed in 1973 as an earthquake hazard; a campus master plan process began in 1974. De La Salle Hall stood on the site of the main parking lot.



Left: The Albina bridge entrance over Codornices Creek, circa 1903. In 1927, the high school boarders, day students, Christian Brothers, and other faculty joined the grammar school students and Brothers already on campus at St. Joseph's Academy, housed from 1903 until 1959 in the Peralta Park Hotel, built by actor Maurice Strellinger in 1888. The hotel, known as "The Palace," suffered a major fire in 1946 and was completely razed in 1959. The bridge sign reads: "St. Joseph's Academy, Peralta Park." The sign was later redone to read "Saint Mary's College High School." (Photo from Academy advertising brochure, ca. 1903.)

Saint Mary's Calendar of Events Published for the Neighborhood Community -- Fall 2009

Week of August 10: Faculty Retreat, Meetings, Classroom Preparations
 Thursday, August 13: Freshman Orientation and Freshman Parent Information Night
 Friday, August 14: Freshman Retreat
 Monday, August 17: Sophomore, Junior, and Senior Orientations
 Tuesday, August 18: First Day of Classes
 Tuesday, August 25: Back to School Night for Parents – **Major Event**
 Friday, August 28: Student Block Party and Dance (outdoor event with music after school)



Monday, September 7: Labor Day – School Holiday
 Thursday, September 17: College Information Night for Senior Families
 Wednesday, September 23: Admissions Information Night
 Saturday, September 26: Homecoming Game vs. Salesian – **Major Event** Saturday, September 26:



Friday, October 2: Saint La Salle Society Donor Appreciation Dinner
 Saturday, October 3: Football vs. Piedmont *
 Friday, October 9: Mother & Son Dinner-Dance
 Saturday, October 10: Football vs. St. Patrick-St. Vincent *
 Monday, October 12: Columbus Day – School Holiday
 Saturday, October 17: Football vs. Moreau Catholic *
 October 22, 23, 24: Fall Drama Production – 7:30 p.m.*
 Monday, October 26: Faculty In-Service – Student Holiday
 Saturday, October 31: Football vs. John Swett * *Happy Halloween!*



Wednesday, November 11: Veterans Day – School Holiday
 Friday, November 13: Father & Daughter Dinner-Dance
 Sunday, November 22: Open House – Afternoon — **Major Event**
 November 25, 26, 27: Thanksgiving Holiday *Happy Thanksgiving!*



Thursday, December 3: College Financial Aid Information Night
 Friday, December 4: Dance Concert – 7:30 p.m.*
 Thursday, December 10: Panther Pizza Prep (optional study session for exams)
 Friday, December 11: Winter Music Concert – 7:30 p.m. *
 December 14-17: Semester Exams: Early Dismissal and Last Day of Classes
 Monday, December 21: Young Alumni Reunion (afternoon)
 December 18- January 5: Christmas Vacation *Merry Christmas & Happy New Year!*



January 6: First Day of Classes – Spring 2010 Semester

**Please check our website at www.saintmaryschs.org for additional and updated information.
 Calendar dates and times are subject to change.**

- On-campus dances are usually held from 7:30 to 10:30 p.m.
- Please refer to the school web site for the complete Fall sports schedule, including football, volleyball, tennis, basketball, soccer, and BSAL league playoffs schedules. Playoff games hosted at Saint Mary's are generally posted to the web site as game dates are established.

*Calendar provided as requirement of City of Albany Planning & Zoning Commission Section A-8 document
 (October 25, 1999) and CUP (August 22, 1999)*

Saint Mary's Contact Information:

Parking & Behavior: Mr. Herman Shum, (510) 559-6256, hshum@stmchs.org
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CR-5

Saint Mary's College High School

Lasallian Catholic Education Since 1863

Open House - Sunday, November 23

November 16, 2008

OPEN HOUSE
Sunday, November 23, 2008
1:00 PM to 3:00 PM

Saint Mary's College High School
1294 Albina Avenue
Berkeley, Ca. 94706
(510) 526-9242 - Main Office
(510) 559-6240 - Admissions Office

Come join us for a very special day!

We invite you to visit Saint Mary's to learn more about our mission, our community, college prep curriculum, our many student centered programs (Student activities, campus ministry, athletics) and much, much more.

Find out how Saint Mary's prepares its students for college and careers in the 21st century.

For the best and most accurate directions on how to get to Saint Mary's, we recommend using Yahoo maps.

Parking

Please be aware that parking is limited. We hope that many families carpool to Saint Mary's. Please also remember that Saint Mary's is a short 4 block walk down Sacramento Avenue from the North Berkeley BART Station.

The good people are Monterey Market, located on Hopkins Street one block away from Saint Mary's, allow us to use their parking lot for our Open House.

Posen Street Parking

- Posen Street is the back entrance to the school. There is street parking on the Posen side of campus.

Albina Avenue Parking

- The main entrance into Saint Mary's fills up quite fast. Please be aware that when parking on the

to make sure you do not park in one of our neighbors driveways. We do not want your car to be towed while you are visiting our Open House.

Monterey Gate Entrance

- The entrance gate on Monterey Avenue will be open for those who are parking on that side of the campus. It is also another way to come onto campus for those who using the Monterey Market parking lot.

Plan your day at Saint Mary's

The following information is posted for you to be able to plan your day at our Open House.

In addition to the displays and availability of members of the faculty located in the academic arena, the coaches in the gym, and the directors of the many student programs located in the Shea Center, there will be presentations sponsored throughout the day.*

1:00: Welcome from Brother Edmond, FSC

President of Saint Mary's College High in the auditorium. (10 minutes)

Beginning at 1:15

- The Admissions Process in Frates Memorial Hall – room 327
- Mathematics presentation in Frates Memorial Hall – room 313
- English presentation in Frates Memorial Hall – room 315
- Visual & Performing Arts presentation in room 102 below the Shea Center
- Science presentation in Harold B. Murphy Hall

Beginning at 1:40

- The Admissions Process in Frates Memorial Hall – room 327
- Social Studies presentation in Frates Memorial Hall – room 332
- Religious Studies presentation in Frates Memorial Hall – room 311
- Student Activities presentation in the Shea Center (*Learn about the goal and vision of the student activities program.*)
- “Academic Goals & Vision” in the Auditorium (*Our principal, Mr. Pete Imperial, will give a brief overview of the academic goals and vision for Saint Mary's College High School.*)
- “The Nuts and Bolts of Saint Mary's” in Frates Memorial Hall – room 325 (*What time does school begin? Dress code? Basic questions answered from a panel which include the vice-principal, students, and a parent.*)
- “What Makes Us Special” in Frates Memorial Hall – 317 (*Learn about our Enrichment Week Program, Freshman Experience, and Community Block.*)

Saint Mary's Hopkins Court & Albina Avenue Neighbors, (11/17/08)

The family of a member of Saint Mary's Class of 1991 has asked to have his **memorial service** on the school campus. The service will be held on Monday evening, November 24 at 7:00 p.m. We expect that on-campus parking will suffice for guests, but wanted to make you aware of the event.

Reminder: Open House for prospective students is Sunday, November 23, and will impact traffic and parking in the area. Traffic monitors will be on duty and all three entrances to campus will be open to accommodate visitors. Monterey Market has again graciously offered use of its parking lot.

Panther Basketball has begun. Please check the school web site for the schedule of on-campus games, some of which will impact area parking.

Thank you,
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CR-6

Dear Saint Mary's Neighbors,

March 2009

PANTHER PRIDE NIGHT "Magic of Music" cabaret show will take place Saturday, March 21 in the school auditorium from 5:30 to 10:00 p.m. Proceeds benefit SM Athletic Department. Parking attendants and security will be on campus. Details and ticket information are available on the school web site. March 28: Freshman & Sophomore Casino Night event on campus.

Thanks for your support of our student raffle fundraiser for tuition assistance and class treasures. The students have done an amazing job, and may reach their \$60,000 goal! Thanks, too, for supporting the February Blood Drive. Eighty pints of blood were donated in the day-long event. Special thanks to *Monterey Fish, Magnani Poultry, and Acme Bread* for their tremendous support of our Crab Feed in February, and to *Monterey Market* for the extra parking spaces. Congratulations to the Panther Women's Basketball team for winning their first BSAL and NCS Championships in school history. Game info continues to be posted on the web site, www.saintmaryschs.org. Please refer to the semester calendar sent in January for other important Spring dates, or consult the web site.

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Dear Saint Mary's Neighbors,

April 16, 2009

Below are several upcoming events, previously noted in the Spring Semester calendar sent to you earlier this year. These annual events may impact traffic and parking in the immediate neighborhoods. School ends on Friday, May 22. Spring sports continue. The complete school and sports calendars are on the school web site at www.saintmaryschs.org.

- April 21: CASE Studies Educational Workshop, afternoon/evening.
- April 25: Seventh Grade Day Workshop, begins at 8:00 a.m.
- May 2: Class of 2013 Placement Exams and Family Orientation Day
- May 14: Achievement Awards Night, begins at 6:00 p.m.
- May 15: Founder's Day Celebration (Liturgy, music, and games)
- May 30: Class of 1959 Golden Reunion and Class of 2009 Family Baccalaureate Mass and reception. Events begin at 4:00 p.m.

A Summer 2009 calendar will be sent to you in late May. Saint Mary's will conduct summer enrichment programs for students in grades 6, 7, and 8. For information, visit the "Summer Programs" section on the school web site.

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Saint Mary's Neighbors – Albina, Hopkins Ct., Posen, West, Monterey, (8/22)

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An on-campus, outdoor social for SM students, with music, refreshments, and activities, is planned for Friday, August 29 from 5:00 p.m. until 8:00 p.m.

Saint Mary's celebrates its 145th year in 2008 and its 81st year at Peralta Park. The new campus at Peralta Park was dedicated on August 28, 1927 with over 3000 in attendance, as reported by the August 29, 1927 San Francisco Chronicle.

Thank you,

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CR-6

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HOME COMING: MAJOR EVENT, Saturday, September 26 vs. Salesian. Football games morning and afternoon, alumni events, and student dance from 7:00 – 10:00 p.m. Dance entry is on Posen Street. Security will be on site for the day's events and the dance. A very large crowd is expected for the games. **Spirit Week: 9/21-25**; includes music and activities during lunch and a rally. **"Alice in Wonderland"**: Fall drama production, October 22-24, 7:30 p.m. For a free pass for two to the drama production, contact 559-6220 at least three days prior to the event. Leave name, address, and phone number. Please join us! **Annual Food Drive**: Begins October 27. To participate, contact the school for drop-off locations on campus. Our students appreciate your support as they help feed the needy in the East Bay through the Alameda County Food Bank.

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Dear Saint Mary's Neighbors, 9/17/09

Below are reminders about several upcoming events; some will impact traffic and parking in the immediate neighborhoods, as noted in the calendar sent to you in early August. Complete school and sports calendars are on the school web site at www.saintmaryschs.org. Volleyball and football are well-attended events.

HOME COMING: MAJOR EVENT, Saturday, September 26 vs. Salesian. Football games morning and afternoon, alumni events, and student dance from 7:00 – 10:00 p.m. Dance entry is on Posen Street. Security will be on site for the day's events and the dance. A very large crowd is expected for the games. **Spirit Week: 9/21-25**; includes music and activities during lunch and a rally. **"Alice in Wonderland"**: Fall drama production, October 22-24, 7:30 p.m. For a free pass for two to the drama production, contact 559-6220 at least three days prior to the event. Leave name, address, and phone number. Please join us! **Annual Food Drive**: Begins October 27. To participate, contact the school for drop-off locations on campus. Our students appreciate your support as they help feed the needy in the East Bay through the Alameda County Food Bank.

Thank you! — SAINT MARY'S COLLEGE HIGH SCHOOL

CR-6

"Alice in Wonderland"
on the Saint Mary's Stage
October 22, 23, and 24.
Come join us for a modern twist
on a classic tale.

7:30 p.m.
Saint Mary's College High School
Auditorium (enter on Posen or Albina)
\$8.00 adults
\$6.00 students & children

An invitation to our neighbors:
For two free passes to see "Alice,"
leave your name, address, and phone number
at (510) 559-6220 at least two days before a
performance. Passes will be delivered
to your home/mailbox.

Thanks from Saint Mary's!
Founded in San Francisco 1863
In Berkeley Since 1927

Poster Art by Mike Loughman
Berkeley, CA
(Saint Mary's Class of 2001)

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Poster Art by Mike Loughman
Berkeley, CA
(Saint Mary's Class of 2001)

CR-6

Loughman, Jeanne

From: Imperial, Peter
Sent: Friday, February 27, 2009 2:41 PM
To: mchltmpkns7@yahoo.com; dedemar@sbcglobal.net; sherylfishman@sbcglobal.net;
casabrown@earthlink.net
Subject: NCS Basketball Games

Dear Neighbors,

If you could pass the word to those interested in the neighborhood, that would be great...

