

**CITY OF ALBANY COMMUNITY DEVELOPMENT DEPARTMENT**  
1000 SAN PABLO AVENUE, ALBANY CA 94706  
(510) 528-576

**MITIGATED NEGATIVE DECLARATION**  
**Saint Mary's College High School Athletic Field Renovation Project**

The following proposed project has been reviewed pursuant to the provisions of the California Environmental Quality Act (CEQA) for the purpose of determining the likelihood of a significant adverse environmental impact occurring as a result of project completion.

**NAME OF PROJECT:** Saint Mary's College High School Athletic Field Renovation Project

**DESCRIPTION OF PROJECT:** The "Project" consists of improvements to the outdoor track and field areas, summarized as follows: 1) rebuild the existing six-lane with an eight-lane straightaway within the existing track footprint; 2) replace the turf playing field with a synthetic turf field and a drainage system capable of sustained detention of storm water so as not to increase stormwater discharge off-site; 3) install a new baseball infield, renovate the existing backstop, and install new chain link dugouts, bullpens, and a batting cage; 4) provide electrical improvements to include new outlets around the perimeter of the track, electricity at the baseball field for ball machines, and electrical service to the proposed athletic equipment storage building; 5) install communication and sound system improvements, including conduit for future phone and data lines to the proposed athletic equipment storage building; 6) install a building (approx. 1,500 square feet) for storage of athletic and maintenance equipment at the northeast corner of the site, to replace existing storage containers; 8) replace the existing bleachers with new aluminum bleachers with an equivalent capacity (approximately 900 seats); 9) clean up the landscaping along the Monterey Avenue side of the track while still maintaining screening for the adjacent residences; remove existing eucalyptus trees along Posen Avenue due to safety and maintenance concerns, with new planting of deciduous trees and related planting adjacent to the curb and sidewalk; erect a metal fence at the property line Along Posen Avenue, with a height of approximately 6 ft.; plant additional trees and shrubs between the property line and the track for screening purposes; at the northeast corner of the site, where the elevation of the street is higher than the track and the proposed athletic equipment storage building, install a retaining wall approximately three feet in height and/or bermed planting area on the inner side facing the track; install an irrigation system to support all new landscaping elements. Use of renovated facilities: The renovated track and athletic field is intended to support the same programs as those that are currently offered by Saint Mary's College High School (e.g., cross country, football [varsity, junior varsity, and when there is sufficient student interest, frosh] soccer, baseball, softball, lacrosse, track and field, and physical education programs). There are no additional programs being considered, and all programs are in keeping with the school's existing Conditional Use Permit. In the absence of sport field lighting, activity at the field would be limited to daylight hours, as is currently the case.

**LOCATION OF PROJECT:** 1600 Posen Avenue, Albany CA (also known as 1294 Albina Avenue, Berkeley CA)

**COUNTY ASSESSOR PARCEL NO.:** 65-2428-01

**NAME OF APPLICANT:** Harold Brandes, Architect, for Saint Mary's College High School

**MAILING ADDRESS OF APPLICANT:** Dahanukar Brandes Architects, 907 Greenhill Road, Mill Valley CA 94941; Tel. (415) 383-7625

**TYPE OF ENTITLEMENT SOUGHT:** Approval of Design Review ; Grading Permit

**MITIGATION MEASURES INCLUDED IN THE PROJECT TO AVOID POTENTIALLY SIGNIFICANT IMPACTS:**

Air Quality:

**A-1:** A dust control program shall be prepared by the Project developer and approved by the Community Development Department and City Engineer prior to issuance of a grading permit. The dust control plan shall address such items as covering stockpiled material, frequent watering of graded areas, revegetating graded areas, speed limits for grading equipment, and similar items.

Biological Resources:

**B-1:** If proposed tree removal were to occur during the period August through March, no pre-construction survey for nesting birds would be required. If tree removal occurs during the April through July breeding season, however, a biologist

shall conduct a pre-construction survey to determine if special-status birds are nesting on or near the site. The biologist shall conduct the survey no more than 30 days prior to initiation of tree removal. If there were no nest observed, tree removal or grading could proceed.

If a nest is observed in or near a tree on the site, it will be monitored for bird egg-incubation, including:

- Incubation behavior (e.g., regular periods of “disappearance” into the same location followed by short, secretive flights to forage),
- Extreme distress and alarm calls when in close vicinity of the nest tree, and
- Observation of food carried in the beak or claws to the nest.

