AGENDA

REGULAR MEETING
OF THE
PLANNING COMMISSION

7:30 p.m.
Wednesday, June 15, 2016
El Cerrito City Hall
Council Chambers
10890 San Pablo Avenue, El Cerrito

This Meeting Place Is Wheelchair Accessible

Roll Call - Chair: Carla Hansen; Commissioners: Brendan Bloom, Kevin Colin, Michael Iswalt, Bill Kuhlman, Andrea Lucas, and Lisa Motoyama.

1. Comments from the Public
   (Each speaker is limited to a maximum of 3 minutes.)

2. Approval of Minutes
   Approval of the May 18, 2016 and June 8, 2016 meeting minutes.

3. Commissioner Communication/Conflict of Interest Disclosure
   This time on the agenda is reserved for Commissioners to disclose communications from individuals regarding specific agenda items or to state a potential conflict of interest in relation to a specific agenda item.

4. Public Hearing – Christensen Residence
   Application: PL16-0031
   Applicant: Jim Christensen
   Location: 208 Ashbury Avenue
   Zoning: RS-5 (Single Family Residential)
   General Plan: Low Density Residential
   Request: Planning Commission consideration of a Conditional Use Permit to allow for a fourth bedroom and over 2,000 square feet home with a one-car garage (El Cerrito Municipal Code Section 19.27.050).
   CEQA: This project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines, Class 1: Existing Facilities.

5. Public Hearing – Summit K2 Operational Expansion
   Application: PL15-0006
   Applicant: Education Matters, a non-profit corp.
   Address: 1800 Elm Street

COMMUNICATION ACCESS INFORMATION
To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call Sean Moss, Staff Liaison at (510) 215-4330 (voice) at least FIVE (5) WORKING DAYS NOTICE PRIOR TO THE MEETING to ensure availability.

10890 San Pablo Avenue, El Cerrito, CA  94530   Tel: (510) 215-4330
E-mail: smoss@ci.el-cerrito.ca.us
APN:  502-122-041
Zoning:  PS (Public/Semi-Public)
General Plan:  Institutional & Utility
Request:  Planning Commission consideration of a Final Subsequent Environmental Impact Report and the following amendments to the Conditional Use Permit for a school:
  •  Increase maximum enrollment to 630 (from 347) during the school year and 315 (from 175) during the summer session.
  •  Change the grade levels permitted at the site to 7-12 (from K-8).
  •  Change primary hours of operation to 8:00 a.m. to 3:30 p.m. (from 8:00 a.m to 3:00 p.m.)
CEQA:  Subsequent Environmental Impact Report

6. Staff Communications

7. Adjournment

Appeals:
A decision of the Planning Commission may be appealed to the City Council, by the applicant or any El Cerrito resident or property owner, through the filing of a written statement and the payment of an appeal fee of $339 with the City Clerk within ten calendar days after the decision date. (The applicant may file an appeal for the cost of half the original permit fee.)

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning Division office located at 10890 San Pablo Avenue during normal business hours.
REGULAR MEETING
OF THE
PLANNING COMMISSION

7:30 p.m.
Wednesday, May 18, 2016
El Cerrito City Hall
Council Chambers
10890 San Pablo Avenue, El Cerrito

This Meeting Place Is Wheelchair Accessible

Roll Call - Chair: Carla Hansen; Commissioners: Brendan Bloom, Michael Iswalt, Bill Kuhlman, and Andrea Lucas. Commissioners Kevin Colin and Lisa Motoyama had excused absences.

1. Comments from the Public
   Howdy Goudey of 635 Elm St informed the Commission of a UC Berkeley urban design studio which had completed a project in El Cerrito and the work of a graduate student related to second units.

2. Approval of Minutes
   Motion to approve the April 20, 2016 meeting minutes: Bloom, 2nd: Kuhlman.
   Vote:
   Ayes: Bloom, Iswalt, Kuhlman, Hansen, Lucas
   Noes: None
   Abstain: None
   Absent: Colin, Motoyama

3. Commissioner Communication/Conflict of Interest Disclosure
   Commissioner Kuhlman disclosed that he had met with the applicant and received comments from Howdy Goudey.

   Application: PL14-0171
   Applicant: Urban Community Partners
   Location: 5802, 5808 and 5828 El Dorado Street
   APN: 510-037-001, -002, -027, and -028
   Zoning: RM (Multi-Family Residential)
   General Plan: High Density Residential
Request: Planning Commission consideration of a recommendation to the City Council regarding a Tentative Subdivision Map consisting of 6 lots (3 residential lots, 2 private streets, and one lot for bio-retention/open space.) The project proposes 27 townhome units in three buildings.

CEQA: Categorically Exempt, Section 15332, Class 32: In-Fill Development Projects

Senior Planner, Sean Moss presented the staff report and answered questions form the Commission.

The applicant, Keith McCoy, and the architect, Peter Stackpole, and consultants Robert Allen and Laura Worthington-Forbes presented the project and answered questions from the Commission.

The public hearing was opened.

The following speakers addressed the Commission:

- Dan Hardy, El Cerrito
- Howdy Goudey, 635 Elm St
- Victoria Lee Moy
- Robin Mitchell, 635 Elm St
- Kenlo Chan
- Elise Higgins

The public hearing was closed.

Motion to recommend approval of the Tentative Subdivision Map for application PL14-0171: Kuhlman, 2nd, Iswalt.

Vote:
- Ayes: Iswalt, Kuhlman, Hansen, Lucas
- Noes: Bloom
- Abstain: None
- Absent: Colin, Motoyama

5. Staff Communications
   Staff updated the Commission regarding the UC Berkeley design studio project in El Cerrito and confirmed a special Planning Commission meeting on June 8.

6. Adjournment
   9:27 p.m.
MINUTES
SPECIAL MEETING
OF THE
PLANNING COMMISSION

7:30 p.m.
Wednesday, June 8, 2016
El Cerrito City Hall
Council Chambers
10890 San Pablo Avenue, El Cerrito

This Meeting Place Is Wheelchair Accessible

Roll Call - Chair: Carla Hansen; Commissioners: Brendan Bloom, Kevin Colin, Michael Iswalt, Bill Kuhlman, and Andrea Lucas. Lisa Motoyama had an excused absence.

1. Comments from the Public
   No comments were received.

2. Commissioner Communication/Conflict of Interest Disclosure
   Commissioner Kuhlman and Colin disclosed that they had toured the 1800 Elm Street site with the applicant on May 20. Commissioner Iswalt disclosed that he had toured the 1800 Elm Street site with the applicant on May 17. Commissioner Kuhlman disclosed that he had received a comment on the Summit K2 use permit from Mike and Tracy Johnson.

3. Study Session – Summit K2 Operational Expansion
   Application: PL15-0006
   Applicant: Education Matters, a non-profit corp.
   Address: 1800 Elm Street
   APN: 502-122-041
   Zoning: PS (Public/Semi-Public)
   General Plan: Institutional & Utility
   Request: Planning Commission study session on the following proposed amendments to the conditional use permit for a school:
   • Increase maximum enrollment to 630 (from 347) during the school year and 315 (from 175) during the summer session.
   • Change the grade levels permitted at the site to 7-12 (from K-8).
   • Change primary hours of operation to 8:00 a.m. to 3:30 p.m. (from 8:00 a.m. to 3:00 p.m.)
   No construction is proposed as part of the project.

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10890 San Pablo Avenue, El Cerrito, CA 94530 Tel: (510) 215-4330 E-mail: smoss@ci.el-cerrito.ca.us
The study session will also include discussion of the Environmental Impact Report for the proposed project. No action will be taken at this meeting regarding the project.

CEQA: Subsequent Environmental Impact Report

Senior Planner Sean Moss presented the staff report and answered questions form the Commission.

Kelly Garcia, the principal of Summit K2 and Doug Giffin, the applicant, presented the project and answered questions form the Commission.

The public comment period was opened.

The following speakers addressed the Commission:

Ken Alborn, 6868 Cutting Blvd
Troy Tyler, 6746 Cutting Blvd
Scott Gelfand, 5934 Monterey Ave, Richmond
Bill Golove, 6610 Hill St
Maia Correal, 7224 View Ave
Lan Zhou, 6340 Conlon Ave
Danielle Ferguson, 1230 Scott St
Franklin Leong, 1780 Manor Cir
Michael Wu, 1788 Manor Cir
Jane Kim, 6910 Potrero Ave
Daisy Leong, 1780 Manor Cir
Jeff Rosenfeld, Manor Cir
Helen Couture Rodriguez, 1712 Manor Cir
Hannah Kim, 6910 Potrero Ave
Tamara Aksu, 640 Everett St
Coriale Areceneaux, 1619 Giaramita St, Richmond
Antoinette Aschettino, 7242 Blake St
Eunice Kim, 6910 Potrero Ave

The public comment period was closed.

The Commission discussed the project and gave comments to staff and the applicant.

4. Staff Communications
   Staff updated the Commission regarding the City’s Loving Day celebration, the El Dorado Townhomes project, upcoming agenda items, the upcoming Boards and Commissions Appreciation Dinner, and the 1715 Elm Street project.

5. Adjournment
   9:58 p.m.
I. SUBJECT

Application:  PL16-0031
Applicant:  Jim Christensen
Location:  208 Ashbury Avenue
Zoning:  RS-5 (Single Family Residential)
General Plan:  Low Density Residential
Request:  Planning Commission consideration of a Conditional Use Permit to allow for a fourth bedroom and over 2,000 square feet home with a one-car garage (El Cerrito Municipal Code Section 19.27.050).

CEQA:  This project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines, Class 1: Existing Facilities.

II. BACKGROUND

The property is located in the southern quadrant of the city, approximately two blocks from the Albany border. It is surrounded by other single family dwellings. The lot is oriented west to east, is 4,280 square feet in size and is fairly flat. Records show that the original house, 1,320 square feet in size, and detached one-car garage was built in 1925. In 1946, the City issued a permit for an addition to the existing one-car garage. A modest bungalow, the existing house has a living room, kitchen, family room, one full bath, one half bath and three bedrooms.

III. DISCUSSION

The project consists of a minor ground floor expansion, a significant second floor expansion and a re-installation of a one stall garage. (The original garage was converted into a workshop without the benefit of a permit.) It also includes a significant reconfiguration of the existing floor plan, moving the bedrooms upstairs and expanding the living room, dining room and adding a laundry area. The minor ground floor extension consists of 60 square feet for an entry porch, creating a total 1,358 sq. ft. on the ground floor. The second story addition would add approximately 1,000 square feet and would include four bedrooms, two full baths, and a balcony. Upon completion, the house will be 2,358 square feet of floor area. As noted in the plan set, the addition is architecturally compatible with the original single family dwelling. The original house style is a craftsman style bungalow. The addition takes on the same characteristics with a gabled roof and double hung windows.
Analysis

Pursuant to Section 19.27.050.C.2.a.1 of the El Cerrito Municipal Code (ECMC), a single-family dwelling is legally nonconforming if it contains one covered parking space prior to two covered parking spaces being required. The residence on the property may be altered or expanded without increasing the number of covered parking spaces, subject to all of the following limitations:

A. After alteration or expansion, the residence may not contain more than three bedrooms or more than 2,000 square feet of habitable floor area.

B. The alteration or expansion must comply with all other applicable requirements of this Code.

With the reconstruction of the single stall garage, this property is considered a legally non-conforming structure in terms of number of parking spaces. However, to allow the expansion of the property beyond the limitations listed above requires a conditional use permit pursuant to 19.27.050 of the ECMC.

In order to approve a conditional use permit, the Planning Commission is required to make three findings. Generally, these findings require that the proposal’s location, size and design be harmonious and compatible with abutting properties and the surrounding neighborhood; that it creates a convenient living environment and that it is consistent with the purposes of its zoning district and conforms in all significant respects with the General Plan. In this application, staff has identified the deficient parking to be the primary issue for analysis.

Parking
While the property does not meet the minimum parking requirement of two covered on-site parking spaces for houses in the single family residential (RS-5) zoning district, staff believes that there are sufficient on-street parking spaces in the neighborhood to accommodate additional cars. For each lot frontage, there are approximately two undesignated on-street parking spaces. Upon inspection (June 9, 2016, 7:50 a.m.) staff noted that there were four on-street parking spaces within 100 ft. of the subject property.
Residential Architectural Design
El Cerrito uses a two level approach to reviewing the construction of single family dwellings of more than one story, including additions to single family dwellings which would add an additional story, or expand any story in excess of a main story. Applicants must submit preliminary plans prior to building permit submittal that illustrate that their project is compliant with zoning district standards such as height and daylight plane, side, front and rear setbacks, and in the case of additions, general architectural compatibility. The plans are also checked to make sure the use of the project and the number of parking spaces are acceptable. If the project meets these development standards, it is approved ministerially (by-right) after a 14 day waiting period. During the 14 day period, neighbors within 300 feet are informed that the project is pending and that the plans are available for inspection in case they wish to contact the applicant directly with concerns. This process is found in the Residential Architectural Design (RAD) discussion located in Section 19.06.040.A. and 19.32.050.F.

If a project cannot meet the development standards, applicants must apply for a discretionary permit, such as a use permit or variance. Therefore, it is generally considered that a residential project that meets the development standards set out in the zoning designation is considered compatible and harmonious in terms of size and design, unless it exceeds a particular parameter to the point of requiring a discretionary action. In this case, the only standard that this project did not meet is the number of parking spaces.

Staff believes that the Planning Commission can make the necessary findings to approve the Conditional Use Permit and offers the proposed findings below.

Consistency with the Zoning District:
Two sections of the zoning code relate to the discussion of the design of the project:

Section 19.06.030 of the ECMC prescribes the development regulations for residential districts, including lot dimensions, building form and location, pedestrian orientation, vehicle accommodation and other standards. As noted above, the proposed addition is in compliance with the development standards except for the requirement of a two car garage.

In addition, Section 19.06.030 K. of the ECMC notes the design parameters of building additions within the residential zoning districts. Design elements used in additions to existing buildings, including but not limited to exterior materials, colors, windows, railings, porches, and decorative elements, shall be designed in a manner which is substantially and compatible with the design elements of the existing building.