As noted in our Spring newsletter/school calendar mailed to you in January, basketball playoffs are now underway, and as the playoffs move forward, Saint Mary's is hosting a pair of games tomorrow night, Saturday, February 28, beginning at 6:30 p.m. The visiting teams are from Fortuna and Napa, and we expect that on-campus parking will suffice, but we cannot predict. It's likely our girls will host a game next Wednesday as well, but our school's Enrichment Week begins Monday, so classes are not in session and the crowd may be modest. (The boys, if we win Saturday, will likely to Santa Rosa next Wednesday.) If both teams continue to win they may host a game or two the week of March 9. We'll keep you posted via our website.

Thank you for your support of our Panther teams.

Pete Imperial
Principal

2/27/2009



SAINT MARY'S COLLEGE HIGH SCHOOL

PERALTA PARK • 1294 ALBINA AVENUE • BERKELEY • CALIFORNIA 94706-2599
TELEPHONE (510) 559-6220 • FAX (510) 559-6245 • WWW.SAINTMARYSCHS.ORG

OFFICE OF THE PRESIDENT

June 30, 2009

CITY OF ALBANY

Jeff Bond
Planning and Building Manager
City of Albany
1000 San Pablo Avenue
Albany, California 94706

JUN 30 2009

COMMUNITY DEVELOPMENT
DEPARTMENT

Dear Jeff:

Enclosed is the Annual Report on Athletic Field Usage in compliance with the Notice of Planning and Zoning Commission Action of October 16, 2007, Special Conditions J-2, pages 10 & 11. The report comprises four parts. Enclosed are three of them:

- 1) Schedule – Actual Field Usage – January 2009-June 2009
- 2) Schedule – Future Field Usage – July 2009-June 2010
- 3) Detailed Review of Design Review, Use Permit, and Other Conditions

The fourth part, the report from the arborist, will be delivered to you as soon as it is completed.

Also, as part of this report, Saint Mary's wishes to make two requests.

First, Saint Mary's requests the City to permit its students to play 6 Lacrosse games on campus. The City currently permits 3 games (Special Conditions, J-1, page 10). The schedule has these games being played on Tuesday, March 23, Tuesday, March 30, Thursday, April 15, Thursday, April 22, Tuesday, April 27, and Tuesday, May 4. Generally, players gather about 3:30, start the game at 4:00, and end around 6:00. The league asks each school to hosts 6 games at a minimum. It has been very difficult to secure off campus facilities. There are only two local area fields with the required dimensions to accommodate Lacrosse. Both are at full capacity and give priority to youth organizations. One field is at times in an unusable condition. To date, our Lacrosse games have attracted crowds of fewer than 50 spectators.

Second, Saint Mary's requests permission to operate a one week coed soccer sports camp in the summers. The camp would serve approximately sixty 8 to 14 year olds and operate Monday through Friday from 9 to 3.

We thank you for your consideration.

Sincerely,

Brother Edmond

Brother Edmond Larouche, FSC
President

ATTACHMENT 3

Annual Report on Athletic Field Usage to City of Albany
Notice of Planning and Zoning Commission Action, October 16, 2007
Special Conditions J-2, pages 10 & 11

SCHEDULE – ACTUAL FIELD USAGE

January 2009 – June 2009

Prepared June 2009

JANUARY 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1	2	3	4
5	6	7	8	9 Field Opening * V Women's Soccer Game 330-630 pm	10 Men's/Women's Soccer 10am-1pm	11 NO PRACTICE
12 * V Women's Soccer Game 330-630 pm	13 Men's/Women's Soccer 330-630 pm	14 *Soccer V Men's Home Game 330-630 pm	15 *JV Men's Socce Game 330-6 pm	16 * Soccer V Women's Home Game 330-630 pm	17 Men's/Women's Soccer 10am-1 pm	18 NO PRACTICE
19 Men's/Women's Soccer 10am-1pm	20 Men's/Women's Soccer 330-630	21 Men's/Women's Soccer 330-630	22 Men's/Women's Soccer 330-630	23 * Soccer V Women's Home Game 330-6pm	24 Men's/Women's Soccer 10-1pm	25 NO PRACTICE
26 Men's/Women's Soccer 330-630 pm	27 *Soccer JV Men's Home Game 330-630pm	28 *Soccer V Men's Home Game 330-630pm	29 Men's/Women's Soccer 330-630	30 * Soccer V Women's Home Game 330-630pm	31 Men's/Women's Soccer 10am-1pm	

* Denotes more than 50 participants & spectators.

FEBRUARY 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
						1 NO PRACTICE
2 Men's/Women's Soccer 330-630	3 Men's/Women's Soccer 330-630	4 *Soccer V Women's Home Game 330-630pm	5 *JV Men's Soccer Game 330-6 pm	6 *Soccer V Men's Home Game 330-630pm	7 Men's/Women's Soccer 10-12pm	8 NO PRACTICE
9 Men's/Women's Soccer Baseball/Softball Track/Field 330-630 pm	10 *JV Men's Soccer Home Game 330-630 pm Baseball Track/Field 330-630	11 *Soccer V Men's Home Game 330-630 pm Track/Field 330-630pm	12 Baseball/Softball Track/Field 330-630 pm	13 *Soccer V Women's Home Game 330-630pm Track/Field 330-630pm	14 Baseball Track/Field 10-2pm	15 NO PRACTICE
16 Men's Soccer Baseball/Softball Track/Field 10 am-3 pm	17 Men's Soccer Baseball/Softball Track/Field 330-630 pm	18 *V Men's Soccer NCS Playoffs 330-630 pm	19 Baseball/Softball Track/Field 330-630 pm	20 Baseball/Softball Track/Field 330-630 pm	21 Baseball Scrimmage 11-2 pm	22 NO PRACTICE
23 Baseball Track/Field 330-630 pm	24 Baseball/Softball Track/Field 330-630 pm	25 Baseball Track/Field 330-630 pm	26 Baseball/Softball Track/Field 330-630 pm	27 Baseball Track/Field 330-630 pm	28 *Saint Mary's College Soccer **830-2 pm	

* Denotes more than 50 participants & spectators.

** Starting time was not in compliance and was addressed with event organizers.

MARCH 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
						1 NO PRACTICE
2 Track/Field Baseball 330-630 pm	3 Track/Field Baseball/Softball 330-630 pm	4 Track/Field Baseball 330-630 pm	5 Track/Field Baseball 330-630	6 Baseball Track/Field 330-630 pm	7 Baseball Softball/Track 10-2 pm	8 NO PRACTICE
9 Track/Field Baseball 330-630 pm	10 Baseball/Softball Track/Field 330-630	11 *Baseball Home Game 330-630 pm Track/Field 330-6 pm	12 *Lacrosse Game 4-630 pm Track/Field Baseball 330-630 pm	13 *Baseball Home Game 330-630 pm Track/Field 1-3 pm	14 Lacrosse Softball 10-1	15 NO PRACTICE
16 Track/Field Baseball 330-630 pm	17 Track/Field Baseball/Softball 330-630	18 Baseball Track/Field 330-6 pm	19 Baseball Softball 330-630 pm	20 Baseball/Softball Track/Field 330-6 pm	21 Lacrosse 11-1 pm	22 NO PRACTICE
23 Track/Field Baseball 330-630 pm	24 Track/Field Baseball/Softball 330-630 pm	25 Lacrosse Practice Track/Field 330-6 pm	26 * Track Meet 330-630 pm Baseball	27 Baseball Track/Field 330-6 pm	28 * Baseball JV/V Games 10-330 pm	29 NO PRACTICE
30 Track/Field Baseball/Softball 330-630	31 *Lacrosse Home Game 330-6pm Track/Softball 330-6 pm					

* Denotes more than 50 participants & spectators.

APRIL 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
6 Track/Field Baseball 330-630 pm	7 Track/Field Baseball/Softball 330-630 pm	8 * Baseball Home Game 330-630 Track/Field 330-630 pm	9 Track/Field Baseball/Lacrosse Softball 10-4 pm	10 Track/Field Baseball 10-12	11 Baseball 11-2	12 NO PRACTICE
13 Track/Field Baseball/Softball Lacrosse 10-4 pm	14 Track/Field Baseball/Softball Lacrosse 10-4 pm	15 Track/Field Baseball/Softball Lacrosse 10-4 pm	16 Track/Field Baseball/Softball Lacrosse 10-4 pm	17 Track/Field Baseball/Softball Lacrosse 10-4 pm	18 Track/Field Baseball/Softball Lacrosse 10-3 pm	19 NO PRACTICE
20 Track/Field Baseball 330-630 pm	21 * Lacrosse Home Game 330-6 pm Track/Field Baseball 330-630	22 * Baseball Home Game 330-630 pm Track/Field 330-6 pm	23 * Track Home Meet 330-6 pm Baseball 5-7:15 pm	24 * Baseball Home Game 330-630 pm Track/Field 330-6pm	25 Baseball Lacrosse 10-3 pm	26 NO PRACTICE
27 Track/Field Baseball/Softball Lacrosse 10-5 pm	28 Track/Field Baseball/Softball 330-630 pm	29 * Baseball Home Game 330-630 pm Track/Field 330-6 pm	30 Baseball/Softball 330-630 pm			

* Denotes more than 50 participants & spectators.

MAY 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
				1 *Baseball Home Game 330-630 pm Track/Field 330-6 pm	2 Baseball/Softball Track/Field Lacrosse 10-3 pm	3 NO PRACTICE
4 Track/Field Baseball 330-630 pm	5 Track/Field Baseball/Softball 330-630 pm	6 *Baseball Home Game 330-630 pm Track/Field 330-6 pm	7 Track/Field Baseball/Softball 330-630 pm	8 *Baseball Home Game 330-630 pm Track/Field 330-6 pm	9 *Baseball Home Game 11-2 pm	10 NO PRACTICE
11 Track/Field Baseball 330-630 pm	12 Track/Field Baseball/Softball 330-630 pm	13 *Baseball Home Game 330-630 pm Track/Field 330-6 pm	14 Baseball/Softball Lacrosse 330-630 pm	15 *Baseball Home Game 330-630 pm Track/Field 330-6 pm	16 Baseball Lacrosse 10-3 pm	17 NO PRACTICE
18 Track/Field Baseball 330-630 pm	19 Track/Field Baseball/Softball 330-630 pm	20 Baseball Track/Field 330-630 pm	21 Baseball/Softball Track/Field 330-630 pm	22 Track/Field 330-630 pm	23 NO PRACTICE	24 NO PRACTICE
25 NO PRACTICE	26 Track/Field Baseball 1-4 pm	27 Track/Field 12-2 pm	28 Track/Field 1-3 pm	29 Track/Field Baseball 11-2 pm	30 NO PRACTICE	31 NO PRACTICE

* Denotes more than 50 participants & spectators

JUNE 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1 Track/Field 11-2	2 Track/Field 11-2	3 Track/Field 11-2	4 NO PRACTICE	5 NO PRACTICE	6 NO PRACTICE	7 NO PRACTICE
8 Football 2-5	9 Football 2-5	10 Football 2-5	11 Football 2-5	12 NO PRACTICE	13 NO PRACTICE	14 NO PRACTICE
15 Football 2-5	16 Football 2-5	17 Football 2-5	18 Football 2-5	19 NO PRACTICE	20 NO PRACTICE	21 NO PRACTICE
22 Football 2-5	23 Football 2-5	24 Football 2-5	25 Football 2-5	26 NO PRACTICE	27 NO PRACTICE	28 NO PRACTICE
29 Football 2-5	30 Football 2-5					

SCHEDULE – FUTURE FIELD USAGE

July 2009 – June 2010

This schedule is tentative and incomplete. The game/meet/match schedule for each sport season is normally confirmed about a month prior to the beginning of each sport season. Changes to practice and game/meet/match schedules occur throughout each sport season.