If the biologist observes incubation behavior, incorporating the following measures should protect the nest location:

- Establishment of a buffer using orange construction fencing around the tree in accordance with CDFG recommendations until the young have fledged. The nest tree should be monitored a minimum of once per week to confirm that the young have fledged and that no new nesting pairs are present before the buffer is removed.
- If it is not feasible to delay or modify construction activities around the tree, the biologist shall contact the CDFG to discuss alternative buffer options.

Cultural Resources:

**C-1.** In the event that any previously unidentified historical resources are uncovered during site preparation, excavation or other construction activity, all such activity shall cease until these resources have been evaluated by a qualified archaeologist and specific mitigation measures can be implemented to protect these resources.

**C-2.** In the event that any previously unidentified archaeological resources are uncovered during site preparation, excavation or other construction activity, all such activity shall cease until these resources have been evaluated by a qualified archaeologist and specific mitigation measures can be implemented to protect these resources.

**C-3.** In the event that any previously unidentified paleontological or unique geologic resources are uncovered during site preparation, excavation or other construction activity, all such activity shall cease until these resources have been evaluated by a qualified archaeologist and specific mitigation measures can be implemented to protect these resources.

**C-4.** In the event that any human remains are uncovered during site preparation, excavation or other construction activity, all such activity shall cease until these resources have been evaluated by the County Coroner, and appropriate action taken in coordination with the Native American Heritage Commission.

Geology and Soils:

**G-1.** The Project plans shall be reviewed by a qualified Civil Engineer employed or retained by the City of Albany to assure conformance with seismic safety design requirements; no grading permit or building permit shall be issued until plans are approved as meeting all code requirements.

**G-2.** All foundation and structural work shall be monitored for construction quality and assurance in accordance with design recommendations. Construction observation and testing shall be completed for foundation excavations, grading, and filling, to make sure material and compaction specifications are met, keyways are excavated into suitable material and are of suitable size, and that foundations are constructed properly in accordance with design recommendations and modified or augmented where necessary since subsurface conditions may differ from those initially encountered during the geotechnical investigation.

Work shall be completed under the direction of a state licensed Geotechnical Engineer. Special Inspection of structural elements such as shear walls, foundation bolting, steel reinforcement rods, and concrete work shall be completed under the supervision of a licensed Civil Engineer by a qualified Special Inspection firm.

Incorporation of seismic construction standards will reduce the potential for catastrophic effects of ground shaking such as complete structural failure to an acceptable standard, but will not completely eliminate the hazard of seismically-induced ground shaking. Prior to use of improvements, all construction inspection documents (as-built plans) shall have been submitted and recorded by the appropriate regulatory agency with approval granted prior to occupancy.

**G-3.** The Project applicant shall prepare and implement an updated Stormwater Pollution Prevention Plan (SWPPP) for the proposed site development. A Notice of Intent (NOI) must be submitted to the State Water Resources Control Board to receive a Construction General Permit. The updated plan shall address National Pollutant Discharge Elimination System (NPDES) requirements and be designed to protect water quality both during and after construction. The Project SWPPP shall include the following mitigation measures for the construction period:

- Erosion Control Plan. The plan shall include erosion control/soil stabilization techniques such as straw mulching, erosion control blankets, erosion control matting, and hydro-seeding. Silt fences used in combination with fiber rolls shall be installed down slope of all graded slopes. Fiber rolls shall be installed in the flow path of graded areas receiving concentrated flows and fiber rolls or proven sediment traps shall be placed around all storm drain inlets. The construction entrance shall be stabilized to prevent tracking of dirt onto roads next to the site through use of a gravel base, erosion control blankets or other approved elements. Additionally, rock checks, fiber rolls, or other suitable material shall be placed below any culvert outfalls to Codornices Creek to prevent soil erosion from concentrated flow in these areas.
- “Best Management Practices” shall be implemented for preventing the discharge of other construction-related NPDES pollutants beside sediment (i.e. paint, concrete, etc) to downstream waters.
- After construction is completed, all drainage facilities shall be inspected for accumulated sediment, and these drainage structures shall be cleared of debris and sediment.