The design of the second floor addition is in keeping with the design character of the original home in terms of materials used, color and architectural style.

Consistency with the General Plan
The proposed project is generally consistent with the El Cerrito General Plan and will implement the following General Plan Policies:

LU1.5- Suitable Housing. Promote suitably located housing and services for all age groups within the city. Within the San Pablo Avenue Specific Plan area, allow ground floor residential
development and increased land use intensity close to existing transit infrastructure to promote residential infill development and catalyze mode shift.

As designed, this addition will add a bedroom and additional living space to an existing single family dwelling, providing suitable housing for larger households.

CD1.1-Neighborhood Character. Preserve and enhance the character of existing residential neighborhoods by limiting encroachment of new buildings and activities that are out of scale and character with the surrounding uses.

As designed, this addition will be constructed within the parameters of the RS-5 zone and will complement the design elements of the existing main building. Therefore the project is found to be in scale and compatible with the character with surrounding uses.

Environmental Review
The project is Categorically Exempt under the Section 15301 – Class 1, Existing Facilities, of the California Environmental Quality Act.

IV. FINDINGS
In order to approve the project, the Planning Commission must make the following findings, as outlined 19.34.040 of the El Cerrito Zoning Ordinance:

1. The location, size, design, and operating characteristics of the proposed development will be harmonious and compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

The project consists of an expansion of a single family dwelling which is consistent with the residential nature of the surrounding neighborhood. It is not expected to negatively affect surrounding neighborhood as there is a sufficient amount of on-street parking available for an additional vehicle and the project is consistent with development standards established for the single family residential zoning district (RS-5).

2. The location and design of the proposal will provide a convenient and functional living, working, shopping, or civic environment that will be an attractive amenity for the City.

The project will create an additional habitable and a functional living environment that compiles with all zoning standards, including architectural compatibility with the existing single family dwelling.

3. The proposal is consistent with the purpose of the district where it is located and conforms in all significant respects with the El Cerrito General Plan and with any other applicable plan adopted by the City Council.

The project complies with all development requirements of the RS-5 single family zoning district including height, setbacks from property line, and architectural compatibility. The project is also consistent with the following policies of the El Cerrito General plan: LU1.5: Suitable Housing; and CD1.1: Neighborhood Character.
V. RECOMMENDATION

Staff recommends approval of Planning Application No. PL16-0031, as conditioned by the draft resolution in Attachment 1, approving a Conditional Use Permit to allow for the addition of a fourth bedroom and over 2,000 square feet with a one-car garage (Section 19.27.050 ECMC).

Proposed Motion: Move adoption of Planning Commission Resolution PC16-06 approving a Conditional Use Permit to allow for a fourth bedroom and over 2,000 square feet to a dwelling with a one-car garage (Section 19.27.050).

Appeal Period: Within ten (10) working days after the date of the decision, the Planning Commission action may be appealed to the City Council.

Attachments:

1) Draft Resolution
2) Plans dated May 2, 2016
Planning Commission Resolution PC16-06

APPLICATION NO. PL16-0031

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR A FOURTH BEDROOM AND OVER 2,000 SQUARE FEET HOME WITH A ONE-CAR GARAGE (SECTION 19.27.050 ECMC) LOCATED AT 208 ASHBURY AVENUE

WHEREAS, on February 29, 2016, the applicant submitted an application requesting a Conditional Use Permit to allow for a fourth bedroom and over 2,000 square feet home with a one-car garage (El Cerrito Municipal Code Section 19.27.050);

WHEREAS, records show that the original house, 1,320 square feet in size, and detached one-car garage was built in 1925;

WHEREAS, upon completion, the total square footage of the house will be 2,358 square feet of floor area;

WHEREAS, the subject property is located at 208 Ashbury Avenue;

WHEREAS, the zoning district of the site is RS-5 (Single Family Residential);

WHEREAS, the general plan land use designation of the site is Low Density Residential;

WHEREAS, this project is Categorically Exempt from the provisions of CEQA – Section 15301 Additions to Existing Facilities; and

WHEREAS, on June 15, 2016, the Planning Commission of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. The project consists of an expansion of a single family dwelling which is consistent with the residential nature of the surrounding neighborhood. It is not expected to negatively affect surrounding neighborhood as there is a sufficient amount of on-street parking available for an additional vehicle and the project is consistent with development standards established for the single family residential zoning district (RS-5).

2. The project will create an additional habitable and a functional living environment that compiles with all zoning standards, including architectural compatibility with the existing single family dwelling.

3. The project complies with all development requirements of the RS-5 single family zoning district including height, setbacks from property line, and architectural compatibility. The project is also consistent with the following policies of the El Cerrito General plan: LU1.5: Suitable Housing; and CD1.1: Neighborhood Character.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby approves Application No. PL16-0031,
subject to the following conditions:

Conditions of Approval:

1. The project will be constructed substantially in conformance with the plans dated May 2, 2016. Minor changes may be approved by the Zoning Administrator. All improvements shall be installed in accordance with these approvals. Once constructed or installed, all improvements shall be maintained as approved.

2. If Applicant constructs buildings or makes improvements in accordance with these approvals, but fails to comply with any of the Conditions of Approval or limitations set forth in these Conditions of Approval and does not cure any such failure within a reasonable time after notice from the City of El Cerrito, then such failure shall be cause for nonissuance of a certificate of occupancy, revocation or modification of these approvals or any other remedies available to the City.

3. These Conditions of Approval shall apply to any successor in interest in the property and Applicant shall be responsible for assuring that the successor in interest is informed of the terms and conditions of this approval.

4. If not used, this Conditional Use Permit shall expire two years from the date of this action.

CERTIFICATION

I CERTIFY that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on June 15, 2016 upon motion of Commissioner ___, second by Commissioner ___:

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________
Margaret Kavanaugh-Lynch
Development Services Manager
PROPOSED NORTH ELEVATION

PROPOSED EAST ELEVATION

PROPOSED SOUTH ELEVATION

PROPOSED WEST ENTRY ELEVATION
I. SUBJECT

Application: PL15-0006
Applicant: Educations Matters, a nonprofit corp.
Location: 1800 Elm Street
APN: 502-122-041
Zoning: PS (Public/Semi-Public)
General Plan: Institutional & Utility
Request: Planning Commission consideration of a Subsequent Environmental Impact Report and the following amendments to the conditional use permit for a school:
  - Increase maximum enrollment to 630 (from 347) during the school year and 315 (from 175) during the summer session.
  - Change the grade levels permitted at the site to 7-12 (from K-8).
  - Change primary hours of operation to 8:00 a.m. to 3:30 p.m. (from 8:00 a.m. to 3:00 p.m.)
CEQA: Subsequent Environmental Impact Report

II. BACKGROUND

The site at 1800 Elm Street has been operated as various institutional uses since 1935. Please see Attachment 3 for the complete land use history of the site. Summit K2 Charter School began operation at the site in 2014 under the use permit that was adopted for Windrush School.

III. DISCUSSION

Project
In January 2015, the applicant submitted an application requesting the following modifications to the existing use permit:
### Existing, Approved Use Permit vs. Proposed Modifications

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<tr>
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<th>Existing, Approved Use Permit</th>
<th>Proposed Modifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary hours of operation (school hours)</td>
<td>8:00 AM to 3:00 PM</td>
<td>8:00 AM to 3:30 PM</td>
</tr>
<tr>
<td>Maximum enrollment permitted during regular school year</td>
<td>347 students</td>
<td>630 students</td>
</tr>
<tr>
<td>Maximum enrollment permitted during summer session</td>
<td>175 students</td>
<td>315 students</td>
</tr>
<tr>
<td>Grade levels permitted</td>
<td>K-8</td>
<td>7-12</td>
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The proposed project does not include construction of any new facilities or any physical modifications to the existing campus. The master plan for the site which was adopted in 2007, allows for the construction of certain facilities on the site, however, no new facilities are proposed at this time.

**California Environmental Quality Act Review**

Upon review of the submitted application, staff determined that the proposed project is subject to review under the California Environmental Quality Act (CEQA). On, September 15, 2015, the City Council authorized staff to enter into a contract with Lamphier-Gregory for the preparation of the required environmental review documents. Pursuant to CEQA, an Initial Study (IS) was prepared for the project. The IS relied on the analysis completed as part of the Mitigated Negative Declaration (MND) that was adopted for the Windrush School Master Plan in May 2007. Subsequent CEQA documents may rely on the analysis from previously adopted CEQA documents when the conditions have not changed and the analysis remains valid. In the case of this project, since no new construction is proposed, much of the baseline analysis in the prior MND remains valid. For each required topic area included in the IS, a determination was made whether the proposed project was consistent with the analysis in the prior MND remains valid. For each required topic area included in the IS, a determination was made whether the proposed project was consistent with the analysis in the MND or whether additional study was required. The IS concluded that the project was consistent with the prior MND in all topic areas with the exception of Noise, and Transportation and Circulation. The IS concluded that pursuant to Section 15162 of the CEQA Guidelines, a Subsequent Environmental Impact Report (SEIR) would be prepared to further study these topic areas.

A Notice of Preparation (NOP) of a SEIR was issued on November 23, 2015. The NOP initiated the required 30-day comment period for the scope of the SEIR. A meeting was held on December 2, 2015 at City Hall to receive comments regarding the scope of the SEIR. The meeting was attended by approximately five members of the public. Comments received at the meeting were generally concerns regarding traffic that might be generated by the project as well as existing traffic concerns. One comment letter was received pursuant to the comment period in the NOP. This letter is included in Attachment A to the Draft SEIR.

The Draft Subsequent Environmental Impact Report (DSEIR) was released on March 16, 2016. A Notice of Availability of the DSEIR was posted at the Contra Costa County Clerk's office as required by the CEQA Guidelines and the notice was mailed to all property owners within 300 feet of the project site, exceeding the noticing requirement in the CEQA Guidelines which require either, publication of a notice in a local newspaper, posting a notice on the site and in the area around the site, or mailing a notice to the owners of contiguous properties. The SEIR was also sent to the State Clearinghouse for routing to State agencies. The 45-day comment period ended on
April 29th. During the comment period on April 20, 2016, the Planning Commission held a public meeting and received public comment on the project and the DSEIR.

To facilitate discussion, staff has outlined the topics below that were identified in the Initial Study and Draft SEIR as potential impacts.

**Noise**

The El Cerrito General Plan establishes noise and land use compatibility standards for various land uses. Residential uses are considered “normally acceptable” (i.e. allowed without a Conditional Use Permit) when exterior noise levels are 60dBA Ldn or less. The El Cerrito Zoning Ordinance also implements the noise-related noise standards through Section 19.21.050.

As part of the SEIR analysis, noise monitoring was conducted at the school site between September 30 and October 2, 2015 while school was in session. Noise measurements were taken at key property lines and throughout the site. Due to proximity to the site’s outdoor playfield, the homes on Manor Circle adjacent to the site have the greatest potential to experience noise impacts. The noise analysis concluded that existing noise levels as well as noise levels expected if the project is implemented would be within the standards established in the General Plan in the rear yards of adjacent homes and therefore the project’s noise impact would be less-than-significant and no mitigation is required by the project.

**Transportation and Circulation**

As part of the SEIR process, the applicant submitted a traffic study and several addenda that the applicant commissioned. The City’s consultant peer reviewed the traffic study and issued a review memorandum. The traffic study, addenda, and review memo are included as Attachment B to the DSEIR. El Cerrito Public Work’s staff worked with the applicant to include bicycle and pedestrian improvements along Hill Street and at the Hill Street/Elm Street/Key Boulevard intersection the staff felt should be included in the project to address the increased number of pedestrians and bicyclists that would access the site with the increased student population proposed by the project. These improvements are shown in Figure 3.3 in Chapter 3 of the DSEIR. The improvements include a bike lane on Hill Street, and a dedicated left turn lane for bicyclists from northbound Elm Street onto northbound Key Boulevard. The improvements would also include a new crosswalk across Elm Street at the northern side of Key Boulevard and a dedicated pedestrian signal phase when this crossing is activated. The improvements would require removal of approximately 4 spaces of on-street parking on the west side of Elm Street, south of Hill Street. No homes face Elm Street in this location. The intersection improvements also include improvements to signal timing and phasing. Many of these improvements are envisioned in the City’s Active Transportation Plan, which was adopted by the City Council earlier this year.

The traffic data collection was conducted during AM and PM peak hours when school was in session. The traffic analysis studied five intersections in the proximity of the project and documented the existing traffic conditions at these intersections. The analysis then modeled two scenarios which account for the traffic projected as part of the project. Traffic was analyzed using accepted traffic modeling methods. The first scenario includes existing traffic plus traffic projected for the project. The second scenario includes existing traffic, traffic projected for the project, and the cumulative traffic projected for other future development. Pursuant to CEQA, the SEIR must take into account the cumulative impact of reasonably foreseeable future projects (e.g. pending...
development applications, approved projects, adopted plans, etc.) The traffic analysis identified three potentially significant traffic impacts of the project.

The traffic analysis found that with the exception of one intersection, the project would not degrade intersection operation at the study intersections under the ‘existing+project’ scenario. The one exception is at Key Boulevard and Cutting Boulevard where the study found that the intersection would degrade from Level of Service (LOS) C to LOS E. Therefore, the SEIR identified measures that would mitigate this impact. In short, the required mitigation involves adding a left turn lane from northbound Key onto westbound Cutting. The intersection improvements are included as Mitigation Measure Traffic-2.

The study also found that under the ‘existing+project+cumulative’ scenario, all study intersections would remain at an acceptable LOS with the exception of San Pablo Avenue/Hill Street/Eastshore Boulevard. At this intersection, the analysis determined that the project would contribute an additional 8 seconds of delay, creating a significant traffic impact at this intersection. As a mitigation of this impact, the SEIR requires that the applicant contribute a fair-share percentage of funds toward the intersection improvements identified in the San Pablo Avenue Specific Plan (Mitigation Measure Traffic-4). The intersection related improvements are included in the portion of the San Pablo Avenue Capital Improvement Program included as Attachment 11.