Prepared June 2009

Scheduled Field Usage

JULY 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
		1 Football 2-5 Sports/Fitness 1-4	2 Football 2-5 Sports/Fitness 1-4	3 NO PRACTICE	4 NO PRACTICE	5 NO PRACTICE
6 Football 2-5 Sports/Fitness 1-4	7 Football 2-5 Sports/Fitness 1-4	8 Football 2-5 Sports/Fitness 1-4	9 Football 2-5 Sports/Fitness 1-4	10 Football 2-5 Sports/Fitness 1-4	11 NO PRACTICE	12 NO PRACTICE
13 Football 2-5 Sports/Fitness 1-4	14 Football 2-5 Sports/Fitness 1-4	15 Football 2-5 Sports/Fitness 1-4	16 Football 2-5 Sports/Fitness 1-4	17 Football 2-5 Sports/Fitness 1-4	18 Football 2-5 Sports/Fitness 1-4	19 NO PRACTICE
20 Football Camp 9-4	21 Football Camp 9-4	22 Football Camp 9-4	23 Football Camp 9-4	24 Football Camp 9-4	25 NO PRACTICE	26 NO PRACTICE
27 Baseball Camp 9-4 Football 2-5	28 Baseball Camp 9-4 Football 2-5	29 Baseball Camp 9-4 Football 2-5	30 Baseball Camp 9-4 Football 2-5	31 Baseball Camp 9-4 Football 2-5		

Scheduled Field Usage

AUGUST 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
					1 NO PRACTICE	2 NO PRACTICE
3 Football 2-5	4 Football 2-5	5 Football 2-5	6 Football 2-5	7 Football 2-5	8 NO PRACTICE	9 NO PRACTICE
10 NO PRACTICE	11 NO PRACTICE	12 NO PRACTICE	13 NO PRACTICE	14 NO PRACTICE	15 NO PRACTICE	16 NO PRACTICE
17 Football CC 330-630	18 Football CC 330-630	19 Football CC 330-630	20 Football CC 330-630	21 Football CC 330-630	22 Football 9-2	23 NO PRACTICE
24 Football CC 330-630	25 Football CC 330-630	26 Football CC 330-630	27 Football CC 330-630	28 Football CC 330-630	29 Football 9-2	30 NO PRACTICE
31 Football CC						

Scheduled Field Usage

SEPTEMBER 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	1 Football CC 330-630	2 Football CC 330-630	3 Football CC 330-630	4 Football CC 330-630	5 Football 9-1 pm	6 NO PRACTICE
7 Football CC 9-2	8 Football CC 330-630	9 Football CC 330-630	10 Football CC 330-630	11 CC 330-630	12 Football 9-1	13 NO PRACTICE
14 Football CC 330-630	15 Football CC 330-630	16 Football CC 330-630	17 Football CC 330-630	18 Football CC 330-630	19* Football JV/V Home Games 9-5 pm	20 NO PRACTICE
21 Football CC 330-630	22 Football CC 330-630	23 Football CC 330-630	24 Football CC 330-630	25 Football CC 330-630	26* Football JV/V Home Games 9-5 pm	27 NO PRACTICE
28 Football CC 330-630	29 Football CC 330-630	30 Football CC 330-630				

* Denotes possibility of more than 50 participants and spectators
Game schedule is tentative and subject to change

Scheduled Field Usage

OCTOBER 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1 Football CC 330-630	2 Football CC 330-630	3*Football JV/V Home Games 9-5 pm	4 NO PRACTICE
5 Football CC 330-630	6 Football CC 330-630	7 Football CC 330-630	8 Football CC 330-630	9 Football CC 330-630	10*Football JV/V Home Games 9-5 pm	11 NO PRACTICE
12 Football CC 9-4	13 Football CC 330-630	14 Football CC 330-630	15 Football CC 330-630	16 Football CC 330-630	17*Football JV/V Home Game 9-5 pm	18 NO PRACTICE
19 Football CC 330-630	20 Football CC 330-630	21 Football CC 330-630	22 Football CC 330-630	23 CC 330-630	24 Football 9-1	25 NO PRACTICE
26 Football CC 330-630	27 Football CC 330-630	28 Football CC 330-630	29 Football CC 330-630	30 Football CC 330-630	31*Football JV/V Home Game 9-5 pm	

* Denotes possibility of more than 50 participants and spectators
Game schedule is tentative and subject to change

Scheduled Field Usage

NOVEMBER 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
						1 NO PRACTICE
2 Football CC/Soccer 330-630	3 Football CC/Soccer 330-630	4 Football CC/Soccer 330-630	5 Football CC/Soccer 330-630	6 Football CC/Soccer 330-630	7 Football Soccer 9-3 pm	8 NO PRACTICE
9 Football CC/Soccer 330-630	10 Football CC/Soccer 330-630	11 Football CC/Soccer 9-5	12 Football CC/Soccer 330-630	13 CC/Soccer 330-630	14 Football Soccer 9-3 pm	15 NO PRACTICE
16 Football CC/Soccer 330-630	17 Football CC/Soccer 330-630	18 Football CC/Soccer 330-630	19 Football CC/Soccer 330-630	20 Football CC/Soccer 330-630	21 Football Soccer 9-3 pm	22 NO PRACTICE
23 Football CC/Soccer 330-630	24 Football CC/Soccer 330-630	25 Football CC/Soccer 330-630	26 NO PRACTICE	27 Football Soccer 9-3	28 Soccer 9-3	29 NO PRACTICE
30 Football CC/Soccer 330-630						

Game schedule is tentative and subject to change

Scheduled Field Usage

DECEMBER 2009

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	1* Soccer JV Women's Game 330-6	2* Soccer V Women's Home Game 330-6	3 Soccer 330-630	4 Soccer 330-630	5 Soccer 9-2 pm	6 NO PRACTICE
7 Soccer 330-630	8* Soccer JV Women's Game 330-6	9* Soccer V Women's Game 330-6	10* Soccer JV Men's Game 330-6	11* Soccer V Men's Game 330-6	12 Soccer 9-2	13 NO PRACTICE
14 Soccer 330-630	15* Soccer JV Women's Game 330-6	16* Soccer V Women's Game 330-6	17* Soccer JV Women's Game 330-6	18* Soccer V Women's Game 330-6	19 Soccer 9-2	20 NO PRACTICE
21 Soccer 9-2	22 Soccer 9-2	23 Soccer 9-2	24 Soccer 9-12	25 NO PRACTICE	26 Soccer 9-2	27 NO PRACTICE
28 Soccer 9-2	29 Soccer 9-2	30 Soccer 9-2	31 NO PRACTICE			

* Denotes possibility of more than 50 participants and spectators
Game schedule is tentative and subject to change

Scheduled Field Usage

JANUARY 2010

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
				1 NO PRACTICE	2 Soccer 9-2	3 NO PRACTICE
4 Soccer 9-3	5* Soccer JV Men's Game 330-6	6* Soccer V Men's Game 330-6	7* Soccer JV Men's Game 330-6	8* Soccer V Men's Game 330-6	9 Soccer 9-3	10 NO PRACTICE
11 Soccer 330-630	12* Soccer JV Women's Game 330-6	13* Soccer V Women's Game 330-6	14* Soccer JV Men's Game 330-6	15* Soccer V Men's Game 330-6	16 Soccer 9-2	17 NO PRACTICE
18 Soccer 9-3	19* Soccer JV Women's Game 330-6	20* Soccer V Women's Game 330-6	21* Soccer JV Men's Game 330-6	22* Soccer V Men's Game 330-6	23 Soccer 9-3	24 NO PRACTICE
25 Soccer 330-630	26* Soccer JV Women's Game 330-6	27* Soccer V Women's Game 330-6	28* Soccer JV Men's Game 330-6	29* Soccer V Men's Game 330-6	30 Soccer 9-3	31 NO PRACTICE

* Denotes possibility of more than 50 participants and spectators
Game schedule is tentative and subject to change

Scheduled Field Usage

FEBRUARY 2010

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1 Soccer 330-630	2*Soccer JV Men's Game 330-6	3*Soccer V Men's Game 330-6	4*Soccer JV Women's Game 330-6	5*Soccer V Men's Game 330-6	6 Soccer 9-3	7 NO PRACTICE
8 Soccer Baseball Track 330-630	9*Soccer JV Women's Game 330-6 Baseball Track 330-630	10*Soccer V Women's Game 330-6 Baseball Track 330-630	11*Soccer JV Men's Game 330-6 Baseball Track 330-630	12*Soccer V Men's Game 330-6 Baseball Track 330-630	13 Soccer Baseball Track Softball 9-3	14 NO PRACTICE
15 Soccer Baseball Track 9-5	16 Soccer Baseball Track Softball 330-630	17 Soccer Baseball Track 330-630	18 Soccer Baseball Softball Track 330-630	19 Soccer Baseball Softball Track 330-630	20*Baseball Game or scrimmage 11-3 Softball 9-11	21 NO PRACTICE
22 Soccer Baseball Track 330-630	23 Soccer Baseball Track Softball 330-630	24 Soccer Baseball Track 330-630	25 Soccer Baseball Track Softball 330-630	26 Soccer Baseball Track 330-630	27*Baseball Game or Scrimmage 11-3 Softball 9-11	28 NO PRACTICE

* Denotes possibility of more than 50 participants and spectators
Game schedule is tentative and subject to change

Scheduled Field Usage

MARCH 2010

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1 Baseball Track Softball Lacrosse 330-630	2 Baseball Track Softball Lacrosse 330-630	3 Baseball Track Softball Lacrosse 330-630	4 Baseball Track Softball Lacrosse 330-630	5 Baseball Track Softball Lacrosse 330-630	6 Baseball Softball Track Lacrosse 9-3	7 NO PRACTICE
8 Baseball Track Softball Lacrosse 330-630	9 Baseball Track Softball Lacrosse 330-630	10 Baseball Track Softball Lacrosse 330-630	11 Baseball Track Softball Lacrosse 330-630	12* Baseball Game 330-630 Track 330-630	13 Baseball Softball Track Lacrosse 9-3	14 NO PRACTICE
15 Baseball Track Softball Lacrosse 330-630	16 Baseball Track Softball Lacrosse 330-630	17* Baseball Game 330-630 Track 330-630	18* Track Meet 330-630 Baseball Softball 5-7-15	19* Baseball Game 330-630 Track 330-6	20 Baseball Softball Track Lacrosse 9-3	21 NO PRACTICE
22 Baseball Track Softball Lacrosse 330-630	23* Lacrosse Game 330-6 Baseball Track 330-630	24* Baseball Game 330-630 Track 330-630	25* Track Meet 330-630 Baseball Softball 5-7-15	26* Baseball Game 330-630 Track 330-630	27 Baseball Softball Track Lacrosse 9-3	28 NO PRACTICE
29 Baseball Softball Track Lacrosse 330-630	30* Lacrosse Game 330-6 Baseball Track 330-630	31* Baseball Game 330-630 Track 330-630				

* Denotes possibility of more than 50 participants and spectators
 Game schedule is tentative and subject to change

Scheduled Field Usage

APRIL 2010

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1 Baseball Softball Lacrosse Track 9-5	2 Baseball Softball Lacrosse Track 9-1	3 Baseball Softball Lacrosse Track 9-3	4 NO PRACTICE
5 Baseball Softball Lacrosse Track 9-5	6 Baseball Softball Lacrosse Track 9-5	7 Baseball Softball Lacrosse Track 9-5	8 Baseball Softball Lacrosse Track 9-5	9 Baseball Softball Lacrosse Track 9-5	10 Baseball Softball Lacrosse Track 9-3	11 NO PRACTICE
12 Baseball Track Softball 330-630	13 Baseball Softball Track 330-630	14 Baseball Track Lacrosse 330-630	15* Lacrosse Game 330-6 Baseball 5-715	16* Baseball Game 330-630 Track 330-630	17 Baseball Softball Lacrosse 9-3	18 NO PRACTICE
19 Baseball Track Softball 330-630	20 Baseball Track Softball 330-630	21* Baseball Game 330-630 Track 330-630	22* Lacrosse Game 330-6 Baseball/Track 330-630	23* Baseball Game 330-630 Track 330-630	24 Baseball Softball Lacrosse 9-3	25 NO PRACTICE
26 Baseball Track Softball 330-630	27* Lacrosse Game 330-6 Baseball/Track 330-630	28* Baseball Game 330-630 Track 330-630	29* Track Meet 330-630 Baseball 330-630	30* Baseball Game 330-630 Track 330-630		

* Denotes possibility of more than 50 participants and spectators
Game schedule is tentative and subject to change

Scheduled Field Usage

MAY 2010

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
					1 Baseball Softball Lacrosse 9-3	2 NO PRACTICE
3 Baseball Softball Track 330-630	4* Lacrosse Game 330-6 Track Baseball 330-630	5* Baseball Game 330-630 Track 330-630	6 Baseball Softball Track 330-630	7* Baseball Game 330-630 Track 330-630	8 Baseball Softball Lacrosse 9-3	9 NO PRACTICE
10 Baseball Softball Track 330-630	11 Baseball Softball Track 330-630	12* Baseball Game 330-630 Track 330-630	13 Baseball Softball Track 330-630	14* Baseball Game 330-630 Track 330-630	15 Baseball Softball Lacrosse 9-3	16 NO PRACTICE
17 Baseball Softball Track 330-630	18 Baseball Softball Track 330-630	19* Baseball Game 330-630 Track 330-630	20 Baseball Softball Track 330-630	21* Baseball Game 330-630 Track 330-630	22 Baseball Softball Lacrosse 9-3	23 NO PRACTICE
24 Baseball Softball Track 9-3	25 Baseball Softball Track 1-5	26 Baseball Softball Track 1-5	27 Baseball Softball Track 1-5	28 Baseball Softball Track 1-5	29 Baseball Softball Track 9-3	30 NO PRACTICE
31 Baseball Softball Track 330-630						

