

**CITY OF ALBANY  
CITY COUNCIL AGENDA  
STAFF REPORT**

Agenda date: August 8, 2005

Date prepared: July 21, 2005

Reviewed by:\_\_\_\_\_

**SUBJECT:** Adoption of City Council Resolution upholding the appeal by the Peralta Neighborhood Association of Planning and Zoning Commission decision concerning St. Mary's College High School amendment request

**REPORT BY:** Dave Dowswell, Planning Manager  
Ann Chaney, Community Development Director

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**STAFF RECOMMENDATION**

That the City Council adopt the attached Resolution #05-46, which supports the action taken by the Council on July 5, 2005.

**DISCUSSION**

On July 5, 2005, the City Council upheld the appeal of the Peralta Park Neighborhood Association (PPNA) and overturned the decision of the Planning and Zoning Commission to amend CUP 93-27, Condition No. G-2b, to allow the gross square footage of the St. Mary's College High School facilities to be increased by 3,032 square feet and amend Design Review 99-24, Condition No. 7, by eliminating the requirement that 3,032 square feet of building area be demolished or converted as follows: band pavilion/snack shop/2,380 square feet be demolished; and 652 square feet of additional building area be converted to a non-classroom use. The Council in upholding the appeal voted to modify CUP 93-27 Condition G-2b and DR 99-24 Condition 7 to allow SMCHS to keep the two buildings (Band Pavilion and Snack Shop). The School however, would have to cease using the two buildings for classroom use and convert them to non-habitable space until a new master plan is approved.

On July 12, 2005, staff prepared a report recommending that the City Council postpone until September 19, 2005, taking any action to adopt findings to uphold the PPNA appeal that overturned the decision of the Planning and Zoning Commission.

On July 15, 2005, the PPNA submitted a letter in response to the July 12, staff report. The letter requested the City Council not postpone adoption of a resolution confirming their July 5 decision. The letter also included a list of possible conditions of approval that the Council could/should adopt (Attachment A).

On July 18, 2005, Councilmember Javandel indicated that he did not want to postpone adopting the required findings for memorializing the Council's July 5, decision until September 19, 2005. Instead, he presented a draft resolution for Council's consideration for that evening. Because other Council members, PPNA and SMCHS had not had an opportunity to review the draft resolution, the City Council voted to continue this matter until a special meeting on August 8, 2005. Council believed the continuance was needed to allow time for staff to prepare a final resolution, and for SMCHS and the PPNA to be able to review the resolution.

Staff, working with the City Attorney, and using portions of the suggested resolutions, has prepared a resolution that memorializes the Council's decision of July 5, 2005.

Attachments

- A. Resolution
- B. Letter from PPNA dated July 15, 2005