The traffic analysis also identified one additional significant impact. The analysis found that vehicle queuing could exceed available capacity after school during the PM peak period. As a mitigation of this impact, the SEIR requires the school operator to monitor vehicle queues and implement measures to abate vehicle queues which interfere with roadway traffic (Mitigation Measure Traffic-5). Abatement measures could include encouraging students to utilize transportation other than automobiles or offering after-school activities which distribute the times that students leave campus. The consideration of the Final SEIR will also include consideration of a Mitigation Monitoring and Reporting Program (MMRP) which will contain more information about how this mitigation measure will be implemented as well as the parties responsible for implementing and monitoring its success.

Alternatives

As required by CEQA, the SEIR also evaluated alternatives to the proposed project which could lessen any environmental impact. The SEIR evaluated two alternatives. The first alternative is 'no project' (the status quo without the proposed project). This alternative is required in all EIRs. The second alternative assumed a maximum enrollment of 85% of that proposed. This alternative would eliminate impacts to the intersection of Key Boulevard and Cutting Boulevard. In both instances, it was determined that the alternatives satisfied the objectives of the project to a lesser degree than the proposed project (see Chapter 6 of the DSEIR and the ‘Planning Commission Comments’ section of this report for additional discussion).

Public Comments on Draft SEIR

As stated, the Draft SEIR was released on March 16, 2016 and pursuant to CEQA, the 45-day public comment period ended on April 29, 2016. During the comment period, 11 written comments were received. In addition to these written comments, many oral comments were received at the April 20, 2016 Planning Commission meeting. All written comments that were received were included in the Final SEIR. The Final SEIR is available on the City’s website at http://www.elcerrito.org/index.aspx?nid=833. Some written comments were related to aspects of the project that
are not environmental concerns pursuant to CEQA. However, these comments have been included for the Planning Commission’s consideration as part of review of the project. The oral comments received at the April 20, 2016 meeting have been summarized and all oral comments that related directly to the environmental analysis in the EIR have been transcribed.

As required by CEQA, all public comments have been responded to in the Final SEIR. As stated, some comments relate to aspects of the project that are not part of the required environmental analysis pursuant to CEQA. The responses to these comments note that comments are outside the scope of CEQA, but that the comments are being forwarded to the Planning Commission for consideration. The comments and responses can be found in Chapter 10 of the Final SEIR. It is worth noting that parking was a common topic among the comments received. Parking is not considered an environmental impact that is subject to review under CEQA. Therefore, the responses in the Final EIR do not respond directly to parking concerns. However, staff has provided a response to concerns regarding parking in the responses to the Planning Commission’s comments found below in this report.

Final SEIR Modifications

In response to comments received on the Draft SEIR, Mitigation Measure Traffic-5 has been revised. The purpose of the revision is to formalize the monitoring of queueing on the site to clearly identify operational changes that can be implemented to mitigate documented interference with travel lanes on adjacent streets, and to clearly include Manor Circle as an area that will receive ongoing monitoring. The revised mitigation language can be found in Chapter 9 of the Final SEIR.

Planning Commission Comments

At the April 20, 2016 meeting, the Planning Commission received public comment on the Draft SEIR and gave comments to staff and the applicant regarding the SEIR and the project. Those comments and staff’s responses to them are contained below.

Comment: What are the current parking restrictions on Manor Circle? Should changes be made to these restrictions as part of the project?

Response: El Cerrito has two residential parking permit zones surrounding the City’s two BART stations. Manor Circle is a loop with one point of vehicular access from Elm Street. As with most other streets in the parking permit zones, Manor Circle has unrestricted parking on one side (the inside of the loop) and a 4-hour parking restriction between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday on the other side (the outside of the loop). Vehicles with residential parking permits are exempt from the parking restrictions.

In response to the Planning Commission’s comment, staff requested that the applicant survey existing parking utilization on Manor Circle. The applicant surveyed parking in the morning and afternoon during a one week period. Parking was surveyed at 7:30 a.m. and 9:00 a.m. for a 5-day period and at 3:30 p.m. for a 3-day period. This parking survey is included as Attachment 5. Due to the location of curb-cuts, 31 parking spaces were identified on the unrestricted (inner) side of Manor Circle, while 27 parking spaces were identified on the restricted (outer) side. In general, parking utilization on the unrestricted side of Manor Circle was under 50% at most morning survey times, with slightly higher utilization at 9:00 a.m. Although the sample size for the afternoon survey was much smaller, the study found a maximum parking utilization of 65% on the unrestricted side and an average utilization of 58%. On the restricted (inner) side of the street, the
study found an average morning parking utilization of approximately 20%, with slightly higher utilization at 9:00 a.m. Average parking utilization at 3:30 p.m. on the restricted side of the street was approximately 15%.

In 2001, the City Council adopted a petition process through which residents can have parking restrictions implemented on streets near the BART stations where restrictions do not currently exist. The City has standard forms for the petition process and if 60% of the households on a block support additional restrictions, the Public Works Department will implement new restrictions without further City Council approval needed.

In response to concerns from Manor Circle residents, staff is proposing a Condition of Approval that will require the applicant to initiate the petition process for parking restrictions on the outer side of Manor Circle. The process will still require 60% approval of households on Manor Circle and will not create a special process or grant any special privileges to residents on Manor Circle. The condition would require that the applicant contact households on the street. Residents would still be free to express support or opposition for the petition and restrictions would only be implemented with 60% support.

Summit K2 will be a closed campus and students will not be allowed to leave the campus without permission during the normal school day. Therefore, students and staff parking in restricted 4-hour areas on public streets would be subject to citation.

Additionally, the applicant claims that due to the lower number of staff for Summit K2 (as compared to the previous school operator, Windrush), that parking for all students who drive to the campus can be accommodated on the site. City staff is proposing a Condition of Approval that requires the applicant to implement parking stickers for staff and students. This would allow vehicles that were parked off-site to be easily identified.

Comment: Commission would like information regarding the existing vehicle queues on Elm Street at the intersection of Hill Street/Key Blvd and whether the existing queues extend past the entrance to Manor Circle.

Response: The applicant’s transportation consultant has provided additional information regarding queuing at the Elm Street intersection. The consultant stated in an email to staff, “The Project would modify the traffic signal timing at the Elm/Key/Hill intersection, and the northbound Elm Street approach would receive more green time per signal cycle during peak hours than it receives today. More green time for northbound drivers would result in shorter northbound vehicle queues as compared to queuing with the current signal timing because more people would be able to drive through this intersection during one signal cycle than are able with the current timing.”

Although the City cannot require the proposed project to mitigate existing conditions under CEQA, the project would improve queueing conditions on Elm Street, consistent with CEQA.

Comment: The Commission requested more information on the approved Master Plan for the site and whether additional public review was required for improvements made under the existing Master Plan.

Response: Additional information regarding the Master Plan is contained in this staff report.
Comment: The Commission would like the requirements and conditions of approval of the existing use permit.

Response: The existing conditions of approval are contained in this report and in the draft conditions of approval contained in Attachment 1. Staff’s intention is to draft a resolution which will replace past approvals and contain all active conditions of approval in one document.

Comment: The figure in the DSEIR that shows the improvements at Elm St/Hills St/Key Blvd contains a matchline. Please show the figure for the other side of the matchline.

Response: This figure has been added to the SEIR.

Comment: Include discussion of an alternative with a lower maximum student population.

Response: CEQA requires that alternatives to the project be evaluated in addition to the proposed project. In evaluating alternatives, staff first evaluated at the ‘no project’ alternative as required by CEQA. For this project, the ‘no project’ alternative involves the operation of a school up to the enrollment permitted under the existing Use Permit approval (347 students). Under this alternative, queueing impacts are avoided, but traffic impacts to San Pablo/Hill/Eastshore would still exist. The project would also contribute to the cumulative impact at Key/Cutting under Alternative A. Because this alternative would not require any additional approval from the City, there would be no mechanism to require mitigation toward these impacts and the impacts would remain unmitigated.

It was determined that an enrollment scenario that avoided all traffic impacts would be a lower enrollment than what is allowed under the existing use permit. Since the school currently has the right to operate at a maximum of 347 students under the approved use permit, this alternative was not considered for further analysis. Secondly, staff evaluated an alternative that would avoid impacts to the intersection of Key and Cutting. It was determined that a reduced enrollment would eliminate these traffic impacts. Alternative B in the SEIR evaluates a scenario with 85% of the enrollment of the proposed project. At 85% of the proposed enrollment, the project would avoid impacts to the Key/Cutting intersection under the ‘existing+project’ scenario. However, the intersection would still experience impacts under the ‘existing+project+cumulative’ scenario. Therefore, under Alternative B, pursuant to CEQA, the City could require that the project make a fair share contribution toward these improvements, but could not require that the project fund all improvements at the intersection. In addition, under Alternative B, an impact would still exist at the San Pablo/Hill/Eastshore intersection under the ‘cumulative+project’ scenario, but reduced trips from Alternative B would reduce the fair-share contribution required toward improvements at this intersection. Additionally, Alternative B would eliminate potential queueing impacts and therefore eliminate the need for Mitigation Measure Traffic-5. Due to the decreased enrollment, Alternative B would satisfy each of the identified project objectives to a lesser degree than the proposed project.

Comment: What is the mode split for students and staff arriving and leaving the site?

Response: The applicant provided survey data of mode split for the Summit K2 campus as well as other Bay Area Summit campuses in an email to staff on June 1, 2016. This email is included as Attachment 6.

In addition, at the June 8 study session on the project, the Planning Commission had the following comments:
Comment: Modify the conditions of approval so that community use of classrooms is also permitted by the use permit after school hours.

Response: This modification has been made in the draft resolution.

Comment: Add a condition of approval that requires the school to maintain landscaping.

Response: This condition has been added to the draft resolution.

Comment: Add a condition of approval that allows the applicant to extend the sound wall and plant additional trees to address neighbor concerns.

Response: This condition has been added to the draft resolution.

Campus Security and Policing Needs

Planning staff worked extensively with the Police Department throughout the processing of this Use Permit application. In response to site security needs, the Police Department requested that the school’s site specific security plan be reviewed by the Police Department on an annual basis, and that the school administration meet with the Police Department on a quarterly basis to review the security and policing needs of the school. These requirements are included in the Conditions of Approval the draft resolution.

Existing Campus - Master Plan

The Windrush School Master Plan was approved in 2007 along with adoption of an Initial Study/Mitigated Negative Declaration (IS/MND) for the project. The Master Plan included the construction of an additional 23,000 square feet of building space in four phases. Phase 1 included the construction of a new class room addition adjacent to the existing gymnasium. Phase 2 included the addition of a library and performing arts center adjacent to Phase 1 and the gymnasium. Phase 3 involved interior renovations to the existing Chung Mei building, and Phase 4 involved the construction of a replacement classroom building near the northern property line. Figure 4 from the 2007 IS/MND which shows the phases of the approved Master Plan is included as Attachment 4.

Phase 1 of the Master Plan was completed in 2010. After Windrush School ceased operation, and the current owner purchased the site, the current property owner, Education Matters, completed interior renovations of the Chung Mei building in 2015, consistent with the approved Master Plan.

At the present time, Phases 2 and 4 of the approved Master Plan have not been constructed. Condition #3 of Resolution PC07-08 establishes a 20-year timeline for the Master Plan. If building permit plans for construction of all facilities have not been submitted within 20 years of the approval of the Master Plan (2027), the Planning Commission may review and re-evaluate the Master Plan.

Construction of additional facilities permitted under the Master Plan would not require additional review by the Planning Commission. However, the proposed architectural designs of the facilities and any site-specific landscape plans would require approval of the Design Review Board. In addition, the State Historic Preservation Officer (SHPO) has recognized the campus as a State Historic Landmark. For the sake of this discussion, this means that the campus is considered a historical resource under CEQA and any exterior changes to the campus or its historic buildings
would need to be considered through this criterion. Interior changes to buildings would not impacted by this status.

**Active Existing Conditions of Approval**
The following is a list of conditions of approval from past entitlements for the site that are currently active. This list does not include conditions of approval which have been fulfilled and do not require ongoing monitoring. This list is incorporated into the conditions of approval in the draft resolution. The figure below illustrates the various areas of the campus that are referenced in the conditions.

**Resolution CC89-28:**

13. All school-related activities in Area A, B and C, except for work parties, and as limited by other conditions of this approval, shall begin no earlier than 9:30 A.M. and end no later than 4:30 P.M., Monday through Friday, and shall be supervised by adults at all times.

16. In Area B, a maximum of 2 hours and 30 minutes of scheduled, active, nondirected play shall be permitted each day, prior to 4:30 P.M., Monday through Friday.
16. In Areas A and C, a maximum of 2 hours and 30 minutes of scheduled, active, nondirected play shall be permitted each day, prior to 3:30 P.M., Monday through Friday.

9. Work parties in Areas A, B and C on weekends shall not exceed twelve (12) days per year shall not commence before 8:30 A.M., and shall generally be limited to daylight hours. Children shall be supervised in interior areas.

25. It shall be the responsibility of the primary user to maintain nighttime lighting of Area A during all hours of darkness.

26. In Areas A, B and C, on weekends throughout the regular school year, there shall be no more than three (3) special, outdoor activities, such as fairs, of no more than one day in duration. No less than 30 days prior to any such event, residents adjoining the site shall be so notified by the primary user.

21. Areas D, E, & N shall be used for general directed or nondirected play, with no limitation on the play structures permitted, beginning no earlier than 8:00 A.M. and ending no later than 6:00 P.M.

Resolution CC89-28 as amended by Resolution PC98-16:

5. All school-related activities in Areas B and C, and as limited by other conditions of this approval, shall begin no earlier than 8:30 A.M. and end no later than 4:30 P.M. in area B and no later than 5:30 in Area C, Monday through Friday, and shall be supervised by adults at all times. Use of Area B may continue to 4:45 to allow for cleanup and exiting the area.

18. All Inter- or intramural competition or community use shall occur between the hours of 8:30 A.M. and 9:00 P.M., and be confined to the interior of the gymnasium building, with the exception of reasonable pedestrian traffic, related to the activities, quietly going to and between buildings and parking areas.