* Denotes possibility of more than 50 participants and spectators
Game schedule is tentative and subject to change

Scheduled Field Usage

JUNE 2010

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	1 Track Baseball	2 Track Baseball	3 Track Baseball	4 Track Baseball	5 NO PRACTICE	6 NO PRACTICE
7 Football	8 Football	9 Football	10 Football	11 Football	12 NO PRACTICE	13 NO PRACTICE
14 Football	15 Football	16 Football	17 Football	18 Football	19 NO PRACTICE	20 NO PRACTICE
21 Football	22 Football	23 Football	24 Football	25 Football	26 NO PRACTICE	27 NO PRACTICE
1-4 Sports/Fitness	1-4 Sports/Fitness	1-4 Sports/Fitness	1-4 Sports/Fitness	1-4 Sports/Fitness		
28 Football	29 Football	30 Football				
1-4 Sports/Fitness	1-4 Sports/Fitness	1-4 Sports/Fitness				

Detailed Review of Design Review, Use Permit, and Other Conditions of Approval

Construction of the new storage building, replacement bleachers, a new ornamental iron fence, and new landscaping near the property line along Posen Avenue and in the Posen Avenue right-of-way has been completed in substantial conformance with:

- Storage Building Site Plan and Elevations by Dahanukar Brandes Architects.
- Bleachers Plans by Southern Bleacher Company.
- Proposed Planting and Streetscape Improvements, with revisions by Verde Design.

Design Review

The storage building has been constructed to be consistent with other campus buildings with tile roof, fascia, wall finish and color, and overhead doors to reflect the Gymnasium/Auditorium Building and other campus buildings. The building has been set into the hillside and kept low to minimize its presence relative to neighboring residences. The bleachers are lower than the prior structure and have been constructed with a custom riser design to provide openness (while meeting building codes). Posen Avenue planting and improvements, including ornamental fence, has been installed per approved plans and specifications. Additional trees were added by Saint Mary's College High School at project completion to increase screening of the bleacher ramping.

The storage building makes possible the storage of field equipment previously left on the field or kept in storage containers. The two modular storage containers have been relocated to an area east of the Shea Center.

Opaque fencing has been constructed along the Monterey property line, except along those properties where requested by neighbors.

Student safety and accessibility have been significantly improved with the new facilities.

Use Permit

Use of the facilities is addressed in the enclosed schedules.

The storage building is being utilized for athletic field purposes and to house emergency earthquake supplies.

The General Contractor made efforts to comply with Planning and Public Works Department, City Engineer, and Fire Department requirements in completion of the work and management of construction activities.

Exterior lighting of the storage building is for building access only; it is facing away from neighboring residences and is facing downward. There is no other field lighting. As required, the storage building lighting is on a timer and has no motion detector. The two modular storage containers have been relocated to an area east of the Shea Center.

The City Planning and Building Manager has confirmed that the landscaping plant materials and locations are in substantial conformance with plans and specifications. Additional trees were added by Saint Mary's College High School at project completion to increase screening of the bleacher ramping.

Storage building ventilation louvers have been selected to prevent light transmission to the exterior (design was reviewed with planning staff prior to installation). To the extent possible, the eave was designed to match the existing Gymnasium/Auditorium configuration. (Minor variation as required by the roof system and configuration was reviewed with planning staff prior to installation.)

Street work done within the public way was completed in accordance with City requirements and under the City direction and inspection.

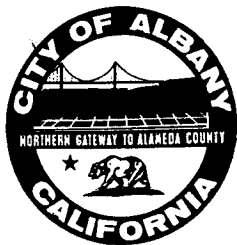
Facilities for management of storm water and runoff have been installed in substantial conformance with plans and specification. Drainage from the storage building roof is conveyed underground to the drain system for the field.

Minor changes to the project, including the track runout at the end of the track straight away, were reviewed with planning staff. Signage has been posted to show permitted hours of use; the text of the signage was reviewed with planning staff prior to installation.

Other Conditions of Approval Associated with the Athletic Field

Use of the field is found in the enclosed schedules.

Opaque fencing has been constructed along the Monterey property line, except along those properties where requested by neighbors. Fence layout, location, and design were reviewed with planning staff prior to and during construction.



City of Albany

405 KAINS AVENUE • ALBANY, CALIFORNIA 94706

December 10, 2009

CITY ADMINISTRATOR

PH. (510) 528-5710
FAX (510) 528-5797

CITY ATTORNEY

PH. (510) 528-5858
FAX (510) 526-9190

CITY CLERK

PH. (510) 528-5720
FAX (510) 528-5797

CITY COUNCIL

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FAX (510) 528-5797

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- Senior Center
PH. (510) 524-9122
FAX (510) 524-8940
- Teen Center
PH. (510) 525-0576

Chris Hamilton
1316 Albina Venue
Berkeley, CA 94706

Subject: Response to Questions Regarding Approval of the St. Mary's Football Playoff Game

Dear Chris,

I am writing to respond to the letter you provided the Commission at their November 24, 2009 meeting. Thank you for providing an electronic copy of the letter. Below are each of your questions and my respond in italics.

When did the school first have any idea that it might be in the playoffs? When did the school first approach you about permission to host a playoff game?

I received a telephone call from Brother Edmond several hours before sending my email on November 18th.

Did you think about whether it was appropriate for the city to even consider the request, given that Saint Mary's had specifically excluded football from the list of playoff possibilities, or did you immediately assume that you had to consider it?

We receive many requests from community organizations for exceptions to City standards for special events that impact Albany neighborhoods. We try to give them all consideration. In this particular case, my understanding is that at the time of the Commission approval of the field, football playoff games were excluded from discussion because of league rules. Whether or not they would have been excluded from the agreement because of playoff game impact on the neighborhood is not clear, in that other sports (e.g., baseball, soccer, lacrosse) may hold playoff games.

ATTACHMENT 4



Why was your thought process that, with the time constraints of the request, it had to be granted rather than denied? Do you consider it relevant to your decision that on Nov. 3 the school's website showed it had received a #1 seed, which would entitle it to potentially hosting the quarter final game?

I would have preferred to have the Planning and Zoning Commission make the decision, but the schedule did not allow a properly-noticed public hearing to be held. Our thought process was to review the city's pertinent land use policies and the conditions of approval and the minutes of the Commission meetings when the field project was reviewed and approved to try to get a sense of whether or not this playoff game was appropriate. In this case, these documents did not provide much in the way of guidance. The feedback from the neighborhood was taken into consideration as was discussions with the school. We did not, however, go to the school's web site or consider their seeding in the decision.

I think it is worth mentioning that this was a one-time event at a time that was approved for the facility (Saturday afternoon). Furthermore, it was a use (football) that was approved for the facility and it was a user (St. Mary's) that was approved for the facility. In addition, the Commission's approval accommodated playoff games in other sports.

One of the items frequently mentioned in the emails from the neighborhood was concern about the decision being used as precedent for future modifications. In responding to your question, I would like to make it clear that it is not my intent to establish a precedent to use these criteria in the future.

The concept of precedent comes up frequently in the planning realm. Unless we are specifically directed to the contrary, we do try to use consistent methodologies and processes when we evaluate a request. In terms of process, the process for your neighborhood should be the same as other neighborhoods. Similarly, the process for considering a request from St. Mary's should be the same as for other community organizations.

The actual decision, however, is based not on what we did at some other time or place, but on the factual situation and criteria that are currently applicable. We routinely have people come in asking permission to build the same thing that their neighbor was allowed to build a few years ago and we deny the request because the rules have changed. Because this

game was approved, does not mean that every future request will be approved.

In order to be responsive to the neighborhood in the future, the Commission may need to explore modifying the conditions of approval to eliminate condition of approval J-4 providing for minor modifications, or alternatively, establish some written guidelines that discuss both process and criteria for making minor modifications.

Did you ask the school representatives what alternatives had been explored to exceeding the P&Z-approved limits on the number of home games? For instance, could the game have been held at Justin-Siena, on Dodd Field, or at Berean Christian (the winner of this game became St. Mary's opponent for the playoff game)?

Whether or not there was an alternative available outside the City was not a major issue in the decision-making. We evaluated the request on its face and did not have the luxury of time to explore every alternative and verify all the information being provided. I would assume that there was an alternative field someplace that could have been used.

Did you ask Saint Mary's to consider Cougar Field or did they say they had already explored the possibility?

I was told that they had already had explored Cougar Field.

Did you consider how this unplanned event would or could interfere with nearby neighbors' plans for that day, having relied on the school's published schedule of home games?

I am very sorry to those who changed their plans because of the game. I recognize that athletic events place a burden on the neighborhood with noise, traffic, parking, etc., and that variations from the posted schedule have an impact on neighborhood quality of life. I also considered that hosting a playoff game is an important occasion in the life of many high school students. Because of the potential impacts, I chose to attend the game and monitor the impact on the neighborhood.

Did you talk to the school or its representatives about representations in the 2007 athletic field negotiations that playoff games were not even a possibility for the field?

Yes, I asked why games were excluded from the original agreement. I was told that at the time, the field did not meet playoff criteria.

Did you ask how, if the amount of seating in the old bleachers had not been sufficient for playoff games before, and the new bleachers seating was not supposed to exceed that of the old ones, they were now able to meet league requirements for seating?

Yes. I was told that NCS standards had changed.

Did you ask them about what league requirements are for playoff games such as number of seats, use of sound equipment, whistles, air guns, chants, etc. that the league might impose on a sponsoring team for such a playoff?

No. I did not ask about special activities associated with the game. That was an oversight on my part.

Did you call the league representatives about such requirements or about alternative sites?

No. I did not independently verify the information.

Did you poll the commissioners about the request and, if so, when? What response did you get?

No. Asking for Commission input about a decision like this would be a violation of state open meeting laws. My first communication to the Commissioners was sending them a copy of the Friday, November 20th email that I sent to the neighborhood. The only response I received was a telephone call from Commissioner Arkin, who initially contacted me in response to a conversation he had with a member of PPNA.

Does city staff have authority to approve exceptions to P&Z-approved limits on use permits without advance approval of the commission? If so, what city ordinance gives that authority? Does staff require requests for such exceptions to be in writing from the applicant, or can the applicant just make them orally? Is there a time limit on when the requests can be made?

The Athletic Field Conditions of Approval section J-4 and Municipal Code section 20.100.010.J provide for staff approval of modifications in limited situations. Nearly every major project asks for minor exceptions to their approvals.

What written communications, if any, did you have with Saint Mary's representatives about this playoff game? Please provide copies.

All game-related communications are attached.

Did you ask the school how many people they expect to attend the game?

Yes. I was told they expected less than Homecoming.

Did you require them to make any arrangements for consideration of neighbors' concerns about noise, parking and traffic generated by this unplanned game? If you haven't done so, will you do so now? (We all experience the effects of inconsiderate parking by people drawn to the campus by the school's events, and the school should be required to provide security for the surrounding neighborhoods to supervise and prevent such problems.) At a minimum, the school should have a plan for providing instructions to people, including their opponents' guests, about parking etiquette (specifically, blocking driveways) in our neighborhoods.

Yes, the school was asked to post limiting game-day traffic on certain Albany streets. They also arranged for extra security and staff patrols in the neighborhood to watch for inappropriate behavior, blocked driveways, etc.

In addition, Albany Police were patrolling in the neighborhood before and during the game in order to provide prompt response if an issue arose. They did not, however, receive any calls during the game.

I biked through both Albany and Berkeley neighborhoods before and during the game to monitor noise and parking. (I had a sound level meter, but wind conditions made its use impractical.) During the game, I

observed one partially blocked driveway on Albina that was being addressed as I arrive. I also observed one minor dispute over a parking space on Posen at the beginning of the game. Crowd noise was quite a bit higher during the last few minutes of the game because it was a very close game. Due to wind conditions, noise levels were higher to the southeast, particularly, Monterey Ave., than other neighborhoods. Amplified music during half-time was relatively brief.

I hope this information is responsive to your questions and helpful to understanding the City's perspective.