Long-term mitigation measures to be included in the updated Project SWPPP shall include, but are not limited to, the following:

- Description of potential sources of erosion and sediment at the proposed Project site, and any hazardous or potentially hazardous materials and chemicals. This will include a thorough assessment of existing and potential pollutant sources.
- Development of a monitoring and implementation plan. Maintenance requirements and frequency shall be carefully described including vector control, clearing of clogged or obstructed inlet or outlet structures, vegetation/landscape maintenance, replacement of media filters, regular sweeping of parking lots and other paved areas, etc. Wastes removed from BMPs may be hazardous, therefore, maintenance costs should be budgeted to include disposal at a proper site.
- The monitoring and maintenance program shall be conducted at the frequency agreed upon by the RWQCB and/or City of Albany. Monitoring and maintenance shall be recorded and submitted annually to the SWRCB. The SWPPP shall be adjusted, as necessary, to address any inadequacies of the BMPs.
- Following development, a maintenance plan shall be implemented addressing groundskeeping and the protection of storm drain inlets, proper storage of potentially hazardous chemicals, proper use of landscaping chemicals, clean-up and appropriate disposal of hazardous materials and chemicals, and prohibition of any washing and dumping of materials and chemicals into storm drains.

City of Albany Public Works staff shall visit the site during grading and construction to ensure compliance with the grading ordinance and SWPPP, and note any violations, which shall be corrected immediately.

The City of Albany Municipal Code, Chapter 23, mandates that an Erosion and Sedimentation Control Plan be developed in order to obtain a Grading Permit. The SWPPP described can potentially address these requirements, and shall be developed accordingly. Alternatively, a supplemental Erosion and Sedimentation Control Plan that meets City requirements shall be developed as part of the Project.

**G-4.** As a condition of Project approval, the Project Geotechnical Engineer and/or City Engineer shall review and approve the Final Design Plans to ensure that the Project will implement and/or adhere to the following recommendations from the Geotechnical Engineering Investigation Report. Alternative designs and/or construction procedures may be implemented, subject to review and approval by the Project Geotechnical Engineer and/or City Engineer.

a) Removal and Replacement of Unsuitable Subgrade Soils. The imported clayey fill underlying the natural turf field area shall be removed to expose the undisturbed native alluvial soils or the existing compacted fill consisting of native alluvial soils (i.e., native fill). The subgrade soils beneath the track pavement section should over-excavated to a depth of 18 inches, and subgrade soils beneath the storage and athletic equipment building should be over-excavated to a depth of 24 inches.

Replace existing expansive subgrade soils with low expansion import fill material. The upper two feet of subgrade soil underlying the athletic storage building footprint, plus 5-feet on each side of the building footprint, and the upper 18 inches of subgrade soils below the field and track pavement section shall consist of imported low expansion potential fill meeting the gradation and quality requirements as recommended in the Geotechnical Engineering Investigation Report (DCM Engineering, *Geotechnical Engineering Investigation Report - Field Renovation Project - Saint Mary's College High School, Albany, California*, 2004). Gradation is defined in the following table.

*Import Fill Material Table*

Sieve Size	Percentage Soil Passing No. 200 Sieve
2"	100%
1"	95 to 100%
¾"	60 to 100%
No. 4	40 to 100%
No. 40	20 to 100%
No. 200	10 to 40%

As an alternative to importing fill, on site borrowed soils that are clean (e.g., free of organics, debris) treated with Portland Cement or another chemical stabilizer, may be allowed. Only the responsible geotechnical engineer for the Project shall allow this method in writing.

b) Compaction Requirements. All areas to receive fill shall be scarified to a minimum depth of 8 inches and compacted to a minimum relative compaction of 90 percent of maximum dry density, at a moisture content of at least 2 percent above optimum, as determined by ASTM D 1557.

All engineered fill shall be placed in uniform lifts no greater than 8 inches in loose thickness and compacted to a minimum of 90 percent of maximum dry density and at moisture content at or above optimum moisture content as determined by ASTM Test Method D 1557. The upper 12 inches of import fill below the field and track pavement should be compacted to a minimum of 95 percent of maximum dry density and at a moisture content at or above optimum moisture content as determined by ASTM Test Method D 1557. Excavation backfill for trench should also meet these compaction requirements.

c) Athletic Equipment Storage Building Foundation Requirements. For a conventional spread footing foundation system requirements include the following:

- Foundations bearing on and within the low expansion potential import fill shall be a minimum of 12 inches wide with a minimum embedment of 18 inches below the lowest adjacent grade.
- Footing bearings shall be designed for an allowable soil bearing pressure of 2,000 pounds per square foot for dead plus live loads, increased by one-third for transient loading such as seismic or wind forces.
- Footing concrete shall be placed neat against the zero to low expansion potential import fill. All footings shall be designed with top and bottom reinforcement to provide structural continuity.