17. Area C may be used for organized sports practice by the school for no more than one hour per day between 3:30 P.M. and 5:30 P.M., Monday through Friday.

Resolution PC98-16:

17. (Mitigation Measure T-2) Prior to removal of the existing inner parking lot, the Applicant shall file with the Planning Division a plan for management of overflow parking for all events where attendance would exceed the combined capacity of planned on-site parking 57 to 60 spaces) and the Elm Street frontage abutting school property (approximately 10 spaces). Such plan shall demonstrate how the school will use shuttle services, remote parking such as the street perimeter of the BART station, valet parking, or other techniques to avoid overflow on to neighborhood residential streets. School shall notify the Planning Division at least 2 weeks in advance of such events.

Method of implementation and compliance schedule: The City Planner shall be responsible for reviewing the submitted plan and determining its compliance with the condition of the use permit. Approval of the overflow parking plan shall be required before the City Planner will approve the project for grading and other permits required for removal of the existing parking lot. The permittee shall be responsible for notifying the Planning Division in
advance of events which are subject to the overflow plan. The City Planner shall be responsible for requiring compliance, and for receiving any reports of violations of the relevant use permit conditions.

Enforcement: Compliance with the requirement to submit the plan will be monitored through the plan review process and approvals will be withheld if necessary. On-going compliance with the approved plan will be determined through review of the permittee's performance in events covered by the plan. Failure to notify the Planning Division in advance of events involving parking overflow may be grounds for review and possible revocation of the use permit.

Resolution PC07-08:

Planning Division:
4. Prior to the submittal of building permits, the applicant shall obtain Design Review Board approval for each phase of the project.

Planning Commission:
1. Enrollment during the regular school year shall not exceed 347 students with combined enrollment between elementary and middle school programs.

2. Enrollment during the summer session shall be limited to no more than 175 students total, and summer operation shall conform to all of the conditions for the regular school year, except enrollment.

3. Construction of a maximum of 23,000 square feet of additional floor space is authorized for purposes including classrooms, library, performance space and offices. If, within 20 years of the date of this resolution, plans for such construction have not been filed for building permit approval, the use permit shall be subject to review and re-evaluation by the Planning Commission.

4. At the time of the final submittal of plans for the Master Plan update, including driveways, parking area, and landscaped areas, the applicant shall submit a plan for the entire site which shows compliance for handicap accessibility from all points of arrival to the existing and proposed buildings. Accessibility is required to be available without driving from one parking lot entrance to another by the end of phase four.

5. A total of 61 parking spaces shall be provided on the entire campus to accommodate staff members and the school’s other parking needs.

6. No element of new construction shall exceed the height limitations of 30 feet plus 5 as set forth in the El Cerrito Municipal Code. The massing of additions or new buildings will be designed in relation to the height and scale of adjacent buildings.

7. The applicant shall evaluate the second-story additions of all phases of the project to determine how privacy on the neighboring homes would be impacted and utilize privacy glass or other materials that preserve neighbors’ privacy but also preserve interior light in the design as often as possible.

10. If three formal complaints from three separate parties are submitted to the school over a
120-day period in regard to noise impacts, a new noise evaluation shall be conducted and new mitigation measures shall be investigated.

Resolution PC15-04:

2. The use of this site, subject to these conditions, shall be throughout the year, which shall be divided into a regular school year, generally mid-August through June, and a summer session, generally from June to mid-August.

3. No middle school class shall start earlier than 8:00 a.m. All middle school classes may begin at the same time.

4. If the City of El Cerrito Community Development Department receives three verified complaints in a year that vehicles associated with the campus located at 1800 Elm Street are dropping-off persons along Hill Street or Elm Street during morning peak traffic hours (7:15-8:15am), staff will review the complaints with the administration and address the violations by making appropriate changes such as designated parking areas to stop the behavior.

2007 IS/MND:
The following text is from the project description in the 2007 IS/MND. Staff considers these items integral to the 2007 Master Plan for the site and as the basis for the analysis in the IS/MND. These items are formalized in the conditions of approval in the draft resolution.

Employment would increase from 33 full-time and 17 part-time employees to 38 full-time and 17 part-time employees (an increase from 41 FTE employees to 49 FTE employees).

After implementation of the Master Plan, bicycle parking would be increased from 11 spaces to 19 spaces.

In addition, Windrush School occasionally holds evening or weekend events. These events occur several times a year.

General Plan Consistency

The proposed project is consistent with the following policies of the El Cerrito General Plan:

LU4.1 Mixture of Uses. Encourage a mix of uses that promotes such community values as convenience, economic vitality, fiscal stability, public safety, a healthy environment, and a pleasant quality of life.

The project will continue a school use near to residential areas, the El Cerrito del Norte BART station and commercial areas along San Pablo Avenue. The school provides an additional educational facility in El Cerrito that will convenient for the El Cerrito community. The school’s location, in close proximity to a major transit hub, increases its convenience. By providing an additional educational opportunity and making the facility available for community uses, the school will contribute to a positive quality of life in El Cerrito.

LU4.4 Amenities. Ensure that new development provides a high level of amenity for users of the development, and, wherever possible, includes community-serving facilities.
The proposed use permit allows the school to host community uses.

*LU4.6 Crime Prevention. Encourage the use of planning and design features that promote crime prevention to make the city safer and relieve the burden on law enforcement services.*

As a condition of approval of the proposed use permit, the school will be required to submit a site-specific security plan to the Chief of Police each year. The school administrator will also be required to meet quarterly with the Chief of Police or his/her designee.

*LU5.5 Pedestrians, Bicycles, and Access. Ensure that business areas have adequate pedestrian and bicycle facilities and accessibility for persons with disabilities, and that easy connections to transit are available wherever possible.*

The school’s proximity to a major transit hub will provide easy connections for students and staff of the school. The project includes bicycle and pedestrian improvements to adjacent streets.

*LU6.2 Circulation Alternatives. To the extent possible, encourage alternatives to the use of private automobiles. Encourage a full range of transportation options – driving, transit, walking and biking – without allowing any one to preclude the others.*

The project includes bicycle, pedestrian, and automobile improvements to adjacent streets. The improvements will enhance bicycle and pedestrian safety and linkages to the school. The traffic improvements will improve the traffic flow of adjacent streets.

*CD2.4 Multi-Modal Transportation Network. Ensure that streets, paths, and bikeways contribute to the system of a fully connected transportation network to all major destinations in the City. The design of these streets and pathways should encourage pedestrian and bicycle uses by being spatially defined by buildings, trees, lighting, and street furniture. Pedestrian and bicycle pathways and auto routes should be compatible.*

The proposed improvements provide clear and safe pedestrian and bicycle pathways which link the school to other destinations and provide important linkages on the citywide bicycle and pedestrian networks.

*T1.1 Balanced Transportation System. Create and maintain a balanced transportation system with choice of transit, bicycle, pedestrian, and private automobile modes.*

The location of the school and the planned improvements will provide many transportation options for students and staff as part of a balanced transportation network.

*T1.3 Bicycle Circulation. Create a complete, interconnected bicycle circulation system. Provide a bicycle system that serves commuter as well as recreational travel. Improve bicycle routes and access to and between major destinations.*

The project will implement improvements envisioned in the El Cerrito Active Transportation Plan as part of a citywide bicycle network.
**T1.4 Pedestrian Circulation.** Provide a safe, convenient, continuous and interconnected pedestrian circulation system throughout the City. Ensure safe pedestrian access to local schools.

The project will implement pedestrian improvements that will improve pedestrian safety and allow students and staff to safely and conveniently access the school on foot.

**PS3.2 Fair-Share Cost Allocations.** Require future development to pay its fair share of purchasing rights-of-way and of financing needed improvements for existing and future public infrastructure.

As a mitigation to future traffic impacts, the project will be required to make a fair-share contribution toward improvements at the intersection of San Pablo Ave, Eastshore Boulevard, and Hill Street.

**IV. FINDINGS**

Pursuant to Section 19.36.030 of the El Cerrito Municipal Code, the following findings must be made in order to approve the conditional use permit applications:

1. **The location, size, design, and operating characteristics of the proposed development will be harmonious and compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.**

   The project site has been operated as various institutional uses, including—most recently—schools, since 1935. This project location is appropriate for the continuation of a school use. A Subsequent Environmental Impact Report has been prepared for the project and all environmental impacts will be mitigated to a less-than-significant level with inclusion of the identified mitigation measures. These measures are included as conditions of approval for the project. The conditions of approval for the project prohibit student and staff parking and pick-up and drop-off on adjacent streets. The conditions establish compliant procedures and subsequent actions related to parking, noise and general concerns. These procedures will limit impacts to surrounding properties so that the project does not negatively impact their livability.

2. **The location and design of the proposal will provide a convenient and functional living, working, shopping, or civic environment that will be an attractive amenity for the City.**

   The project will provide an additional educational opportunity for the El Cerrito community. The location of the project is in close proximity to a major transit hub. In addition, the project will provide bicycle and pedestrian improvements to adjacent streets, improving the bicycle and pedestrian linkages between the school and the El Cerrito del Norte BART station, enhancing the convenience of the civic environment.

3. **The proposal is consistent with the purposes of the district where it is located and conforms in all significant respects with the El Cerrito General Plan and with any other applicable plan adopted by the City Council.**
The project is consistent with the intent of the PS (Public/Semi-Public) zoning district. The project will implement the following General Plan policies: LU4.1 Mixture of Uses, LU4.4 Amenities, LU4.6 Crime Prevention, LU5.5 Pedestrians, Bicycles, and Access, LU6.2 Circulation Alternatives, CD2.4 Multi-Modal Transportation Network, CD2.4 Multi-Modal Transportation Network, T1.1 Balanced Transportation System, T1.3 Bicycle Circulation, T1.4 Pedestrian Circulation, and PS3.2 Fair-Share Cost Allocations. The project will also implement bicycle and pedestrian improvements identified in the Active Transportation Plan.

In addition, the following findings are found in the CEQA Guidelines and are required for the Planning Commission to Certify the Final EIR:

Prior to approving a project the lead agency shall certify that:

1. **The final EIR has been completed in compliance with CEQA:**

   Pursuant to the CEQA Guidelines a Notice of Preparation of an Subsequent Environmental Impact Report was circulated on November 23, 2015. A scoping meeting was held at City Hall on December 2, 2015. The Draft Subsequent Environmental Impact Report (DSEIR) was circulated on March 16, 2016. The public comment period on the DSEIR ended on April 29, 2016. Pursuant to CEQA, comments received during the comment period have been responded to in the Final SEIR which is now before the Planning Commission for consideration.

   The analysis contained in the SEIR has been had been developed using experts in related fields to professional standards stipulated by the CEQA Guidelines and by prevailing CEQA case law.

2. **The final EIR was presented to the decisionmaking body of the lead agency and that the decisionmaking body reviewed and considered the information contained in the final EIR prior to approving the project; and**

   The Final SEIR was presented to the Planning Commission prior to the June 15, 2016 meeting. The Planning Commission reviewed the Final SEIR and has considered the analysis contained therein.

3. **The final EIR reflects the lead agency's independent judgment and analysis.**

   The Final SEIR has been developed by City of El Cerrito staff and the City’s consultant, using the analysis of experts in related fields. The Final SEIR reflects the expert analysis and has not been influenced by factors outside of the City of El Cerrito’s independent judgment.

V. **RECOMMENDATION**

Staff recommends approval of Planning Applications PL15-0006 as conditioned by the draft resolution in Attachment 1 and 2 adopting a Subsequent Environmental Impact Report and Mitigation Monitoring and Reporting Program, and approving a Conditional Use Permit to allow
operation of a school with grades 7 through 12 for maximum of 630 students during the regular school year and a maximum of 315 students during the summer session.

**Proposed Motions:**

1. Move adoption of Planning Commission Resolution PC16-07:
   a. Certifying a Subsequent Environmental Impact Report, and
   b. Adopting the Mitigation Monitoring and Reporting Program.

And,

2. Move adoption of Planning Commission Resolution PC16-08:
   a. Approving a Conditional Use Permit to allow operation of a school with grades 7 through 12 for maximum of 630 students during the regular school year and a maximum of 315 students during the summer session.

**Appeal Period:** Within ten (10) calendar days after the date of the decision, the Planning Commission action may be appealed to the City Council.

**Attachments:**

1. Draft Resolution PC16-07
2. Draft Resolution PC16-08
3. Mitigation Monitoring and Reporting Program
4. Figure 4 of 2007 IS/MND, showing phasing of Master Plan
6. Email from Doug Giffin, dated June 1, 2016, regarding mode share of Summit K2 students and students at other Summit campuses
7. Information regarding current Conditions of Approval as submitted by the applicant
9. Applicant’s contact list for the site
10. Explanation of intersection improvements at Elm/Key/Hill as submitted by the applicant
11. Excerpt of the San Pablo Avenue Capital Improvement Program, showing planned improvements for San Pablo Ave/Hill St/Eastshore Blvd intersection.
12. Letter from Cindrella and Brebazon Simon
13. Letter from “El Cerrito Neighbors of Summit K2”
14. Land Use History of 1800 Elm Street
Planner Commission Resolution PC16-07

APPLICATION NO. PL15-0006

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION CERTIFYING A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR A CONDITIONAL USE PERMIT TO ALLOW OPERATION OF A SCHOOL WITH GRADES 7 THROUGH 12 FOR A MAXIMUM OF 630 STUDENTS DURING THE REGULAR SCHOOL YEAR AND A MAXIMUM OF 315 STUDENTS DURING THE SUMMER SESSION AT 1800 ELM STREET.