Regards,



Jeff Bond

cc: Planning and Zoning Commission
Brother Edmond LaRouche, St. Mary's

Jeff Bond

From: michael tompkins [mchltmpkns7@yahoo.com]
Sent: Tuesday, March 02, 2010 10:25 AM
To: Headley, Mark
Cc: Jeff Bond
Subject: Re: Saint Mary's Baseball Netting

Hi Mark,
Thanks for the explanation. Your account of things is exactly the same as my own. I'm glad that the "flag" and its connective netting at the roof of the backstop have been re-installed. It's my view, educated only by experience, that small adjustments at the backstop can do far more than large additions to the row of poles and netting. The poles already loom over our yards, and extending them only adds to the eyesore. I'm appreciative of your recent efforts at the backstop level and think you should take note of their effectiveness before going further.

Thanks,
Michael

From: "Headley, Mark" <mheadley@STMCHS.ORG>
To: michael tompkins <mchltmpkns7@yahoo.com>
Cc: Jeff Bond <jbond@albanyca.org>
Sent: Mon, March 1, 2010 2:24:58 PM
Subject: RE: Saint Mary's Baseball Netting

Michael,

Thanks for your e-mail. I appreciate your input. I'd like to clarify that the backstop was not reconstructed during the remodel project. It's the same poles in the same place as before. Only the chain link fencing and wood at the bottom was replaced, the structure remained the same. During construction the "flag" you spoke of was removed. In its place we added an additional, taller section of fencing between the backstop and the first base dugout. This did more to stop some balls that come off the bat at a particular angle, but less so of other balls.

Last week added a new flag shaped extension similar to the old one. It is larger than the old one and at a more perpendicular angle to the first base line. We did install the same type of netting on top. I'd be happy to meet with you on the field to show you what was done.

Your neighbor,

Mark Headley
Director of Buildings & Grounds
Saint Mary's College High School
1294 Albina Ave.
Berkeley, CA 94706
Office: 510-559-6259
Fax: 510-225-6559
Mobile: 510-847-0885

From: michael tompkins [mailto:mchltmpkns7@yahoo.com]
Sent: Friday, February 26, 2010 5:38 PM
To: Headley, Mark
Cc: Jeff Bond
Subject: Re: Saint Mary's Baseball Netting

ATTACHMENT 5

Hi Mark,

Thanks for the heads up on the baseball issue. My strong recommendation would be to see how well your recent efforts are working before adding to the height of the poles. Last season was the first with the new field, and we did have more balls coming into our yard. The only reason I could think of was that the backstop was not reconstructed in exactly the same way as it had been before. As you'll remember, the old backstop had both a "flag" extension on the first base side at the top and also a triangular piece of netting on its "ceiling" connecting to that flag. I haven't looked at what was done the other day but maybe you've achieved that coverage again. I haven't heard complaints from other neighbors but then I haven't brought it up either. I'm clear from our last discussions on the subject, prior to approval of the new field, that the idea of higher nets had no support. If the problem can be solved at the backstop then that's clearly the way to go.

Thanks,
Michael Tompkins

From: "Headley, Mark" <mheadley@STMCHS.ORG>

To: Jeff Bond <jbond@albanyca.org>

Sent: Fri, February 26, 2010 4:56:16 PM

Subject: Saint Mary's Baseball Netting

Jeff,

As you are aware, Saint Mary's neighbors at 1228 Monterey Avenue have formally requested that we do whatever possible to curtail the baseballs coming into their yard. We understand their concerns and want to attempt to make our field and surrounding properties as safe as possible.

We have reviewed this situation with school administrators and coaching staff, field designers, contractors and legal counsel. We have reviewed how other schools handle similar situations. We have also met with the owners of 1228 Monterey, Bob & Judy Albiets, for an open discussion about this.

This week, in response to their concerns, we had a contractor install a 9' X 16' flag shaped extension on the first base side of the backstop. Horizontal netting was added at the top of the extension. This will effectively stop some balls from going over into neighbors yards.

To further mitigate the foul ball situation, we are again prepared to extend the height of the existing poles and netting that run down the first base line at the edge of the track. A couple of years ago, when we submitted plans for the field renovation, we proposed additional height to the netting. Some neighbors opposed this. As a result, the work was not done. However, adding additional height to the netting would be an additional effective measure to reduce the number of foul balls entering neighbors property. We consulted with West Coast Netting who did the original installation in 2001. They advised that we could add 10' of additional netting to the top of the existing 45' tall poles. West Coast Netting has provided to us a drawing and cost proposal showing the system they say can be installed on the existing poles. I have forwarded this drawing with a site map to you for your review. Please note that the proposal is for five (5) of the seven (7) poles to receive extensions. The poles on each end would not get the extensions.

Given City approval, we are willing to extend the poles and netting as proposed by West Coast Netting. Saint Mary's requests that the City consult with the interested neighbors, then advise us how to proceed.

Sincerely,


Mark Headley
Director of Buildings & Grounds
Saint Mary's College High School
1294 Albina Ave.
Berkeley, CA 94706
Office: 510-559-6259
Fax: 510-225-6559
Mobile: 510-847-0885

cc: (via e-mail)
Judy Albietz
Michael Tompkins

City of Albany
**Planning and Zoning Commission
Staff Report**

Meeting Date: January 9, 2001

To: Planning and Zoning Commission

From: Billy Gross, Assistant Planner 

Subject: Planning Application 00-89. Design Review. A request for approval for the installation of foul ball netting along the first base line of the Saint Mary's College High School baseball field.

Location: 1600 Posen Avenue

Applicant: Ward Fansler for Saint Mary's College High School

Zoning: R-1: Residential Low Density Single Family

Surrounding Property Use
North-Single family residences,
South-High School Campus
East- Single family residences along Monterey Ave
West- Single family residences

Attachments:

1. Purpose Statement by Saint Mary's
2. Site plan of Athletic Field and surrounding properties
3. Assessor's Map displaying affected residences
4. Two Photomontages displaying the visual appearance of the netting
5. Physical Description of netting with material specs
6. Project application

Recommendation

Staff recommends that the Planning and Zoning Commission make the required findings and approve the request, subject to the attached conditions of approval.

Site History

The City of Albany approved Conditional Use Permit #93-27 in 1994, authorizing Saint Mary's College High School to increase its school enrollment and to phase

construction of specified new buildings. In 1996, under the terms of the permit, the School reconstructed the school gymnasium and added new parking facilities. In October 1999 the Commission approved the construction of a new two story, 7-classroom building of approximately 9100 square feet. The proposed project would be within the scope of the conditional use permit authorized in 1994.

Background

Saint Mary's College High School has received several letters signed by a majority of Monterey Avenue neighbors reporting their concern about baseball foul balls that fly into their yards. This concern was raised again during a neighbor meeting hosted by Saint Mary's on August 9, 2000. At this meeting, Saint Mary's agreed to pursue installation of this foul ball fence.

Site Analysis

The site in question is to the north and slightly east of the actual school buildings. The athletic field consists of a running track with a large field on the interior of the track. The field contains both a baseball field and a combination soccer/football field. The proposed foul ball netting would be located where an existing 5-foot tall fence is currently situated. This fence parallels the existing track and is generally parallel to the first base line of the baseball field. The netting would be approximately 35 feet from the property line of the affected residences along Monterey Avenue.

Design Review Analysis

In order for the Planning and Zoning Commission to approve this project, it must make the 5 findings at Section 20-10.6.a.

The aspects of this project subject to Design Review approval are the visual impact of the netting to the school and to adjacent properties. Saint Mary's had two photomontages produced that attempt to display what the netting would look like when installed. From these photomontages it appears that the netting will not have a prominent visual appearance. The houses along Monterey Avenue that have backyards facing the track and first base line of the field are at a grade approximately 5 feet below the sports field and are currently shielded by a row of trees and hedges along the property line. As displayed in Figure 1, this vegetation serves to block a large portion of visual access to and from the sports-

field area. The netting would be approximately the same height as the taller trees and therefore would blend into the vegetative background.

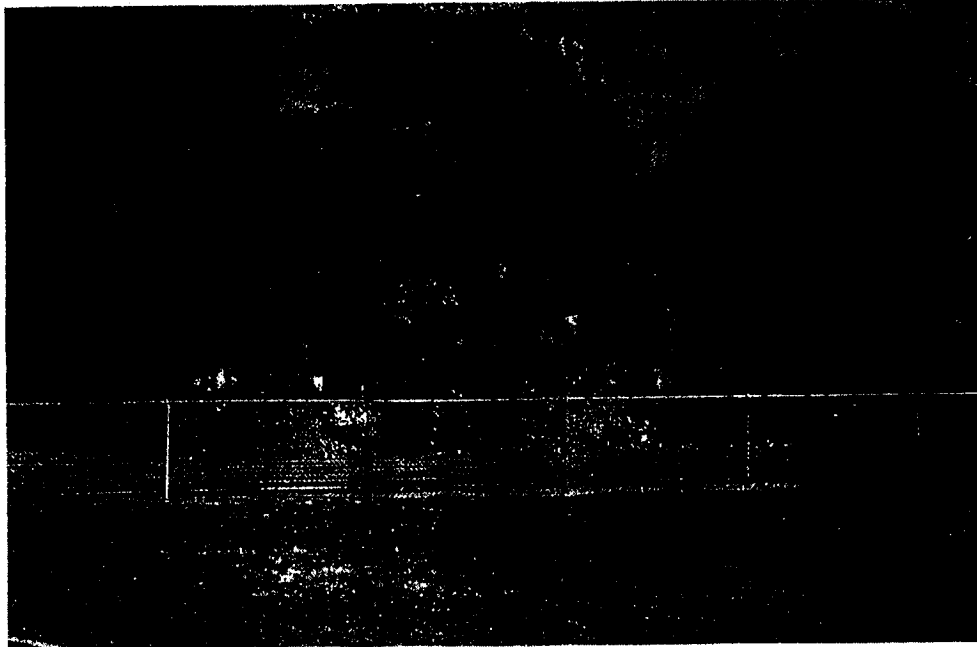


Figure 1 - View from field towards affected residences

The proposed height of the foul ball netting is 45 feet. Staff considers this type of use to fall under the same height requirements as towers or flagpoles, which may be erected to a height not more than 15 feet above the height limit prescribed by the regulations for the district in which the site is located. Public and Quasi-Public uses within the R-1 district are allowed a maximum height of 40 feet, which would allow a tower height of 55 feet. The proposed foul ball netting would fit within this height limit.

Staff finds that the proposed netting will not be a visual obstruction to adjacent residences or to the school itself and recommends that the Planning and Zoning Commission can make all of the required findings at Section 20-10.5.a to approve the project as proposed. The detailed recommended findings follow this report.

Environmental Analysis

It was determined that the proposed project is categorically exempt from the requirements of CEQA per Section 15301(e) of the 1999 CEQA Guidelines.

Summary

Staff recommends that the Planning and Zoning Commission approve the request by adopting the recommended Design Review findings below.

Findings for Design Review

a. Section 20-10.6.a, General Findings, applicable to all projects:

1. *The structure, site plan, and landscaping are in scale with and harmonious with existing development which conforms to the current provisions of this Chapter, and future developments adjacent to the site, and with land forms and vegetation in the vicinity of the site. Features such as scale, massing, and consistency of architectural details and exterior colors and materials have been considered to ensure a high level of design quality.* The proposed foul ball netting will not constitute a visual intrusion to the school or adjacent properties because of the existing line of trees and other vegetation along the rear property line of the Monterey Avenue properties.
2. *The project provides safe and convenient access to the property for pedestrians and vehicles. Handicap access has been considered and Code requirements are reflected in project plans.* The proposed foul ball netting is proposed to take the place of an existing five-foot fence along the first base line and will have no new impacts on pedestrians or vehicles.
3. *The project will not unnecessarily remove trees and natural vegetation, will preserve natural land forms and ridge lines, will not include excessive or unsightly grading of hillsides, and otherwise will not adversely affect the affect the visual character, quality or appearance of the neighborhood or City.* No trees are proposed to be removed, and the netting will not significantly affect the visual quality of the site.
4. *The project will provide adequate buffering between the on-site residential development and adjacent uses which may have a potential to generate nuisances.* The netting is being proposed to alleviate the nuisance of foul balls going into the backyards of properties along Monterey Avenue. The existing vegetation will serve to provide visual buffering between the school and residences.