d) Athletic Equipment Storage Building Slab-on-Grade Floors. For Concrete Floor Slabs requirements include the following:

- A minimum 6 inches of imported 3/4-inch by 3/8-inch crushed rock to act as a leveling course and to prevent capillary moisture rise between the slab and subgrade. The crushed rock shall consist of clean, durable, crushed aggregate that is uniformly graded.
- In moisture sensitive building areas, such as areas to receive floor coverings, a plastic membrane (e.g., minimum 6 mil thick polyethylene) shall be placed over the gravel to prevent migration of moisture vapor through the concrete slab. The plastic membrane shall be covered with 2 inches of fine moist sand. This sand should not be dry or saturated.
- All concrete slabs-on-grad shall be at least 5 inches thick. Flood slab reinforcement and thickness, as required for structural load support, should be specified by the structural engineer. If site preparation and grading is performed as recommended above, minimum reinforcement of concrete slabs-on-grade for expansive soils should consist of No. 4 deformed reinforcing bars placed at 18 inches on-center in each direction. Reinforcement shall be supported such that it is located in the middle one-third of the slab. If grading is not performed as recommended in the Geotechnical Engineering Investigation Report, a thicker slab and more reinforcement will be required.

e) Bleacher Additions. Reevaluation in the Design Level Report. Basic recommendations to be incorporated include the following:

- Use of cast-in-place steel reinforced concrete for isolated piers.
- Pier foundations at least 5 feet below grade and at least 18 inches above grade.
- Pier foundations at least two feet in diameter.
- Verification and modification of design based on actual conditions encountered

f) Retaining Walls. During the Final Design Plan Review, the Project Geotechnical Engineer and/or City Engineer shall reevaluate active and passive pressure, and surcharge on the wall. According to the existing geotechnical investigation the retaining wall shall be designed to resist an active lateral earth pressure of 62.5 pcf. This lateral earth pressure accounts for a 5H:1V fill slope above the retaining wall. Steeper fill slopes will impose a higher lateral earth pressure. Should a steeper fill slope be required, a qualified engineering geologist should reevaluate the lateral earth pressure.

Should the Project Geotechnical Engineer determine that there is potential for root-related damage to the retaining wall, the Project Geotechnical Engineer shall identify adequate retaining wall foundation design details, which could potentially contain a deeper retaining wall foundation system, possibly with drilled piers.

Recommendations to incorporate from the existing report include the following:

- Backfilling of holes created by demolition and removal of existing root systems and below-grade facilities. Holes shall be cleared of all loose material, dished to provide access for compaction equipment, and backfilled with engineered fill. Native soil from excavations free of construction debris, vegetation, and other deleterious materials can be used as engineered fill. The engineered fill shall be compacted to a minimum relative compaction of 90 percent of maximum dry density, at a moisture content of at least 2 percent above optimum, as determined by ASTM D1557.
- Installation of a back drain behind the wall. Granular drain rock or a prefabricated drainage sheet will be placed behind the wall to prevent hydrostatic pressures behind the wall. In addition, surface water runoff behind the retaining wall should be collected in a concrete V-ditch along the top of the wall to prevent ponding and saturation of the retaining wall backfill. The retaining wall surface and subsurface drainage system shall be designed to collect water and convey the water to the nearest storm drain inlet.

- All engineered fill should be benched (i.e., cut) a minimum of 18 inches horizontally into the existing slopes.
- Retaining Wall backfill shall be placed in uniform horizontal lifts no greater than 8 inches in loose thickness and compacted to a minimum of 90 percent relative compaction at moisture content of at least 2 percent over optimum moisture content as determined by ASTM D1557. Moisture conditioning of native soils (drying of wet soils or wetting of dry soils) will most likely be required to achieve specified compaction.
- The new fill wedge slope should be overbuilt horizontally a minimum of 12 inches and then cut back to expose the compacted fill. Track walking to compact the fill slope face shall not be allowed.

Depending on design considerations, there may be some flexibility to allow proposed retaining walls at the Project site to be staggered or stepped.

**G-5:** A structural engineer shall evaluate the ability of the existing retaining walls to support existing and new fills required for the Project and recommended herein. This shall include an analysis of existing structures, as well as proposed structures including the new retaining wall and the deepened curb, according to final construction details.