WHEREAS, the subject property is located at 1800 Elm Street;

WHEREAS, the Assessor’s Parcel Number of the subject property is 502-122-041;

WHEREAS, the zoning district of the site is PS (Public/Semi Public);

WHEREAS, the general plan land use designation of the site is Institutional/Utility;

WHEREAS, on January 26, 2015, the applicant submitted an application requesting modifications of the existing conditional use permit;

WHEREAS, on September 15, 2015, the City Council authorized the City Manager to enter into a contract with Lamphier-Gregory for the preparation of the appropriate environmental document;

WHEREAS, on November 23, 2015, the City circulated a Notice of Preparation for a Subsequent Environmental Impact Report pursuant to the CEQA Guidelines;

WHEREAS, on December 2, 2015, a public Scoping Meeting for the Subsequent Environmental Impact Report was held at City Hall;

WHEREAS, the Draft SEIR was circulated on March 16, 2016;

WHEREAS, at their April 20, 2016 meeting, the Planning Commission heard public comment on the Draft SEIR;

WHEREAS, the public comment period for the Draft SEIR closed on April 29, 2016;

WHEREAS, the Final EIR has been prepared in accordance with the CEQA Guidelines;

WHEREAS, on June 15, 2016, the Planning Commission of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. Pursuant to the CEQA Guidelines a Notice of Preparation of a Subsequent Environmental Impact Report was circulated on November 23, 2015. A scoping meeting was held at City Hall on December 2, 2015. The Draft Subsequent Environmental Impact Report (DSEIR) was circulated on March 16, 2016. The public comment period on the DSEIR ended on April 29, 2016. Pursuant to CEQA, comments received during the comment period have been responded to in the Final SEIR which is now before the Planning Commission for
consideration. The analysis contained in the SEIR has been developed using experts in related fields to professional standards stipulated by the CEQA Guidelines and by prevailing CEQA case law.

2. The Final SEIR was presented to the Planning Commission prior to the June 15, 2016 meeting. The Planning Commission reviewed the Final SEIR and has considered the analysis contained therein.

3. The Final EIR has been developed by City of El Cerrito staff and the City’s consultant, using the analysis of experts in related fields. The final EIR reflects the independent expert analysis the City of El Cerrito’s independent judgment.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby certifies the Subsequent Environmental Impact Report and adopts the Mitigation Monitoring and Reporting Program for a conditional use permit to allow operation of a school with grades 7 through 12 for a maximum of 630 students during the regular school year and a maximum of 315 students during the summer session at 1800 Elm Street.

CERTIFICATION

I CERTIFY that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on June 15, 2016 upon motion of Commissioner __, second by Commissioner__:

AYES:
NOES:
ABSTAIN:
ABSENT:

Sean Moss, AICP
Senior Planner
Planning Commission Resolution PC16-08

APPLICATION NO. PL15-0006

A RESOLUTION OF THE CITY OF EL CERRITO PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT TO ALLOW OPERATION OF A SCHOOL WITH GRADES 7 THROUGH 12 FOR A MAXIMUM OF 630 STUDENTS DURING THE REGULAR SCHOOL YEAR AND A MAXIMUM OF 315 STUDENTS DURING THE SUMMER SESSION AT 1800 ELM STREET.

WHEREAS, on January 20, 1988, the Planning Commission approved use permit resolution PC88-05 for Windrush School to operate a K-8 school with a maximum enrollment of 250 students;

WHEREAS, on April 3, 1989, after a series of approvals and appeals, the City Council approved City Council Resolution 89-28 that upheld use permit resolution PC88-05;

WHEREAS, on November 18, 1998, the Planning Commission adopted Resolution PC98-16, approving an amendment to the original use permit and adopting the related Negative Declaration;

WHEREAS, on May 16, 2007, the Planning Commission adopted Resolution PC07-08 approving changes to the existing Master Plan allowing four phases of improvements over a 20-year period and adopting the related Mitigated Negative Declaration;

WHEREAS, on May 16, 2007, the Planning Commission adopted Resolution PC07-08 approving changes to the existing Master Plan allowing four phases of improvements over a 20-year period and adopting the related Mitigated Negative Declaration;

WHEREAS, on January 28, 2014, the Planning Commission passed a motion finding that the applicant had submitted sufficient information to determine that the operation of Summit K2 Charter School on the site would be consistent with the use permit for Windrush School;

WHEREAS, on April 15, 2015, the Planning Commission adopted Resolution PC15-04, approving amendments to the existing use permit to align the regular school year to start concurrently with the public school year and to allow the middle school campus to have one start time;

WHEREAS, on January 26, 2015, the applicant submitted an application requesting modifications of the existing conditional use permit;

WHEREAS, the subject property is located at 1800 Elm Street;

WHEREAS, the Assessor’s Parcel Number of the subject property is 502-122-041;

WHEREAS, the zoning district of the site is PS (Public/Semi Public);

WHEREAS, the general plan land use designation of the site is Institutional/Utility;

WHEREAS, a Subsequent Environmental Impact Report for the project has been prepared, circulated, and noticed in conformance with the California Environmental Quality Act; and
WHEREAS, on June 15, 2016, the Planning Commission of El Cerrito, after due consideration of all evidence and reports offered for review, does find and determine the following:

1. The project site has been operated as various institutional uses, including—most recently—schools, since 1935. This project location is appropriate for the continuation of a school use. A Subsequent Environmental Impact Report has been prepared for the project and all environmental impacts will be mitigated to a less-than-significant level with inclusion of the identified mitigation measures. These measures are included as conditions of approval for the project. The conditions of approval for the project prohibit student and staff parking and pick-up and drop-off on adjacent streets. The conditions establish compliant procedures and subsequent actions related to parking, noise and general concerns. These procedures will limit impacts to surrounding properties so that the project does not negatively impact their livability.

2. The project will provide an additional educational opportunity for the El Cerrito community. The location of the project is in close proximity to a major transit hub. In addition, the project will provide bicycle and pedestrian improvements to adjacent streets, improving the bicycle and pedestrian linkages between the school and the El Cerrito del Norte BART station, enhancing the convenience of the civic environment.

3. The project is consistent with the intent of the PS (Public/Semi-Public) zoning district. The project will implement the following General Plan policies: LU4.1 Mixture of Uses, LU4.4 Amenities, LU4.6 Crime Prevention, LU5.5 Pedestrians, Bicycles, and Access, LU6.2 Circulation Alternatives, CD2.4 Multi-Modal Transportation Network, CD2.4 Multi-Modal Transportation Network, T1.1 Balanced Transportation System, T1.3 Bicycle Circulation, T1.4 Pedestrian Circulation, and PS3.2 Fair-Share Cost Allocations. The project will also implement bicycle and pedestrian improvements identified in the Active Transportation Plan.

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration of maps, facts, exhibits, correspondence, and testimony, and other evidence submitted in this matter, and, in consideration of the findings, the El Cerrito Planning Commission hereby approves Application No. PL15-0006, subject to the following conditions:
General Conditions

1. The campus shall be constructed substantially in conformance with the project description and site plan included in the Master Plan for the campus dated October 26, 2006, and contained in the project description of the Initial Study/Mitigated Negative Declaration, dated April 2007. Minor changes may be approved by the Zoning Administrator.

2. The campus shall be operated as described in the project description included in application PL15-0006 dated January 26, 2015, and project description of the associated SEIR, dated March 2016. Minor changes may be approved by the Zoning Administrator.

3. These Conditions of Approval shall apply to any successor in interest in the property and Applicant shall be responsible for assuring that the successor in interest is informed of the terms and conditions of this approval.

4. This Conditional Use Permit and these Conditions of Approval supplant all prior Conditional Use Permits for this site (City Council Resolution 89-28, Planning Commission Resolution 98-16, Planning Commission Resolution 07-08, and Planning Commission Resolution 15-04.)

5. If not used, this Conditional Use Permit approval shall expire 2 years from the date of this action, unless extended by subsequent action of the City.
6. The Mitigation, Monitoring and Reporting Program approved as part of the 2007 Master Plan dated May 16, 2007 and the Mitigation, Monitoring and Reporting Program approved as part of the 2016 SEIR are incorporated by reference as Conditions of Approval.


8. All music on the site shall only be projected indoors with windows and doors closed.

9. All site landscaping shall be maintained in good condition and in accordance with the 2007 Master Plan and any other approved landscape plans for the site.

10. To address neighborhood concerns, up to 5 additional trees may be added to screen the windows of adjacent residences. Further, the existing sound fence located along the southern property line of the site may be extended up to an additional 65 feet. The materials used in the fence extension should be harmonious and compatible with existing materials already on site.

11. Each year until school contains all grades from 7 through 12, the School Administrator shall provide the Zoning Administrator with the school’s projected fall enrollment number by January 1 of each year and shall provide the Zoning Administrator with the final enrollment number each year as soon as it is available.

**School Operation- Duration and Time Limits**

12. The use of this site, subject to these conditions, shall be throughout the year, which shall be divided into a regular school year, generally mid-August through June, and a summer session, generally from June to mid-August.

13. Grade seven through grade twelve shall be permitted to operate on the school campus.

14. No school classes shall start earlier than 8:00 a.m.

15. Enrollment during the regular school year shall not exceed 630 students.

16. Enrollment during the summer session shall be limited to no more than 315 students total, and summer operation shall conform to all of the conditions for the regular school year, except enrollment.

17. The school shall implement a handbook which is distributed to all students, student guardians and school staff a minimum of once per academic year. The handbook shall state the following policies:
   - No student or staff parking is allowed on adjacent streets at any time. Public parking by those other than staff and students is permitted on the east side of Elm Street, adjacent to the school in compliance with posted parking restrictions.
   - Pick-up and drop-off is not permitted on adjacent streets.
   - Traffic rules must be obeyed.
   - Parking, traffic, and behavior monitoring shall occur as needed in the neighborhood surrounding the school.
Littering, trespassing and excessive noise are prohibited.
Litter, trespassing, noise or any other rule violation monitoring shall occur as needed to prevent these issues.
The school shall implement consequences for non-compliance with the handbook.

Outdoor Field Operation- Duration and Time Limits

18. All school-related activities in Area A, except for work parties, and as limited by other conditions of this approval, shall begin no earlier than 9:30 A.M. and end no later than 4:30 P.M., Monday through Friday, and shall be supervised by adults at all times.

19. In Areas B & C, a maximum of 2 hours and 30 minutes of scheduled, active, non-directed play shall be permitted each day, prior to 3:30 P.M., Monday through Friday.

20. Work parties in Areas A, B and C on weekends shall not exceed twelve (12) days per year shall not commence before 8:30 A.M., and shall generally be limited to daylight hours. Children shall be supervised in interior areas.

21. It shall be the responsibility of the School Administrator to maintain nighttime lighting of Area A.

22. Areas D, E, & N shall be used for general directed or non-directed play, with no limitation on the play structures permitted, beginning no earlier than 8:00 A.M. and ending no later than 6:00 P.M.

23. All school-related activities in Areas B and C, and as limited by other conditions of this approval, shall begin no earlier than 8:30 A.M. and end no later than 4:30 P.M. in Area B and no later than 5:30 in Area C, Monday through Friday, and shall be supervised by adults at all times. Use of Area B may continue to 4:45 to allow for cleanup and exiting the area.

Gymnasium Operation- Duration and Time Limits

24. All inter- or intramural competition or community use shall occur between the hours of 8:30 A.M. and 9:00 P.M., and be confined to the interior of buildings, with the exception of reasonable pedestrian traffic, related to the activities, quietly going to and between buildings and parking areas.

25. Area C may be used for organized sports practice by the school for no more than two hour per day, ending at 5:30 P.M., Monday through Friday.

Special Events

26. In Areas A, B and C, on weekends throughout the regular school year, there shall be no more than three (3) special, outdoor activities, such as fairs, of no more than one day in duration. No less than 30 days prior to any such event, the Zoning Administrator and the Chief of Police and residents adjoining the site shall be so notified by the primary user of the school site by either email or U. S. Mail.
27. The Applicant shall file with the Zoning Administrator a plan for management of overflow parking for all events where attendance would exceed the combined capacity of planned on-site parking (61 spaces). Such plan shall demonstrate how the school will use shuttle services, remote parking such as the street perimeter of the BART station, valet parking, or other techniques to avoid overflow on to neighborhood residential streets. School shall notify the Zoning Administrator at least 2 weeks in advance of such events. The Zoning Administrator will distribute this information to the Police and Public Works Department in a timely manner.

   a) Method of implementation and compliance schedule: The Zoning Administrator shall be responsible for reviewing the submitted plan and determining its compliance with this condition of the use permit. The permittee shall be responsible for notifying the Zoning Administrator in advance of events which are subject to the overflow plan. The Zoning Administrator shall be responsible for requiring compliance, and for receiving any reports of violations of the relevant use permit conditions.

   b) Enforcement: Compliance with the requirement to submit the plan will be monitored through the plan review process and approvals may be withheld, if necessary. On-going compliance with the approved plan will be determined through review of the permittee's performance in events covered by the plan.

2007 Master Plan

28. Prior to the submittal of building permits for any construction permitted by the 2007 Windrush School Master Plan, the applicant shall obtain Design Review Board approval for each phase of the project.

29. The Master Plan allows the construction of a maximum of 23,000 square feet of floor space for purposes including classrooms, library, performance space and offices. If, by May 16, 2027, plans for all phases of construction have not been filed for building permit approval, the use permit shall be subject to review and re-evaluation by the Planning Commission.

30. At the time of the final submittal of plans for the Master Plan update, including driveways, parking area, and landscaped areas, the applicant shall submit a plan for the entire site which shows compliance for handicap accessibility from all points of arrival to the existing and proposed buildings. Accessibility is required to be available without driving from one parking lot entrance to another by the end of phase four.

31. No element of new construction shall exceed the height limitations of 35 feet. The massing of additions or new buildings will be designed in relation to the height and scale of adjacent buildings.

32. The applicant shall evaluate the second-story additions of all phases of the project to determine how privacy on the neighboring homes would be impacted and utilize privacy glass or other materials that preserve neighbors’ privacy but also preserve interior light in the design as often as possible.

Communication and Complaint Procedures
33. The school shall maintain an email distribution list (or other means of communication as deemed appropriate by the Zoning Administrator) of all neighbors who wish to receive communication from the school. The Zoning Administrator and Chief of Police shall be included on the distribution list.

34. If three formal complaints from three separate parties are submitted to the Zoning Administrator over a 120-day period in regard to noise impacts, a new noise evaluation shall be conducted and additional measures shall be investigated.