5. *The project conforms to the General Plan and to all other applicable provisions of Chapter 20 of the Albany Municipal Code. This project meets all applicable provision of the Municipal Code.*

Conditions of Approval

A. **GENERAL**

- A-1. This Design Review approval is for a foul ball net along the first base line of the baseball field of Saint Mary's College High School at 1600 Posen Avenue, as substantially shown on the project drawings, except as may be modified by conditions herein. Plans include a Site plan of Athletic Field and surrounding properties, an Assessor's Map displaying affected residences, and a physical description of the netting with material specs presented to the Planning and Zoning Commission on January 9, 2001.
- A-2. The applicant shall pay any and all City and other related fees applicable to the property. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured, and shall be paid prior to issuance of said permit or prior to any City Council final action approval. Notice shall be taken specifically of Plan Check and Inspection Fees
- A-3. Prior to the issuance of grading or building permits, the applicant shall submit written documentation that all requirements of the Albany Fire Department have, or will be, met to the satisfaction of the AFD.
- A-4. Construction activity shall be restricted to the hours of 8:00 a.m. to 6:00 p.m. Mondays through Saturdays, and 10:00 a.m. to 6:00 p.m., Sundays and legal holidays, unless otherwise approved in writing by the City Engineer for general construction activity.
- A-5. In the event subsurface archeological remains are discovered during any construction or preconstruction activities on the site, all land alteration work within 100 feet of the find shall be halted, the Community Development Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline appropriate mitigation measures, if deemed necessary. If prehistoric archeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions.

B. **SITE PLANNING**

- B-1. No conditions
- C. LANDSCAPING
- C-1. All existing trees on the site shall be preserved to the fullest extent practicable. Removal will be allowed only upon prior written approval from the Planning Division.
- D. ARCHITECTURE
- D-1. No conditions
- E. PARKING
- E-1. No conditions.
- F. GRADING
- F-1. Any grading required in association with the project shall require a grading permit from the Community Development Department. To obtain this permit, the applicant shall submit a grading plan, indicating the extent and volumes of earth proposed to be moved.
- G. STREETS
- G-1. The applicant shall obtain an encroachment permit from the Engineering Division prior to commencing any construction activities within any public right-of-way or easement.
- G-2. All mud, dirt or construction debris carried off the construction site onto adjacent streets shall be removed each day. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.
- G-3. Any damage to street improvements now existing or done during construction on or adjacent to the subject property shall be repaired to the satisfaction of the City Engineer at the full expense of the applicant. This shall include sidewalk repair, slurry seal, street reconstruction or others, as may be required by the City Engineer.
- H. INFRASTRUCTURE
- H-1. No conditions

I MISCELLANEOUS

I-1. The project shall be constructed as approved. Planning staff may approve minor modifications in the project design, but not the use. Any other change shall require further Planning and Zoning Commission approval through the Design Review process.

I-2. Pursuant to Government Code Section 66474.9, the applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Albany and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application, which action is brought within the time period provide for in Section 66499.37. The City will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense.

J SPECIAL CONDITIONS

No special conditions are required.

Appeals: The Albany Municipal Code provides that any action of the Planning and Zoning Commission may be appealed to the City Council if such appeal is filed within 10 days of the date of action. Appeals may be filed in the Community Development Department by completing the required form and paying the required fee. The City Clerk will then schedule the matter for the next available City Council meeting.

OCT 03 2000

COMMUNITY DEVELOPMENT
DEPARTMENT

Saint Mary's College High School of Berkeley, Inc.
Installation of Foul Ball Netting – Project Description

Purpose

Saint Mary's College High School has received several letters signed by a majority of Monterey Avenue neighbors reporting their concern about baseball foul balls that fly into their yards. This concern was raised again during a neighbor meeting hosted by Saint Mary's College High School moderated by Ann Chaney (City of Albany) and Waldon Rucker (City of Berkeley) on August 9, 2000. At this meeting, Saint Mary's agreed to pursue installation of this foul ball fence.

Project Description

Install 240 foot long 45 foot high foul ball netting fence along the inside of the track nearly parallel to the first base foul line. Please note the following exhibits that further describe this project.

Exhibit #1 – Athletic Field Layout, Location of Monterey Avenue Neighbor's Property Line, and Location of Proposed Foul Ball Netting

This schematic is the best representation we have for our athletic field and reports the relation of the Monterey Ave. neighbor's property line in relation to our athletic field and location of the proposed netting. Note that the proposed foul ball netting is along an existing five foot cyclone fence sited on the inside of our track. This fence line is approximately 35 feet from the property line.

Exhibit #2 Assessor's Map 60 Locations of Monterey Ave. Residences along Saint Mary's College High School Property Line

This exhibit simply reports the property address and lot numbers of the houses along the school's property line with the City of Berkeley.

Exhibit #3 Physical Description of Foul Ball Netting with Material Specs

This exhibit reports the layout of the poles, cables and guy wires used to establish the foul ball fence.

Exhibit #4 Sample of Netting to be Supplied and installed by West Coast Netting.**Exhibit #5 West Coast Netting Company Brochure**

Company brochure with pictures of installations with same netting to be used in Saint Mary's proposal.

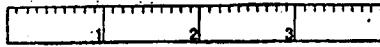
For additional information or questions, please contact Ward Fansler, Director of Finance at 510-559-6223. We hope to complete this project by January 31, 2001.

[Hand delivered to Ann Chaney 9-27-00]

ATTACHMENT 1

Saint Mary's College High School of Berkeley, Inc.
Exhibit #2 - Assessor's Map 60 Location of
Monterey Ave. Residences along Saint Mary's
College High School Property Line

1-800-345-7334



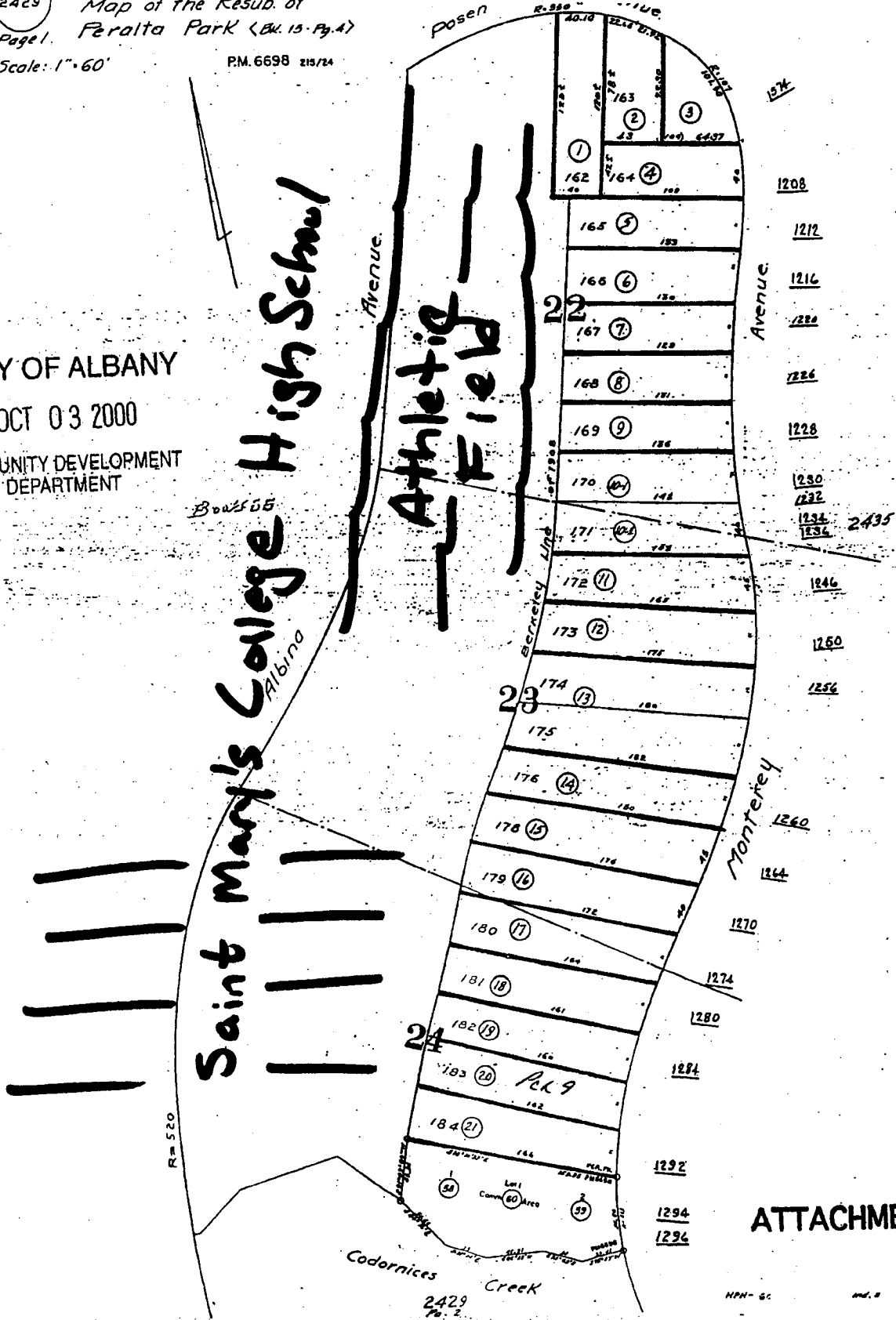
ASSESSOR'S MAP 60

2429 Map of the Resub. of
Parcel Feralta Park (A. 15 - Pg. 4)
Scale: 1" = 60'
P.M. 6698 2/15/24

CITY OF ALBANY
OCT 03 2000
COMMUNITY DEVELOPMENT
DEPARTMENT

Boards 51
Saint Mary's College High School
Boards 65
Albino

Athletic Field



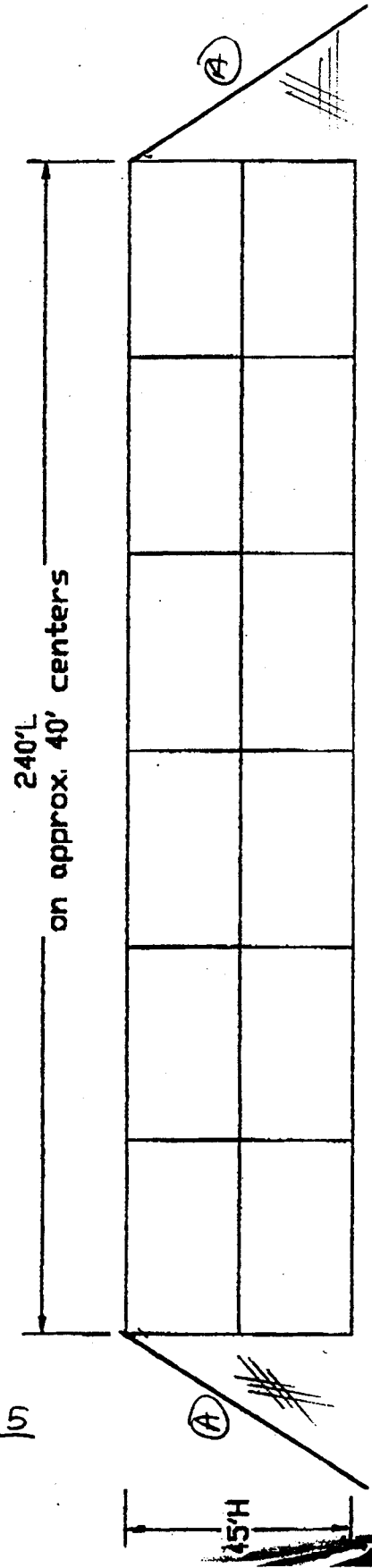
ATTACHMENT 3

CITY OF ALBANY

OCT 03 2000

COMMUNITY DEVELOPMENT DEPARTMENT

Saint Mary's College High School of Berkeley, Inc.
Exhibit #3 - Physical Description of
Foul Ball Netting with Material Specs.



Material Specs.

Cables (net support & wind lines) = 1/4" coated aircraft cable, 7x19 construction, 7000 # breaking strength @ approx. 11.0 # per 100 ft. Each cable end to be terminated with 3 ea. 1/4" cable clamps.

Netting = #K36T-1 3/4"-R - #36 knotted netting - U.V. treated - with a 3/8" black hollowbraid poly rope border. #36 netting has a tensile strength of 365#.

Poles = Typically (new or used) douglas fir wood utility poles penta treated

(A) Netting will fill the triangle shape. Down guy wires will have padded yellow covers.

WEST COAST NETTING	
No. Scales 7/26/00	Proposed Layout 1
St. Mary's High School 1	

5. *The project conforms to the General Plan and to all other applicable provisions of Chapter 20 of the Albany Municipal Code in that the area is designated for single-family residential development at the densities requested in the application. Subject to the issuance of a Conditional Use Permit authorizing reduced front and side yard setbacks, the project is consistent with the City Zoning Ordinance and General Plan.*

C. Findings for single-family residential additions that involve construction or expansion of space, which is defined as "habitable" by the Uniform Building Code.