**G-6:** In the event that existing and proposed structures are determined to provide insufficient support of fills at the site, the Project shall supplement or replace existing retaining walls with improvements of sufficient structural integrity to prevent soil creep and retaining wall failure. In addition to the proposed new retaining wall and deepened curb, this could potentially include a buried pier wall along the outside edge of the track, or alternative methods including a reinforced earth buttress, deepened concrete curb, a combination of methods, or any other type of improvement identified and/or approved by the Geotechnical Engineer which adequately retains fills at the site.

#### Buried pier wall

Requirements from the Geotechnical Engineering Investigation Report include the following:

- The drilled pier holes shall be a minimum of 18 inches in diameter.
- Pier holes shall be spaced a maximum of 5 feet on center.
- The buried pier wall shall be designed to resist a lateral earth pressure of 100 pcf (equivalent fluid pressure) acting along the length of the wall to a minimum depth of 7 feet or to a depth equal to half of the height of the adjacent slope, whichever is less. Each pier should be capable of resisting the applied earth pressure over its tributary width of 5 feet.
- The 2-½ foot deep bond beam interconnecting pier tops shall be designed to transfer the lateral earth pressure acting on the 2-½ foot height to adjacent piers without deflection.

#### Deepened Concrete Curbs

A deepened concrete curb may be appropriate for providing stability along the perimeter of the track at the eastern portions of the north and south fills. Should such a structure be deemed appropriate, the deepened concrete curb shall be built according to the recommendations of the Geotechnical Engineering Investigation Report, or according to design and construction details developed and/or approved by the Project Geotechnical Engineer.

The following are recommendations from the Geotechnical Engineering Investigation Report for design and construction of a deepened concrete curb at the site:

- Deepened concrete curbs shall be no greater than 3 feet in height.
- Deepened concrete curbs shall be designed to resist a lateral load of 60 pcf (equivalent fluid load).

- A drilled pier or spread footing foundation system can be used to resist the lateral loads on the deepened concrete curb.
- Should a drilled pier foundation be chosen, a passive earth pressure of 300 pcf (equivalent fluid pressures) starting at the base of the concrete curb shall be used to resist the lateral load acting on the deepened concrete curb. The passive pressure can be applied over a width of 2.5 pier diameters. An allowable skin friction of 650 psf can be used for design for axial loading.
- Should a spread footing foundation be chosen, a passive earth pressure of 300 pcf (equivalent fluid pressures) starting at the base of the concrete curb can be used to resist the lateral load acting on the deepened concrete curb. An allowable coefficient of friction of 0.3 times dead load may also be used at the base of the retaining wall for resistance of lateral forces. An allowable soil bearing pressure of 1,500 pounds per square foot for dead plus live loads may be used for the design of spread footings.
- Should the deepened concrete curb have a free face, rather than being embedded into the ground, the following reduced passive pressures shall be used to take into account sloping ground adjacent to the foundations:

Depth to Top of Foundation Element	Passive Earth Pressure
3 ft.	300 pcf
2 ft.	225 pcf
1 ft.	145 pcf
0 ft.	100 pcf

#### Reinforced Earth Buttress

A reinforced earth buttress may be appropriate as an alternative to the buried pier wall. Should such a structure be deemed appropriate, the buttress shall be built according to the recommendations of the Geotechnical Engineering Investigation Report, or according to design and construction details developed and/or approved by the Project Geotechnical Engineer.

The following are recommendations from the Geotechnical Engineering Investigation Report for design and construction of a reinforced earth buttress curb at the site:

- The buttress shall be backfilled with imported granular material, and not on-site clayey soils.
- The buttress shall be designed to resist the same lateral forces recommended for the buried pier wall. An allowable coefficient of friction of 0.3 times dead load may be used at the base of the buttress for resistance of lateral forces. In addition, portions of the buttress that extend below the fill can be designed for a passive earth pressure of 300 pcf.
- A subsurface drainage system shall be incorporated into the design of the buttress to mitigate build-up of hydrostatic pressures due to perched groundwater collecting with the granular backfill.
- The steel soil reinforcing system shall be sized to allowable stress levels at the end of a design life. Steel soil reinforcing systems shall be protected by either galvanizing or epoxy coating. The design life for epoxy shall be 16 years. The corrosion protection for the balance of the total design life shall be provided using a sacrificial steel thickness.