35. If the Zoning Administrator receives three verified complaints in a year that vehicles associated with the campus located at 1800 Elm Street are dropping-off or picking-up persons on public rights-of-way, staff will review the complaints with the administration and address the violations by making appropriate changes such as designated parking areas to stop the behavior.

36. Prior to the start of the 2016-2017 academic year, the applicant shall submit a traffic management plan for review and approval by the Zoning Administrator. The traffic management plan shall include a traffic circulation plan for pick-up and drop-off for the school and a plan for how school staff and/or volunteers will be assigned to direct on-site traffic and act as crossing guards. Staff and/or volunteers are not permitted to direct off-site traffic. The Zoning Administrator shall approve the traffic management plan and the applicant shall implement the traffic management plan throughout all school operations. Any changes to the traffic management plan shall be subject to review and approval by the Zoning Administrator. If the Zoning Administrator receives three verified traffic complaints from three separate parties within one year, the Zoning Administrator shall review the traffic management plan and approve changes sufficient to address the complaints.

37. The school shall send to the neighbor distribution list a schedule of upcoming after-school and on-campus weekend activities, including the date, time, and sponsoring agent of each activity. This schedule shall be sent to the neighbor distribution list a minimum of once per semester.

38. The school shall provide a monitored phone number to the neighbor distribution list that can be used to notify the school of complaints during and after school hours.

39. The school shall respond directly to neighborhood complaints the end of the next school day.

Project description brought forward from the 2007 Initial Study/Mitigated Negative Declaration:

40. The following elements are from the project description in the 2007 IS/MND are hereby included as conditions of approval.

   a) Employment would increase from 33 full-time and 17 part-time employees to 38 full-time and 17 part-time employees (an increase from 41 FTE employees to 49 FTE employees).

   b) The school shall maintain a minimum of 19 bicycle parking spaces or the number of spaces required by the El Cerrito Municipal Code, whichever is greater.

   c) The school shall be permitted to hold occasional evening and weekend events of the type typically associated with a school. These events shall be confined to the interiors of
buildings. These events shall be in addition to the events allowed pursuant to Condition of Approval #17.

Traffic, Circulation and Parking

41. A total of 61 parking spaces shall be provided on the entire campus to accommodate staff, students and the school’s other parking needs.

42. Prior to the beginning of the 2017-18 school year, the applicant shall complete installation of the intersection and pedestrian and bicycle improvements identified in the Project Description of the Subsequent Environmental Impact Report for the Summit K2 Operational Expansion Project to the satisfaction of the Public Works Director.

43. If three verified complaints of school parking occurring on any one block of an adjacent street are received by the Zoning Administrator within a one-year period, the applicant shall initiate a petition to the City of El Cerrito for 4-hour parking restrictions on that block. The applicant shall contact all households on the block pursuant to the Public Works Department’s petition process and submit the petition to the Public Works Department within 180 days of initiation.

44. The school shall require and enforce vehicle parking stickers for all on-site parking. School parking shall be permitted on the school site only, except overflow parking permitted pursuant to Condition of Approval #24.

45. Pick-up and drop-off for the school shall be permitted only in areas G (lower parking lot) and J (main driveway). Pick-up and drop-off shall be prohibited off-site.

Campus Safety and Security

46. After hours and on school holidays, the school gates shall be closed and locked unless a scheduled activity is occurring on school grounds.

47. Prior to the commencement of each regular school year; the School Administrator shall submit a site specific safety plan for review and approval by the Chief of Police or his or her designee. This plan will include at a minimum the topics of emergency evacuation and mandatory reporting procedures. In addition, the School Administrator and the Chief of Police shall meet at least every 90 days to discuss security and policing needs of the site.

CERTIFICATION

I CERTIFY that this resolution was adopted by the El Cerrito Planning Commission at a regular meeting held on June 15, 2016 upon motion of Commissioner ______, second by Commissioner ______:

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________
Sean Moss, AICP
Senior Planner
MITIGATION MONITORING AND REPORTING PROGRAM

Summit K2 Charter School Operational Expansion Project,
City of El Cerrito

This Mitigation Monitoring and Reporting Program (MMRP) was prepared based on the findings of the Environmental Impact Report (EIR) for the Project, which was circulated in March/April 2016 with the State Clearinghouse Number 2015112047. This MMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The MMRP lists mitigation measures recommended in the EIR and identifies mitigation monitoring requirements, including implementation timing and responsibility as well as monitoring responsibility and actions.
### Traffic-2: Restriping on Key Blvd. at Cutting Blvd.
The project applicants shall fully fund and work with the City to implement the following improvements at the Key Blvd. and Cutting Blvd. Intersection prior to student enrollment exceeding 571 students:

- Restripe the intersection to remove five parking spaces along the southern side of the eastern leg of Key Blvd. and split the existing westbound single travel lane into one left turn only lane and one through-right lane.

<table>
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<tr>
<th>Mitigation Measure</th>
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<th>Implementation Responsibility</th>
<th>Verification</th>
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<td>Traffic-2</td>
<td>Improvements shall be in place prior to enrollment exceeding 571 students</td>
<td>Funding to be provided by the Applicant -and- Improvements to be implemented by El Cerrito Public Works and/or the Applicant</td>
<td>El Cerrito Public Works Department in coordination with the Planning Division</td>
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<th>Monitoring Action</th>
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<tr>
<td>Verify improvements are in place prior to enrollment exceeding 571 students</td>
<td>El Cerrito Public Works Department in coordination with the Planning Division</td>
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</tbody>
</table>

### Traffic-4: Fair Share Contributions to Improvements at San Pablo Ave. / Hill St. / Peerless Ave. / Eastshore Blvd.
The project applicants shall pay fair share percentage to the City for the construction of the improvements to this intersection identified in the San Pablo Avenue Specific Plan, which include:

- Elimination of the second southbound left-turn lane on San Pablo Avenue, and
- Modified access to Peerless Avenue as one-way inbound.

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<th>Mitigation Measure</th>
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<td>Traffic-4</td>
<td>Payment of fair share contribution prior to exceedance of existing enrollment allowance (347 students)</td>
<td>Funding to be provided by the applicant to El Cerrito Public Works</td>
<td>El Cerrito Public Works Department in coordination with the Planning Division</td>
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<td>Verify funding has been received prior to enrollment exceeding 347 students or as deferred. (The improvement itself is not needed for project traffic, but will be implemented at some point in the future to address cumulative traffic under the San Pablo Avenue Specific Plan.)</td>
<td>El Cerrito Public Works Department in coordination with the Planning Division</td>
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<td>Mitigation Measure</td>
<td>Timing/Schedule</td>
<td>Implementation Responsibility</td>
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<td>Traffic-5: Queue Monitoring and Abatement.</td>
<td>A queue monitoring report shall be submitted by the applicant within the first two months after the start of a school year with an enrollment increase to more than 406 students.</td>
<td>Applicant (to be prepared by a qualified traffic consultant)</td>
</tr>
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</table>
### Summit K2 Charter School Operational Expansion Project: Mitigation Monitoring and Reporting Program

<table>
<thead>
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<th>Mitigation Measure</th>
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<th>Implementation Responsibility</th>
<th>Monitoring Action</th>
<th>Verification</th>
<th>Date Completed / Initials</th>
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</table>

Abated by El Cerrito Planning Staff. If, based upon repeated complaints and/or City staff observations, recurring interference with vehicle travel lanes is determined by the Planning Division to be a problem at other times of the year and/or during years without enrollment increases, the Planning Division may require the school operator to have additional assessment prepared by a qualified traffic consultant and submitted to the Planning Division as detailed above. ¹

¹ Note that minor changes were made to the wording of this measure for the MMRP to correct grammatical errors. The wording of the measure is “equivalent or more effective” than that reported in the Environmental Impacts Report (CEQA Guidelines section 15074.1). For reference, the changes were to the first sentence of the second paragraph as follows (deletion in strikeout and addition in underline): If recurring school vehicle queues that interfere with vehicle travel lanes occur, the school operator shall employ abatement methods as needed to abate the queues.
June 2, 2016

Sean Moss
City of El Cerrito
10890 San Pablo Avenue
El Cerrito, CA 94530

RE: Summit K2 School—Manor Circle Parking Assessment

Dear Mr. Moss,

In response to comments from neighbors about parking activity on Manor Circle, we collected and analyzed parking capacity and occupancy data. This letter discusses the data and findings.

Methodology

Using field observations and aerial data, we determined the total number of on-street parking spaces on Manor Circle, separating the parking spaces into inner and outer circles as shown in Figure 1. The inner circle does not require a residential parking permit for any period. The outer circle requires a residential parking permit to park for more than 4 hours.

Initially, data were collected at 7:30 AM and 9:00 AM between Tuesday, May 10th and Wednesday, May 18th. An additional data collection time at 3:30 PM was added for Monday, May 16 through Wednesday, June 1st. Cars with residential parking permits were noted.

Figure 1: Map of Parking Survey Areas
Parking Occupancy Data

Manor Circle has 58 on-street parking spaces: 31 along the inner circle and 27 along the outer circle. The data collected on Manor Circle are included as an attachment to this letter. Table 1 presents the analysis of those data.

Table 1: Parking Occupancy on Manor Circle

<table>
<thead>
<tr>
<th>Parking Spaces</th>
<th>Inner Circle (no permit required)</th>
<th>Outer Circle (permit required)</th>
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<tr>
<td></td>
<td>Cars with Residential Permit</td>
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<td>Cars Parked</td>
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<td>Average spaces used at 7:30 am</td>
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<td>Change in average spaces used at 9:00 am and 3:30 pm</td>
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Findings

The cars observed parked along the inner circle did not have resident permits, and more cars were parked along the unrestricted inner circle than along the restricted outer circle, which suggest non-residents may have been parked along the inner circle on the observation days. However, cars without permits also were observed parked along the restricted outer circle, which suggests some non-residents may be using the neighborhood for short-term parking or several vehicles belonging to residents do not have parking permits.

Overall, the data show on-street parking spaces on Manor Circle were under-utilized during the weeks we observed parking conditions.
Please let us know if you have any questions or comments about the data and findings presented here. We would be glad to discuss what we learned from this assessment of parking on Manor Circle.

Sincerely,
KITTELSON & ASSOCIATES, INC.

[Signature]

Amy Lopez
Engineering & Planning Associate

Attachments:

1. Manor Circle Parking Occupancy Data
# Attachment 1

**Manor Circle Parking Occupancy Data, 7:30 AM and 9:00 AM**

<table>
<thead>
<tr>
<th>Data Collection Date</th>
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<tr>
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</tr>
<tr>
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<td>9am</td>
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## Manor Circle Parking Occupancy Data, 3:30 PM

<table>
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<tr>
<th>Date</th>
<th>Time of Day</th>
<th>Parking Spaces</th>
<th>Inner Circle (no permit required)</th>
<th>Outer Circle (permit required)</th>
<th>All of Manor Circle</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td>38%</td>
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<tr>
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<td>31%</td>
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<td>6</td>
<td>45%</td>
</tr>
</tbody>
</table>
Sean Moss

From: Doug Giffin <Doug@chamb.com>
Sent: Wednesday, June 01, 2016 4:41 PM
To: Sean Moss
Subject: Summit Bay Area Drivership Rates and Summit K2 Car Survey

Sean,

Summit K2 had their students complete a survey on May 26th to provide you with the requested data on how students are arriving at campus and carpooling. The survey included the following three questions all with yes/no answers:

1) Do you arrive at campus by car?
2) Do you arrive to campus by walking, biking, skateboarding/scooter, or public transit?
3) If you arrive by car, do you ever carpool with someone else?

193 students responded to the survey.

The table below provides the results:

<table>
<thead>
<tr>
<th>Survey Results</th>
<th>Students Arriving by Car 146 out of 193 (76%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Students Arriving by walking, biking, skateboarding/scooter, or public transit 47 out of 193 (24%)</td>
</tr>
<tr>
<td></td>
<td>Students that Carpool 66 out of 193 (34%)</td>
</tr>
</tbody>
</table>

Relative to student drivership rates, please see the data below for Summit’s other Bay Area high schools. Middle schools were excluded. The drivership data appears to be well in line with the city’s 1 parking space per 10 high school student standard.

<table>
<thead>
<tr>
<th>School Name</th>
<th>Location</th>
<th>Grades Served</th>
<th>Student Driving Rates (collected in Jan 2015 survey)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summit Preparatory Charter High School</td>
<td>Redwood City</td>
<td>9-12</td>
<td>12.63%</td>
</tr>
<tr>
<td>Everest High School</td>
<td>Redwood City</td>
<td>9-12</td>
<td>8.15%</td>
</tr>
<tr>
<td>Summit Public School: Rainier</td>
<td>San Jose</td>
<td>9-12</td>
<td>8.17%</td>
</tr>
<tr>
<td>Summit Public School: Tahoma</td>
<td>San Jose</td>
<td>9-12</td>
<td>9.79%</td>
</tr>
<tr>
<td>Summit Public School: Shasta</td>
<td>Daly City</td>
<td>9-11</td>
<td>0%</td>
</tr>
</tbody>
</table>

Please let me know if you would like any additional information.

Thanks,

Doug
1. **Noise—Outdoor Site Perimeter Play Areas (Areas A, B, and C)**
   - Monday through Friday supervised use between **8:30 AM and 5:30 PM except for Area B that ends at 4:30 pm**
   - Maximum of 2 hours and 30 minutes of scheduled, active, non-directed play
   - **Area C (playfield) use for organized sports practice up to two hours a day**
   - Excessive noise and unauthorized use of the play yard should be minimized by the volunteer patrol provided by the School, and can be referred to the Police Department
   - Current schedule is available/included in this packet
   - Can have up to 3 one-day special outdoor activities on weekends throughout the regular school year and must give 30 days prior notice to residents adjoining the site
   - Work parties on weekends not to exceed 12 days/year and won’t start before 8:30am

2. **Noise—Outdoor Site Interior Play Areas (Areas D, E, and N)**
   - Used for general directed or non-directed play between **8:00 AM and 6:00 PM**
3. Noise—Evening and Weekend Activities
   o Evening and weekend use is permitted subject to all limitations of the conditions of approval
   o Evening and weekend activities confined to: 1) the interiors of buildings; and 2) outdoor areas away from the perimeter of the site (areas E, H, J and K), with the exception of reasonable pedestrian traffic, related to the activities, quietly going to and between buildings and parking.