1. *With the proposed conditions, the addition has been found to be consistent with the scale, massing, and other architectural features of the existing structure. Factors such as roofline, trim details, window type and placement and other design elements which affect exterior appearance will ensure compatibility with the structure to which the addition will be made. In addition the mass of the resulting building has been considered in relation to the visual impact from the street, lot size and the placement on the lot, as well as the compatibility of the project with adjacent structures and integration with the surrounding neighborhood. The proposal is consistent with the scale and massing of existing development in the vicinity.*
11. *With the proposed conditions, the bulk of the project is found to be appropriate to the site and its surroundings, in that the ratio of gross square footage to site area is consistent with criteria set forth in subsection 20-20.5.a. The proposed floor area ratio is 45 percent, well within the 55 percent established by ordinance.*
12. *The design, setback, mass and bulk of the addition in proximity to any non-conforming setback have been considered to ensure that impacts to adjacent neighbors are minimized. The project has a non-conforming side yard setback. The applicant has requested conditional use permit authorization to continue this non-conforming setback in the design of the proposed addition. The Commission has considered the requirements and objectives of conditional use permits for such authorization and has granted the permit authorizing the continued use of the reduced side yard setback area for the addition.*
13. *Off-street parking spaces are provided to the property to account for the increased living area as required by subsection 20-3.5. Two off-street parking spaces will be provided, consistent with the standards of City ordinance.*

~~NEW BUSINESS~~

- a. ~~1600~~ ~~Open~~ Planning Application 00-89. Design Review. A request for approval for the installation of foul ball netting along the first base line of Saint Mary's College High School baseball field.

Staff recommendation: approve.

CEQA Status: categorically exempt per Section 15301(e) of the 1999 CEQA guidelines.

After Assistant Planner Gross delivered the staff report, he suggested that Condition of Approval C-1 be removed, because there would be no trees involved. Commissioner Brokken opined that it should not be removed because it is simply a standard condition. He stated that he would like to see a condition added, requiring maintenance of the netting – that it be kept in good repair, annually or biannually – with something the City can do about it if the netting is not maintained.

Commissioner Hays asked whether that was an unusual requirement. Commissioner Brokken likened the requirement of netting maintenance to the requirement of landscaping maintenance. Commissioner Dalton stated that a maintenance requirement would be consistent with a safety installation.

Planning Manager Ram suggested Condition J1, with language about fence maintenance and about a maintenance agreement being in place before issuance of a building permit. She also suggested modifying Condition C-1 to read “trees adjacent to the structure,” rather than “all existing trees on the site.”

Ward Fansler, the Director of Finance, Buildings, and Grounds for Saint Mary’s, stated that this is a voluntary, good neighbor project, one of a handful in the works. He stated that there are no trees within 35 feet of the netting, and that he would prefer Condition C-1 to be omitted. “No trees shall be removed for this installation” was proposed as alternate language for the condition.

Commissioner Brokken stated that his concerns were met with Condition J-1. Commissioner Hays expressed concern over the lack of definition of “maintenance” regarding the netting. It was recommended that the manufacturer be contacted for industry standards of maintenance. Commissioner Moss indicated he had no problem with the application. Commissioner Dalton stated that it sounded like a good idea.

Commissioner Brokken moved approval. Commissioner Dalton seconded.

Vote to approve agenda item 8a:

Ayes: Brokken, Dalton, Hays, Moss, Stanzone

Nays: None

Motion carried, 5-0.

FINDINGS: 1600 Posen

a. Section 20-10.6.a, General Findings, applicable to all projects:

1. *The structure, site plan, and landscaping are in scale with and harmonious with existing development which conforms to the current provisions of this Chapter, and future developments adjacent to the site, and with land forms and vegetation in the vicinity of the site. Features such as scale, massing, and consistency of architectural details and exterior colors and materials have been considered to ensure a high level of design quality. The proposed foul ball netting will not constitute a visual intrusion to the school or adjacent properties because of the existing line of trees and other vegetation along the rear property line of the Monterey Avenue properties.*
2. *The project provides safe and convenient access to the property for pedestrians and vehicles. Handicap access has been considered and Code requirements are reflected in project plans. The proposed foul ball netting is proposed to take the place of an existing five-foot fence along the first base line and will have no new impacts on pedestrians or vehicles.*
3. *The project will not unnecessarily remove trees and natural vegetation, will preserve natural land forms and ridge lines, will not include excessive or unsightly grading of hillsides, and otherwise will not adversely affect the affect the visual character, quality or appearance of the neighborhood or City. No trees are proposed to be removed, and the netting will not significantly affect the visual quality of the site.*
4. *The project will provide adequate buffering between the on-site residential development and adjacent uses which may have a potential to generate nuisances. The netting is being proposed to alleviate the nuisance of foul balls going into the backyards of properties along Monterey Avenue. The existing vegetation will serve to provide visual buffering between the school and residences.*
5. *The project conforms to the General Plan and to all other applicable provisions of Chapter 20 of the Albany Municipal Code. This project meets all applicable provision of the Municipal Code.*

9. Old Business

There was no old business.

10. Discussion

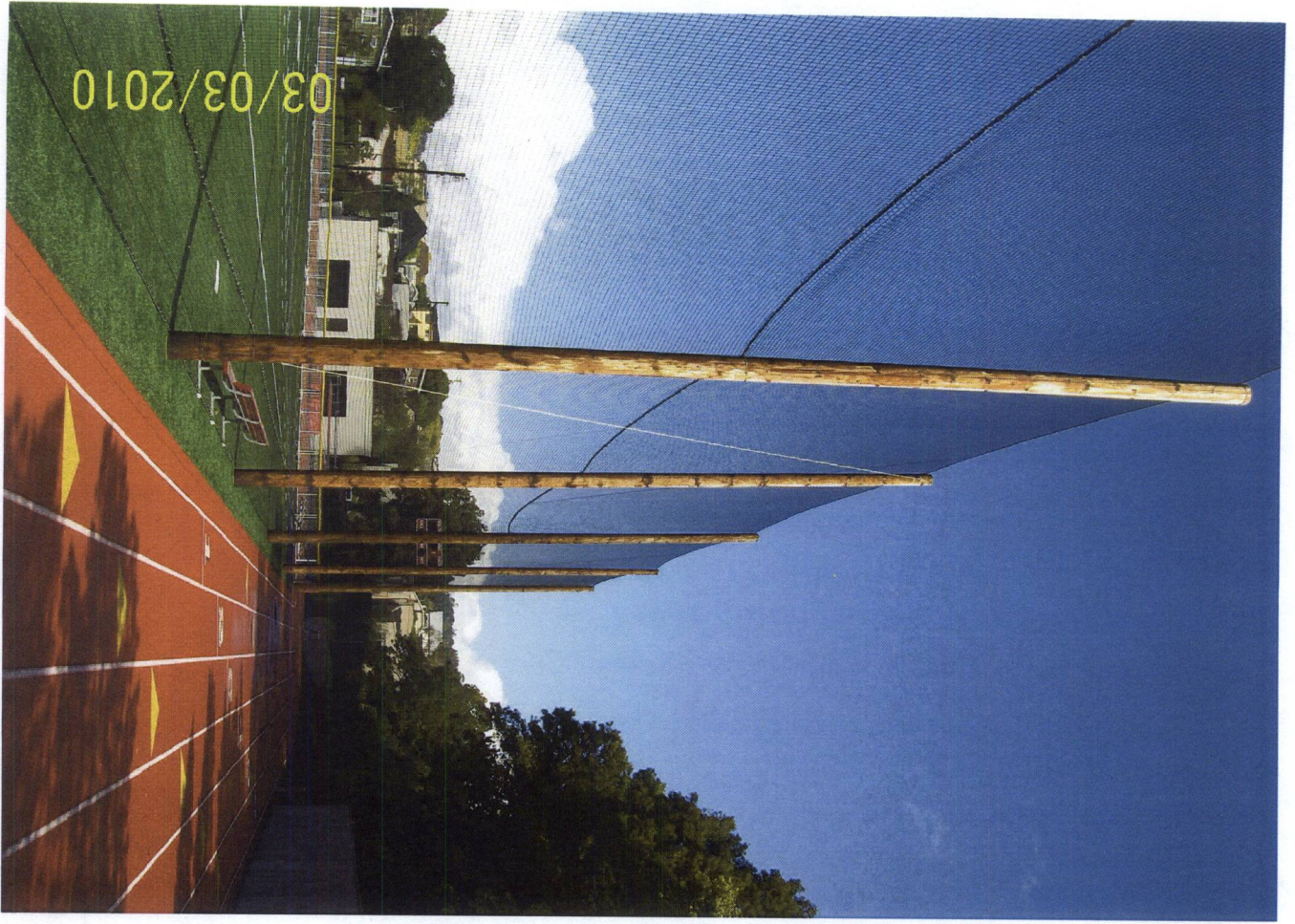
Commissioner Brokken suggested the returning Commissioners introduce themselves. Commissioner Hays stated that he was a 30-year resident, with an architecture degree from U.C. Berkeley. Commissioner Brokken indicated that he had lived in Berkeley and Albany for 25 years, and worked as a structural

I do hereby certify that the foregoing Notice of Public Meeting was duly processed according to the California Government Code and the Albany Zoning Ordinance.



Jeri Ram, Planning Manager

Date of Notice: December 19, 2000





ATTACHMENT 8

1316 Albina Avenue
Berkeley, CA 94706
March __, 2010

Planning and Zoning Commission
City of Albany
979 San Pablo Avenue
Albany, CA 94706

DRAFT

Dear Commissioners:

In the opinion of PPNA, the Saint Mary's Master Plan (MP) has not progressed beyond public comments on the Initial Study (IS).

Public comments at the December 9, 2008 commission meeting emphasized the absence of current baseline information to assess future impacts of the school's proposals. Some commissioners also indicated need for more information from Saint Mary's. During the entire year of 2009, we received no significant response to these comments on the IS.

The city's consultant, Lamphier-Gregory, promptly reviewed comments following the public hearing. In its January 14, 2009 letter to Jeff Bond, it stated the information needed to effectively address "uncertainty regarding the future use of the facilities to be developed under the Master Plan, which is compounded by insufficient information provided on current use of campus facilities." The consultant acknowledged having based the IS conclusions regarding future impacts on an assumption that enrollment would not increase under the MP. In order to "effectively address those concerns," the letter said, "we will need additional detailed information on existing uses of the campus facilities, and anticipated future uses following the development of new and/or upgraded facilities under the Master Plan."

In order to put to rest fear that "the proposed increase in the number of classrooms and the construction of other facilities under the Master Plan is evidence that the school will be seeking to increase student enrollment once those facilities have been built," chief among Lamphier-Gregory's requests was written confirmation from Saint Mary's that it will not seek any increase in enrollment during the period of the MP. Numerous other requests for information followed that primary inquiry. So far as we know, Saint Mary's has not responded.

Answering the fundamental question regarding maximum enrollment should present no problem for the school, as its attorney Peter Smith acknowledged at the December 9, 2008 hearing that enrollment is now capped at 600. He further stated that Saint Mary's had asked for no increase. The fact that there is a 5% allowance for attrition (and "other student body changes," which Jeff Bond acknowledges he cannot define) does not mean to us that the enrollment is actually capped at 630. We requested a city attorney ruling on this over a year ago, but have not received one. The IS assiduously cites as a basis for its conclusions statements by school officials that they plan no enrollment increase. Clearly,

ATTACHMENT

9

as requested by the consultant, we need written confirmation that the enrollment cap will remain 600 and not rise to 630. Otherwise, the IS is flawed on its face because it is based on the faulty assumption of 630, rather than the approved limit of 600. In the end, of course, that confirmation should be included in legally binding conditions of approval.

PPNA has been asking where the fixed 630 figure in the IS came from and has received no formal written answer. In an e-mail from Jeff Bond to Donna DeDiemar, Jeff acknowledged that “my preference is to use simple language to describe what the school is asking for in their application, which is to be able to enroll up to 630 students.” (See attached e-mails.) Thus enrollment was fixed at 630 in the IS, not 600. PPNA considers this an increase in allowed enrollment and has been seeking enforcement of the 600 limit, which the city has consistently allowed the school to exceed since it was put in place in the 1995 CUP.

One commissioner raised the question of square footage comparisons with other schools, but we have never seen any such information. The commission should note that (refer to the IS, p. 47) square footage limits were adopted by the city as another check on enrollment, and Saint Mary’s seeks to eliminate square footage measures in seeking a new CUP.