#### Hydrology:

**H-1** The Project applicant shall prepare and implement an updated Stormwater Pollution Prevention Plan (SWPPP) for the proposed site development. A Notice of Intent (NOI) must be submitted to the State Water Resources Control Board to receive a Construction General Permit. The updated plan shall address National Pollutant Discharge

Elimination System (NPDES) requirements and be designed to protect water quality both during and after construction. The Project SWPPP shall include the following mitigation measures for the construction period:

- Erosion Control Plan. The plan shall include erosion control/soil stabilization techniques such as straw mulching, erosion control blankets, erosion control matting, and hydro-seeding. Silt fences used in combination with fiber rolls shall be installed down slope of all graded slopes. Fiber rolls shall be installed in the flow path of graded areas receiving concentrated flows and fiber rolls or proven sediment traps shall be placed around all storm drain inlets. The construction entrance shall be stabilized to prevent tracking of dirt onto roads next to the site through use of a gravel base, erosion control blankets or other approved elements. Additionally, rock checks, fiber rolls, or other suitable material shall be placed below any culvert outfalls to Codornices Creek to prevent soil erosion from concentrated flow in these areas.
- "Best Management Practices" shall be implemented for preventing the discharge of other construction-related NPDES pollutants beside sediment (i.e. paint, concrete, etc) to downstream waters.
- After construction is completed, all drainage facilities shall be inspected for accumulated sediment, and these drainage structures shall be cleared of debris and sediment.

Long-term mitigation measures to be included in the updated Project SWPPP shall include, but are not limited to, the following:

- Description of potential sources of erosion and sediment at the proposed Project site, and any hazardous or potentially hazardous materials and chemicals. This will include a thorough assessment of existing and potential pollutant sources.
- Development of a monitoring and implementation plan. Maintenance requirements and frequency shall be carefully described including vector control, clearing of clogged or obstructed inlet or outlet structures, vegetation/landscape maintenance, replacement of media filters, regular sweeping of parking lots and other paved areas, etc. Wastes removed from BMPs may be hazardous, therefore, maintenance costs should be budgeted to include disposal at a proper site. Parking lot areas shall be cleared of debris that may enter the storm drain system on a daily basis.
- The monitoring and maintenance program shall be conducted at the frequency agreed upon by the RWQCB and/or City of Albany. Monitoring and maintenance shall be recorded and submitted annually to the SWRCB. The SWPPP shall be adjusted, as necessary, to address any inadequacies of the BMPs.
- Following development, a maintenance plan shall be implemented addressing groundskeeping and the protection of storm drain inlets, proper storage of potentially hazardous chemicals, proper use of landscaping chemicals, clean-up and appropriate disposal of hazardous materials and chemicals, and prohibition of any washing and dumping of materials and chemicals into storm drains.

City of Albany Public Works staff shall visit the site during grading and construction to ensure compliance with the grading ordinance and SWPPP, and note any violations, which shall be corrected immediately.

The City of Albany Municipal Code, Chapter 23, mandates that an Erosion and Sedimentation Control Plan be developed in order to obtain a Grading Permit. The SWPPP described can potentially address these requirements, and shall be developed accordingly. Alternatively, a supplemental Erosion and Sedimentation Control Plan that meets City requirements shall be developed as part of the Project.

**EXPLANATION OF REASONS FOR THE FINDING:** A finding is made that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project and mitigation measures have been made by or agreed to by the project proponent.

The Draft Mitigated Negative Declaration was posted within the City of Albany on April 20, 2007, initiating a public comment period which closed May23, 2007.



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Statement of Mitigated Negative Declaration was reviewed and finally adopted, along with a Mitigation Monitoring Program, on September 25, 2007.

By approving Agency: Albany Planning and Zoning Commission.

Action on the project was taken by the Albany Planning and Zoning Commission on October 9, 2007, with approval of design review. Mitigation measures stated herein were made conditions of approval of the project.

Filing of the Notice of Determination was delayed due to the filing of an appeal to the Albany City Council of the Commission action on the Mitigated Negative Declaration the appeal was withdrawn by the appellant on November 9, 2007.

Signed \_\_\_\_\_  
Jeffrey Bond, Planning Manager

Notice of Determination to be sent to:

- |                                     |   |                                     |                      |
|-------------------------------------|---|-------------------------------------|----------------------|
| <input checked="" type="checkbox"/> | Posting of Notice                       | <input checked="" type="checkbox"/> | County Clerk         |
| <input type="checkbox"/>            | Mailed to owners of contiguous property | <input type="checkbox"/>            | State Clearing House |
| <input type="checkbox"/>            | Publish notice                          |                                     |                      |

**IF THERE ARE ANY QUESTIONS OR COMMENTS, PLEASE CONTACT:**

Jeffrey Bond                      Planning Manager                      (510) 528-5760

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NAME    TITLE    PHONE NUMBER