4. Noise/Use—Gymnasium
   o Use ends by 9:00 PM
   o Community uses allowed
   o Gym users will remain inside except for quietly walking to or from parking.

5. Noise Complaints
   o If three separate noise complaints from three separate parties are submitted over a 120 day period, a new noise evaluation shall be conducted and new mitigation measures shall be investigated.

6. General Complaint Procedure
   o Complaint procedure in place as developed with neighbors and planning (see attached)

7. Hours of Operation (School)
   o 8:00 AM to 3:00 PM primary hours of operation
   o 7:00 AM to 6:00 PM hours of operation with limited number of students

8. School Year
   o General school year mid-August through June
   o Summer Session June through mid-August

9. Enrollment
   o Regular school year max. 347 students
   o Summer session max. 175 students

10. Parking and Circulation
    o 61 parking stalls to be provided
    o Parking management plan in place (see attached)
    o Overflow parking plan – Must notify planning if event will require overflow parking (see attached)

Attachments
   1. Complaint Procedure
   2. Parking Management Plan
   3. Overflow Parking Plan
Recommended Windrush School Complaint Procedure, June 1999

The purpose of the following complaint procedure is to improve communication between Windrush and its neighbors, to provide neighbors with the opportunity to voice concerns about problematic issues, particularly those related to use permit conditions, and to specify a process for the resolution of those concerns.

Oral, informal communication of problems is encouraged so that difficulties can be resolved as soon as possible without recourse to the formal procedure. The school will provide neighbors with the means to contact school officials to report troublesome conditions as they occur so that they can be remedied immediately. The school will send its neighbors an annual letter listing an emergency number for them to report problems, such as inappropriate noise or use of the facilities, so that the school can take action to resolve the problem as swiftly as possible.

A formal complaint concerning violation of any of the conditions of the Windrush School Use Permit, or disturbances such as inappropriate noise, shall be submitted in writing to the Director of Windrush School and shall include the name, address and telephone number of the complainant with a copy sent to the El Cerrito Planning Division. If, after ten calendar days from the date of receipt of the written complaint by school officials, the complainant is not satisfied, complainant may request assistance from the Planning Division to resolve the problem. The Planning Division will then evaluate the complaint, attempt to resolve it with school officials and report results to the complainant. If, ninety days after the written notice, the complainant has not contacted the city for action, the complaint shall be deemed resolved.

In the case of persistent problems, the Planning Division may exercise its prerogative to bring the issue to the attention of the Planning Commission under the provisions of Chapter 19.40 of the Zoning Ordinance.

*italicized sections incorporate recommendations of Windrush Board of Directors
Summit K2 School
Traffic Plan
Spring 2016

The following guidelines are proposed to facilitate the management of traffic and parking at the Summit K2 School.

The School Site

Summit K2 occupies a hilly four acre site, located to the east of Elm Street at the intersection of Hill Street and Key Boulevard. The El Cerrito BART station is located approximately one block west of the school site and can be reached via Hill Street or Key Boulevard.

The intersection of Hill Street, Elm Street and Key Boulevard is a five legged intersection currently controlled by a single signal system. The signal is currently actuated with an independent phase for each leg of the intersection. Hill Street is a two-lane street that operates one way east bound and is located opposite the main driveway to the school. Key Boulevard is a two-way, two-lane street that runs northwest/southeast. Elm Street is a north/south two-way, two-lane street with a northbound left-turn to Key Boulevard. Elm Street connects to the El Cerrito BART station via Key Boulevard and to downtown El Cerrito southbound.

There are three driveways serving Summit K2, all of which are located on Elm Street. The main entry driveway is a two-lane paved roadway leading to the front door of the school. This main school entry drive provides two-way traffic to and from a circular drop-off area near the main entrance of the school. The driveway leading to the school's main parking lot is located approximately 90 feet south of the Hill/Elm Street intersection.

A third driveway located at the northern end of the site leads to a small staff parking lot and also serves as vehicular access for service and emergency vehicles to the interior of the site.

Circulation Plan

Main Entry

Entrance to the main driveway of the school is controlled in all directions by a traffic signal on Elm Street. Exiting from the main entrance driveway is by right hand turn only and is regulated by the traffic signal. Traffic leading to the main entry is supervised during morning and afternoon peak traffic periods. During these periods a staff member or parent volunteer will be on duty to:

- direct drivers to open spaces
- help students in and out of cars
- prohibit short term parking (direct parents to the parking lot)
- enforce drop off and pick up only in approved areas.
Parents using this entrance in peak hours will be required to stay in their cars so that traffic can continue to move in an orderly flow.

**Main Parking Lot**

Entrance and exit to and from the main parking lot can be made from either direction on Elm Street. Parents who wish to park and stay at the school or who wish to walk their children to the entrance should use this lot. Parents arriving to drop off or pick up students more than fifteen minutes after the scheduled time should also use the parking lot.

**Staff Lot**

A limited number of spaces is available for staff in the upper parking lot. This driveway can be approached either from the north or south. Exiting from the northern driveway is by right turn only.

**Use of Nearby Streets**

A limited number of spaces is available for short term parking along the east side of Elm Street adjoining the school. These may be used for drop-off and pick-up provided that parents accompany young children to the school. Parents should avoid parking in front of neighbors' houses on nearby streets.
Consistent with Condition 17 of Planning Commission Resolution 98-16, the school will provide overflow parking for all events where attendance would exceed the combined capacity of on-site parking (approximately 61 spaces) and the Elm Street frontage abutting school property (approximately 10 spaces). Overflow parking during large events will be arranged with BART to use the El Cerrito del Norte BART parking lot approximately one block east of the school site. This is consistent with page 7, paragraph 2 of Windrush's project narrative dated August 18, 2006. If parking at the BART parking lot is ever unavailable, the school will provide valet parking, consistent with one of the strategies recommended in Condition 17 of Planning Commission Resolution 98-16.
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• BACKGROUND

• DROP OFF AND PICK UP—BE RESPECTFUL AND EFFICIENT
  o Do Not Park in the Neighborhood
  o Pick Up and Drop Off in Designated Locations Only
  o Help Us Be Efficient

• WHERE CAN I PARK?
  o On-site Parking—Assignments
  o No off-site Parking for High School Students
  o Special Event Parking

• PARKING, TRAFFIC, AND BEHAVIOR MONITORS

• CROSSING GUARDS

• SAYING NO TO NOISE, LITTER, TRESPASS AND INCONSIDERATE BEHAVIOR
  o Be Respectful of the Neighborhood
  o Additional Monitoring

• LUCKY SEVEN RULES
  o Keep the neighborhood clean
  o Do not trespass
  o Avoid unnecessary loud noises in and near the school’s neighborhood
  o Obey traffic rules
  o Do not park in the neighborhood for drop off or pick up
  o Do not jaywalk
  o If in doubt, be respectful and ask a faculty member for advice

• CONSEQUENCES
• GOOD NEIGHBOR HANDBOOK REVISIONS
• PARENT AND STUDENT AGREEMENT
• SIGNED ACKNOWLEDGMENT
BACKGROUND

One of Summit K2’s core principles is respect. That includes not just respect between students and teachers, but between the school and its neighbors. Another core principle is transparency. This Handbook contains the school’s Good Neighbor policies, designed to help ensure the school is respectful of its neighbors. Copies of this handbook will be available for neighbors to help ensure transparency with the community.

DROP OFF AND PICK UP—BE RESPECTFUL AND EFFICIENT

The school expects drivers to not only obey all California driving laws, but also to follow the school’s drop off and pick up procedures, and to be extra courteous to the school’s neighbors when driving and parking.

Do Not Park in the Neighborhood

It is the school’s policy that no vehicles park in the surrounding neighborhood at any time.

On the east side of Elm Street immediately adjacent to the school, there are a handful of on-street 4-hour parking spaces which may be used by the school. In the event of an emergency, guardians should park in these spaces or on the school site in a guest parking space.

Pick Up and Drop Off in Designated Locations Only

- Guardians dropping off and picking up students should pull into the school’s main driveway, proceed around the loop, pick up or drop off, and proceed back to the street. If there is insufficient space along the school’s main driveway, do not pull part way into the driveway. No part of the car should ever protrude into traffic, even briefly.
- If there is insufficient space, pull into the school’s lower parking lot.
- Do not park illegally, double park, block driveways (even if you are in your car), or park in the neighborhood.
- Questions? Ask a faculty member. They are there to help!

Help Us Be Efficient

To speed up unloading time, student’s backpacks and other materials should be in the car with the student and not in the trunk.
WHERE CAN I PARK?

On-site Parking—Assignments

Assigning the school’s on-site parking spaces decreases time spent circling the parking lot to determine if spaces are empty and noise associated with such driving. The school’s on-site spaces will be assigned to guests, carpools, staff, and high school students who apply at the beginning of the school year. High school students allowed to park on campus will receive an on-campus parking permit.

All staff members who require a parking space will be assigned one. Student spots will be assigned on a lottery basis.

As stated on page 2 of this handbook, it is the school’s policy that no vehicles park in the surrounding neighborhood at any time. On the east side of Elm Street immediately adjacent to the school, there are a handful of on-street 4-hour parking spaces which may be used by the school.

No off-site Parking for High School Students

It is the school’s policy that no high school students park off campus. Some students who would like a parking spot may not get one. Those students must use a different form of transportation or be dropped off and picked up at school.

Special Event Parking

The school maintains an overflow parking plan for events where attendance may exceed the school’s on-site parking capacity. The school will send guardians and students a reminder to abide by the school’s overflow parking plan and instructions on where to park at least one week prior to special events.

PARKING, TRAFFIC, AND BEHAVIOR MONITORS

Daily monitoring immediately before and after school will occur in the neighborhood near the following locations:

- Manor Cir.
- Hill St.
- Elm St.
- Key Blvd.

The neighborhood monitor(s) will be a guardian, staff, or high school student. Monitor(s) will wear a bright colored vest or strap to be easily identifiable.
All Monitors will record rule violations and remind members of the school community of the rules. They also will report oral neighbor complaints to the school principal for resolution.

**CROSSING GUARDS**

To assist with safe street crossings, there will be a crossing guard at:

- Hill St. at Elm St.
- Elm St. at Hill St.

The crossings guards will limit crossings to the designated signaled times and discourage jaywalking.
Saying No to NOISE, LITTER, TRESPASS, AND INCONSIDERATE BEHAVIOR

Be Respectful of the Neighborhood
To preserve our community, be mindful about neighbors’ property and the neighborhood.

Do your part by taking the following actions:

- Do not blare music, slam car doors, or yell unnecessarily. Use your car horn only in an emergency.
- Keep the neighborhood clean. If you drop something, pick it up!
- Do not trespass. If a ball or other object accidentally goes over a fence into a neighbor’s yard, do not trespass. If you need to retrieve the object, ask a school staff member to ask the neighbor for the object back.

Be respectful and talk with a school staff member for advice, if in doubt.

Additional Monitoring
If requested by a neighbor, the school will provide a neighborhood monitor at the location the neighbor has reported a noise, litter, trespass, inconsiderate behavior, or other rule violation until the violation issue is resolved.

The monitor will be a guardian, staff, or high school student. The monitor will wear a bright colored vest or strap to be easily identifiable.

The monitor will record rule violations and remind members of the school community of the rules. The monitor also will report oral neighbor complaints to the school principal for resolution.
LUCKY SEVEN RULES

The school values its neighbors and respects the community. As evidence of its commitment to the neighborhood, all school members agree to abide to the following seven Good Neighbor policies:

1. Keep the neighborhood clean.
2. Do not trespass.
3. Avoid unnecessary loud noises in and near the school’s neighborhood.
4. Obey traffic rules.
5. Do not park in the neighborhood at any time.
6. Do not jaywalk.
7. If in doubt, be respectful and ask a faculty member for advice.
CONSEQUENCES

The school has monitors during drop off and pick up to report violations and also receives complaints from neighbors. Violations will be treated as follows:

- First offense: you will be required to speak with the principal.
- Second offense: Guardians/staff/students will need to draft a compliance plan for themselves that addresses the reasons for non-compliance, acknowledges how the non-compliant behavior may have been unsafe or disrespectful, and proposes a solution that they will submit to the principal. Guardians/staff/students will need to draft weekly status updates on whether they are complying with their personal plan until the principal determines the problem is solved.

PARENT AND STUDENT AGREEMENT

Compliance with these rules is imperative. If the school fails, it could lose its use permit. Accordingly, compliance is extremely important. Moreover, if a parent or student violates these rules just once, our neighbors will see us as collectively failing our neighborhood agreement, regardless of how many other times we have complied. For these reasons, the school has made compliance with the Good Neighbor policies mandatory for all staff, guardians, and students.

GOOD NEIGHBOR HANDBOOK REVISIONS

Over time, the Good Neighbor Handbook may need updates. Prior to making any changes, the school shall hold a neighborhood meeting to discuss potential revisions.

With any revisions, parents, guardians, students and employees will be required to provide one signed copy of the final revisions to the front desk of the school.
PARENT/GUARDIAN/STUDENT/EMPLOYEE ACKNOWLEDGEMENT

I/we, the undersigned, have read Summit K2's Good Neighbor Handbook. I/we understand my/our obligation to be responsible and courteous neighbors to the community around Summit K2. I/we understand that this obligation requires me/us to refrain from behavior that is allowed by law, but not allowed in the school rules. I/we agree to abide by all of the school's rules and policies governing driving, traffic, queuing, parking, litter, trespass, noise, and the Lucky Seven rules. Further, I/we agree to abide by any special rules or guidelines that may be imposed by the school from time to time.

Each student, parent, guardian, and employee should print his or her name, and sign and return one copy of this single page to the front desk.