Another fundamental issue so far not resolved is the sequence of review for various parts of the MP. Several commissioners voiced the belief that each building or phase may require separate CEQA review, in order to consider changes in law, school needs, or other unanticipated conditions. Their belief appeared to be based on the difficulty of assessing all proposed facilities for such a lengthy period of time into the future. While such periodic review may be acceptable, it should not occur in such a way that cumulative impacts of each phase of the MP escape analysis. As PPNA has noted numerous times, the effect of such cumulative impacts has led the neighborhood to closely question each school proposal. One way or another, changes on campus in stages over the years have cumulatively led to saturation of impacts on the surrounding neighbors. Even within this MP, there has been piecemeal development with the athletic field and the rest of the buildings.

Regarding possible use of a mediation service to help with unresolved issues, we find the idea to be premature. Because we have no authority over Saint Mary’s, and because we are at a disadvantage in dealing with the outcome of commission rulings, our current difficulties arise from our inability to convince staff that we need information before we can determine reasonable positions to put forth. We cannot compel Saint Mary’s to provide data. Staff can, but has declined to do so thus far. And if we engage in mediation and come to an agreement based on inadequate information, we are at a fatal disadvantage if the agreement does not produce the anticipated outcome. If the school considers the outcome detrimental, it simply applies to the commission for a change. On the other hand, if it is detrimental to the neighborhood, we have no such right. The unanticipated outcome is simply borne by the neighborhood and becomes, by default, the new baseline against which further change is measured. This has certainly happened on field use since an agreement was reached during the renovation. (See attached note from

Michael Tompkins.) It is also the basis for the current disagreement over student enrollment levels.

Very truly yours,

Donna DeDiemar

Jeff Bond

From: michael tompkins [mchltmpkns7@yahoo.com]
Sent: Friday, March 05, 2010 10:54 AM
To: Jeff Bond
Cc: rich brown; Andrew (LNG-SFR) Watry; amy tick; donna dediemar; albert reis; kristine & davis; Paul Black
Subject: PPNA comments for SM Field Annual Review

Dear Jeff,

After gathering comment on field use issues thus far, We've summarized them below.

PPNA COMMENTS for ANNUAL FIELD USE REVIEW

In October 2007, St Mary's, along with representatives of PPNA, finalized an agreement governing the use of the athletic field. The agreement became part of the P & Z approval of the field project. With the completion of the project at the end of 2008, neighbors began monitoring compliance with the agreement. On the one hand we're happy to report that when its terms are adhered to the agreement works well and tensions diminish. Respect for the agreement shows respect for the notion that the neighborhood is being shared. On the other hand there are aspects where compliance is spotty, allowing tensions and suspicions to re-emerge. We'll outline below those areas that still need attention.

DAILY PRACTICES

The discussion of limits on daily practices was a contentious and important aspect of the agreement. The neighbors insisted that practices should end by 6pm and the school wanted a 6:30 end. The impasse was resolved when the neighbors agreed to 6:30, with the school's agreement that the noisy aspect would cease at 6:00, specifically the use of whistles, and batting noise in baseball. Throughout the 2009 season the baseball team continued to ignore the 6pm stop for batting noise, despite complaints from neighbors and the involvement of Mr Imperial. Thus far in 2010, early sundown and rainy weather have precluded an assessment of current performance.

Early in the football season the 6pm change was also ignored. After notifying Mr Imperial in September, daily practices were conducted in full compliance for the rest of the season. There were no complaints concerning daily practices in Soccer, Track, and Cross Country.

SATURDAY PRACTICES

On rare occasions Saturday practices went on past the 3pm restriction. Early in the recent soccer season a practice went on until 4pm, but after the school was notified there were no further Saturday complaints.

SUMMER

It was agreed that Summer activities would cease each day at 5pm. Compliance began well, but by the end of Summer this was rarely observed, with activities continuing often past 5:30. It was also agreed that casual users of the field would not engage in noisy activities, again specifically whistles and batting noise. The batting cages however, were used on an almost daily basis after the end of baseball season, from an hour to several hours at a stretch. This does not refer to the agreed upon one week baseball camp.

FOOTBALL GAMES & PLAYOFFS

The agreement calls for a maximum of 5 on-site football games per season, allowing for a sixth once in every four year period. In the 2009 season SM hosted 6 games, the four year maximum, and then requested to host a playoff game. The request came as an unwelcome surprise to the neighborhood. In the discussion of the field,

we were consistently told that the field did not have adequate seating to meet league requirements for playoff games, and that is why none had been held here in anyone's recent memory. We were also told that the field could not host a championship track meet because the track did not have enough lanes. Because of this the agreement omits discussion of both playoff football and championship track meets while addressing playoff baseball, soccer, and lacrosse. Allowing the playoff football game has done much to damage faith in what is otherwise a good and fair agreement. Most of us feel we need to leave our homes during scheduled football games. Among those who stayed this season there were complaints of unnecessarily loud P.A. systems and amplified music outside of the agreed upon halftime cheerleader routine.

SPRING 2010 SCHEDULE

In the current Athletics section of the school's website, the spring team schedules list two areas of strong concern to the neighbors. First, the agreement calls for a maximum of 4 Track meets per year, with a fifth once in every four year period. This spring's schedule lists 7 hosted meets. Second, the schedule lists two hosted softball games. The agreement does not discuss softball games as part of the field use, as the home venue for SM softball has always been off site. We were assured that would continue.

REQUESTS FOR ADDITIONAL PROGRAMS AND INCREASES

From the neighbors' view, the discussion of final numbers, restrictions and parameters contained nothing arbitrary. They were based on a recognition of the needs of the school, an analysis of past use, and a practical allowance for some expansion of past use to levels we thought we could put up with. We did this in hopes that the agreement could stand in its current form for the foreseeable future. We were surprised to learn in the middle of the new field's first year however, that the school had already requested a doubling of the number of hosted Lacrosse games and the addition of another one week summer camp. We had hoped that the agreement could quell the suspicions that the school was engaged in incremental expansion, and never intended to stay within agreed parameters. Many neighbors would love to see a reduction in the numbers of programs and activities held on the field but we're not requesting that. We ask that the Commission recognize the thoughtful work that crafted the agreement in its current form and decline the request for expansion. It should be noted as well that with these restrictions in place, SM teams have been enormously successful. Fairness and compromise can work.

Sincerely,
PPNA

Peralta Park Neighborhood Association

E-mail from Donna DeDiemar to Jeff Bond following P&Z Commission Meeting 12/9/08

Enrollment Cap at St. Mary's
Tue, December 16, 2008 9:28:58 AM

From: DONNA DEDIEMAR
<dediemar@sbcglobal.net>

Add to Contacts

To: Jeff Bond <jbond@albanyca.org>

Jeff,

I'd like to follow up on my comments at the Dec. 9 Planning and Zoning Commission meeting regarding the St. Mary's enrollment cap of 600, plus up to 5% for attrition.

As you recall, following the public comments, Peter Smith, attorney for St. Mary's, went to the podium and stated that St. Mary's knows it has a cap of 600 students, and that it neither asked for nor sought in any way to change that cap with this Master Plan filing.

As such, I would like to request that all references to enrollment in documents having to do with the new Master Plan revert to the wording used in the current MP (Albany City Council Resolution 94-37, Condition G-2: "St. Mary's . . . may operate a co-educational high school facility beginning in September, 1995, for up to 600 total students. . . . The maximum enrollment figures may be exceeded on an absolute basis by up to five percent to allow for attrition . . .").

In addition, I request that the City of Albany begin enforcing that enrollment cap, preferably with the 2009-2010 school year. Certainly the school has sufficient data available to assess what the expected attrition rate is. By reviewing the difference between the enrollment at the beginning of the fall semester and the beginning of the spring semester for each of the last several school years, an average attrition rate can be determined. That rate, not an automatic 5%, is what should be added to 600 to determine the number of admittees for the upcoming school year. Certainly it is reasonable to think that the city could recalculate that number annually, thus allowing St. Mary's to admit to a rolling average to accommodate changes in annual attrition. But simply allowing 30 extra students each year, regardless of actual attrition, is a blatant violation of Condition G-2.

I am not persuaded by those from St. Mary's or the City of Albany who might say that this is a petty matter or that a 3 or 4 percent decrease in enrollment at St. Mary's won't make much difference. General complaints among neighbors regarding the effects of increased enrollment have not abated over the last several years, and it must be considered that this is at least in part because the school has exceeded the limits set by the City Council and measured by the last Initial Study. It is also inappropriate to continue to allow this violation now that it has been brought to your attention.

Thank you for your consideration of this matter.

Sincerely,
Donna DeDiemar

E-mail reply from Jeff Bond re: Donna DeDiemar's 12/16/08 e-mail

RE: Enrollment Cap at St. Mary's
Thu, December 18, 2008 11:22:33 AM

From: Jeff Bond

<jbond@albanyca.org>

[View Contact](#)

To: dediemar@sbcglobal.net

Donna,

Thanks for your email. You are raising a substantive issue that I would like to try to respond to briefly in this email and perhaps follow-up by meeting or talking in person.

First, with respect to references to enrollment in the current application, my preference is to use simple language to describe what the school is asking for in their application, which is to be able to enroll up to 630 students.

Secondly, I understand your interpretation of the enrollment limitation contained in the current conditional use permit. No doubt, however, the school has a different interpretation. The resolution of this difference will hinge on the meaning of the remainder of the sentence you paraphrase from, particularly "... attrition and other student body changes."

Normally, when we determine that a property owner is operating in violation of its conditional use permit, our first step is to determine if the activity could potentially be approved. If the activity is within the scope of what might be approved, our normal procedure is to ask the owner to submit an application to legalize the activity. In this case, the school is asking to be able to enroll 630 students. If the applicant submits an application, and pursues the necessary permits in good faith, we take no further action while the application is under consideration. This is the course we are on with St. Mary's and one that I think one that the City should continue to pursue.

In the event the school's application is denied, then the current operations of the school could be reviewed for compliance with the operative conditional use permit, and if a determination is made that the enrollment of 630 students is a substantive violation, then the violation moves into the realm of code enforcement. Code enforcement is a relatively slow process legal process, and it can take many months to get to the point of actual "enforcement" of major violations. Furthermore, in substantive enforcement actions, we do not act unilaterally, but rather through the courts.

At this point, I am hoping that we do not shift into a code enforcement mode. If you are serious about pursuing this, then I will need to discuss with the City Attorney how to proceed. In the meantime, the policy issue that I think you are asking is whether the site and the surrounding neighborhood can continue to support a school with 630 students. This is a fair question, and one for the Planning and Zoning Commission. When the CEQA document is completed, the Commission can vote on the question.

Please let me know what your thoughts are.

Jeff

Note from Michael Tompkins regarding the 2007 field use agreement:

In terms of the field use agreement, the first problem is the new batting cages. Batting noise, especially the repetitive and annoying pinging that comes from the batting cage, is the most annoying aspect of baseball season, and one that we specifically tried to regulate. What we agreed to was the use of the batting cages after school, with batting noise to end at 6pm weekdays, and 3pm on practice Saturdays. It's a normal part of baseball season and, if kept within those parameters, we could live with it. What we weren't told was that the new batting cages would be permanent structures. In past years the batting cage was dismantled at the end of every baseball season (June 1 or so), and not put back up until February. The unforeseen consequence is that now, almost every weekday in summer, somebody is pinging away in the batting cage for an hour or two or three, long after the end of baseball season. I'm also certain that the old batting cage held one pair at a time (thrower & batter). The new one holds two pairs, which allows for double the pinging. In addition, the sound is now heard in parts of the neighborhood that had been spared before.

The next aspect is simply what we said would happen all along coming true. That is that the fake field requires no down time, and therefore would be used differently (and more) than the grass field. This was made clear in the summer football practices. First, football started earlier than ever in 2009, well before the end of May. In previous years football workouts in June and July made light use of the field itself, and a lot of conditioning took place in the weight rooms and in the gym while the landscapers restored the grass. Last summer the conditioning was held almost entirely on the field, making the summer that much louder. Add in the clanging of the batting cage and the (agreed to) summer camps, and what used to be a down time for neighbors has a different character. Note that a request is already on the table to add yet another summer camp (soccer) to the mix.

We certainly didn't think it necessary to specifically exclude football playoffs in the agreement, as we were assured that league rules precluded that possibility. I understand that the league rules changed, but it appears that that also happened in 2007, so it is still curious why the 2009 playoff game had to be allowed by an 11th hour request in 2009, given that Saint Mary's is a perennial contender. By the way, what we did agree to was 5 football games per year, with a sixth once in every four year period. Last year they held six before the playoff was requested. We also agreed to 4 track meets per year, with a fifth in every four year period. Their website shows that they've scheduled seven for this season.

Having said all this, the important thing to remember in my opinion is that when the agreement is respected and adhered to, it works. When it's disrespected is when suspicions and tensions re-emerge.