--------------------------------------------------------
Parent/Employee/Student Printed Name & Signature          Date

--------------------------------------------------------
Other Parent/Employee/Student Printed Name & Signature    Date

--------------------------------------------------------
Other Parent/Employee/Student Printed Name & Signature    Date

--------------------------------------------------------
Other Parent/Employee/Student Printed Name & Signature    Date

06848017736680r1
5/19/16 10:41 AM

8 | Page
1800 Elm Street Campus Contact List

School

Facility Manager (Daniel Newman)
- (510) 778-2134 (cell)
- Primary contact for drop-off, pick-up, and off-campus students
- Available between 7 am and 3:30 pm

Summit Front Desk (Summit K2 Staff)
- (510) 374-4093
- Primary contact for all other school related items
- Open from 7:30 am to 4:30 pm

Summit after Hours (Nayeli Hernandez)
- (415) 497-2391 (cell)
- For after-hours emergencies and concerns
- Use between 4:30 pm and 7:30 am

Property Manager

Chamberlin Associates
- (925) 227-0707
- Call for any issue, any time
- Will get the message to the right person and take care of it
- Answering service will forward calls to property manager after hours

Updated: June 1, 2016
Summit K2
Perimeter Play Area Use Schedule
Spring 2016

During regular academic weeks

- Brunch - 10:15-10:35
- Lunch - 12:10-12:45

During Expedition weeks (2 weeks per semester)

- Brunch - 10:15-10:35
- Lunch - 12:10-12:45
- Afternoon break - 2:05-2:15

Other Uses

- The playfield is occasionally used for specific classes for academic instruction at the option of the instructor. Playfield use will never exceed the 2.5 hour limit daily.
# Summit K2
## After Hours and Weekend
### Gymnasium Use Schedule
### Spring 2016

### Weekday Use

<table>
<thead>
<tr>
<th>Time</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 pm</td>
<td>Summit K2 Coed Soccer Practice&lt;br&gt;Coach Alejandro Rios (415) 533-0620</td>
<td>Summit K2 Coed Soccer Practice&lt;br&gt;Coach Alejandro Rios (415) 533-0620</td>
<td>Summit K2 Girls Basketball Practice&lt;br&gt;Coach Keith Seales (415) 573-6602</td>
<td>Summit K2 Girls Basketball Practice&lt;br&gt;Coach Keith Seales (415) 573-6602</td>
<td>Summit K2 Girls Basketball Practice&lt;br&gt;Coach Keith Seales (415) 573-6602</td>
</tr>
<tr>
<td>7 pm</td>
<td>Neighbor Men’s Basketball Group&lt;br&gt;Athletic Director Kristina Shapona (510) 381-2874</td>
<td>DEXTER basketball&lt;br&gt;Coach Dexter Meadows (510) 772-7444</td>
<td>El Cerrito Futsal League</td>
<td>El Cerrito Futsal League</td>
<td>El Cerrito Futsal League</td>
</tr>
<tr>
<td>8 pm</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Weekend Use
- Summit K2 Volleyball clinics
  - 5/21 (1-5pm), 5/22 (12-5pm), 6/5 (12:30 – 3:30pm), and 6/13 (12:30 – 3:30pm)
  - On-site contact: Athletic Director/ Coach Kristina Shapona - cell (510) 381-2874
- DEXTER basketball
  - Sundays from 9 to noon
  - On-site/Summit Contact: Dexter Meadows – cell (510) 772-7444

### Notes
- A Summit K2 staff member is present at all times when the gym is being used.
- These Summit K2 staff members are the listed contacts above.
- Contact phone numbers are cell phones.
- Users are required to keep gym doors closed during use.
- Users may not congregate outside of the gym and should either be inside the gym or quietly walking to and from parking.
- Gates to remain locked after hours when not in use.
- Evening gym use ends by 9 pm
Summit K2
Campus Use Schedule
Summer 2016

School Use

- Summer school
  - 6/20 – 7/22
  - No school from 7/4 – 7/8
  - School hours 9 am to 3 pm
- Volleyball camp (in gymnasium)
  - 7/25 – 7/29, 8 am to 5 pm
  - 8/1 – 8/5, 8 am to 5 pm

Community Use

- No community use currently scheduled
Current conditions
Today, the signal at the Elm, Hill, Key and the school driveway gives the green to people coming from one direction at a time. For example, people driving down Elm get a green. Then they stop, and people coming down Key get to go. Then they stop, and people going north on Elm get their turn. And so on around the intersection. Everyone waits on people who are coming from all of the other directions. About 2,000 cars can go through this intersection in an hour.

The only marked place for people walking to cross Elm is at the school driveway.

And people on bikes ride through the intersection mixed in with vehicles.

See page 2 for a graphic showing the current vehicle movements.

Conditions with our improvements
The improvements we are proposing to the intersection, in particular to the traffic signal, would allow more people to drive through the intersection at a given time. For example, people driving north on Elm could go through the intersection at the same time that people coming down Elm drive through the intersection. And because left turns out of the school driveway are prohibited, people can drive safely into the driveway from Hill while other people exit the driveway. Currently, people leaving the school have a red light while other people get a green to enter the school driveway. So with the improved signal timing, about 2,800 cars can go through this intersection in an hour. In addition, for people walking, we are adding a crossing on Elm at the top of the intersection, the current crosswalks will be restriped to be more visible, and we are upgrading curb ramps to be ADA-compliant.

For people riding bikes, we are striping a bike lane through the intersection going up-hill from Elm to Key to make sure people driving and people on bikes know where everyone is expected to be in the intersection.

Finally, we are enhancing preventative measures that prohibit left turns from Key onto Elm.

See page 2 for a graphic showing the current vehicle movements.
# San Pablo Avenue Intersection Improvements

**San Pablo Avenue and Hill Street/Eastshore Boulevard**

## Background
The San Pablo Avenue and Hill Street/Eastshore Boulevard intersection is a large, five-way intersection with complex turning movements and high volumes of people moving through it. Given the intersection's key location one block from El Cerrito del Norte BART Station and the Ohlone Greenway, improving safety at the intersection for all users is a high priority. Improvements proposed for this project will be coordinated closely with the Caltrans and BART, as well as adjacent property owners, and with various projects underway including the Ohlone BART Station Area Access, Safety, and Placemaking Improvements Project, and the BART del Norte Station Modernization Project.

## Existing Conditions
Many of the intersection's pedestrian crossings are unavailable, and bicycle facilities exist in the area only on Eastshore, making bicycle travel difficult. Active transportation connections up Hill are limited. The existing signalization, with six separate phases, creates long wait times for all users yet still does not provide exclusive pedestrian phases. Congestion and unsafe turning movements near the BART station and Ohlone Greenway crossing are also problems. Traffic congestion can be poor at certain periods of the day.

## Project Description
The project focuses on improved circulation and safety with new protected crossings for pedestrians, new bicycle facilities, regularized and controlled turning movements for improved vehicle flow, and signalization changes. Safety is prioritized, as is protection for vulnerable road users. Near the BART station, access points are controlled, crosswalks enhanced, and high-visibility green paint used throughout for safety.

## Cost
Range $2,000,000 to $2,500,000; Design cost $360,000
Proposed Signal Changes

Existing Signalization
- No crosswalk allowed on north side of intersection
- Six separate phases
- 160 seconds total wait time; Minimum 120-second pedestrian wait
- No pedestrian crossing provided exclusive phase

Proposed Signalization
- 5 separate phases
- Maximum 100-second pedestrian wait time
- New crosswalk for pedestrians on north side of San Pablo
- New, enhanced continental crosswalks on all sides
- All pedestrian crossings given exclusive phases for safety
Proposed Improvements

Peerless Avenue and Eastshore Boulevard
- Convert eastbound Peerless to right-turn only, with right turn pocket
- Bulb out west side curbs (potentially as part of new development on former OSH site) to better square Eastshore with Hill
- Add buffered bikeways on Eastshore Boulevard, and add green lanes in conflict zones and where extra visibility is needed

San Pablo Avenue Intersection (North)
- Stripe bike lanes northbound and southbound
- Add bike signal to control right turns for pedestrian and bicycle safety
- Add median nose for pedestrian refuge zone
- Add new bulbout on northeast curb to narrow intersection for safety
- Decrease left-turn only lanes from San Pablo Avenue to Hill from two to one

San Pablo Avenue Intersection (South)
- Narrow slip lane from Eastshore to San Pablo to minimum allowed width
- Narrow median to allow buffered bike lane southbound, bike lane northbound
- Add right-turn signal to control right turns from San Pablo north to Hill for pedestrian and bicycle safety
- Add two-stage right-turn boxes for left-turning bicycles

Hill Street, east of San Pablo
- Add eastbound right-turn only lane
- Add green bike sharrow in both directions, with green lanes at conflict points
- Improve bike and pedestrian safety at crossings, including Ohlone Greenway crossing, with reconfigured curbs, bulbouts, enhanced striping and crosswalks
- Study long-term protected bike facility between San Pablo and the Greenway

San Pablo Avenue Capital Improvement Program (CIP)
San Pablo Avenue and Hill Street/Eastshore Boulevard Intersection Improvements
Proposed Improvements

**Hill Street, Lexington Ave to Liberty St**
- Add bike lane in eastbound direction; Study removing on-street parking on north side of street to add protected bikeways in both directions
- Reposition south edge curbs to minimize crossing distances and emphasize one way southbound entry to Lexington, one-way northbound from Liberty to Hill
- Improve bike and pedestrian crossings with enhanced striping and crosswalks

**Hill Street, Liberty St to Elm St**
- Stripe buffered green bike lane in eastbound direction
- Consider replacing parking on north side of street with westbound bike lane
- Consider converting Hill Street to two-way from Ohlone Greenway to Elm
- Add new bike box at Elm Street intersection
From:
Cindrella & Brebazon Simon, parents of Oswin Simon
1725 Liberty Street #2
El Cerrito, CA 94530

To Whom It May Concern:

My husband and I would like to take the chance to speak about our strong interest in making sure Summit K2 is fully expanded here in the city of El Cerrito. The both of us currently work at the West Contra Costa Unified School District. I currently work at Fairmont Elementary, and my husband and I have had experience working at Harding Elementary School. Both of the schools are in residential locations. Houses, and apartments surround both schools. Fairmont Elementary is located right next to a library, a senior center, and is also very close to local stores and restaurants. I have worked at Fairmont Elementary for almost 20 years, and we have never had issues with residents regarding parking, or anything else for that matter pertaining to the school. Staffs are allowed to park wherever they are able to, and this is in consideration that Fairmont, just like Summit K2, has a very small parking lot for staff. However, we’ve made it work, the residents have made it work, and until today everything has been fine.

Similarly, Harding Elementary is located in a very “common area” so to speak. We aren’t very far from Albany High School, and Albany Middle School is just a few blocks away as well. Harding is very close to the El Cerrito BART station, the El Cerrito plaza, and other local stores and restaurants. So one can imagine how much traffic there would be near the school. Despite all of this, the school also has not had any issues between residents around the area. For years, just like Fairmont Elementary, Harding Elementary staff members have been making it work, along with the residents in the area.

In addition to the logistics, my husband and I believe that implementing another school will really balance out the enrollment numbers among the other elementary schools that are close by. Parents now have options based on locality, and other personal needs to decide which school would be the best fit for their child.

My family and I live five minutes away from Summit K2. We are in awe of how much of an impact the school has on these students, taking into consideration the academics, resources for both students and parents, and the early preparation of students to pursue college. We have yet to have a school like such in this area, and now we finally do. Why should we override something that will create an immense educational impact on children, and provide for students a chance to make it further? We strongly believe that Summit K2 will do everything in its power to make sure that residents are not interfered with regarding any of the issues that concern them. We stand our ground, in favor, of expanding Summit K2 in such a wonderful neighborhood. Thank you for your time.

Sincerely,

Cindrella & Brebazon Simon
City of El Cerrito Planning Commission  
10890 San Pablo Ave.  
El Cerrito, CA 94530  

RE: 1800 Elm Street Neighbors in Support of Summit K2

Dear Planning Commission Members,

As neighbors of the school at 1800 Elm Street, we are fully supportive of Summit K2 serving grades 7 through 12 at the campus. We have reviewed the application and its support materials along with the additional information provided by the school at the open house. We are excited to have Summit K2 as a new choice for parents and children. Summit schools consistently rank among the best in California and the nation and they were recently named among America’s Best High Schools by U.S. News & World Report. They have also received recognition for challenging their students, making it on to the Washington Post’s list of Most Challenging Schools in America. In addition, we think that 1800 Elm Street is an ideal location for the full program for a number of reasons:

- The school’s Good Neighbor Handbook shows a commitment to the neighbors that the school will strive to address any current or future neighbor concerns.
- The newly renovated Chung Mei building is empty leaving a majority of the campus vacant. Summit K2’s grade 7-12 program is ideally suited to make use of the full campus.
- The school has been working within the existing, highly detailed, conditions of approval for the campus and has proactively come up with additional measures to allow the school to function well in the neighborhood and provide transparency to the neighbors for campus activities.
- The improvements that will be completed at the intersection of Hill Street, Elm Street, and Key Boulevard will make it easier, quicker, and safer for cars, bicycles, and pedestrians to get through the intersection.
- On-site parking meets the City of El Cerrito’s requirements and provides enough parking for Summit staff and students that drive. The school will not allow students and staff to park in the surrounding neighborhood.
- The new crosswalk being installed across Elm Street to the north of Key Boulevard will add a new safe crossing for pedestrians in the neighborhood.

We are excited to see the existing 8th graders back at the school in the fall as they mature and move on to their first year in high school. Please approve the current application and allow Summit K2 to continue to serve the children of our community. There are too many names to fit on one page, so a table on the following pages includes the names, addresses, and signatures of the neighbors in support of Summit K2.

Sincerely,

El Cerrito Neighbors of Summit K2
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
<th>K2 Parent (yes or no)</th>
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<tbody>
<tr>
<td>Felicia Campbell</td>
<td>6859 Cutting Blvd EL CERRITO CA 94530</td>
<td>Felicia Campbell</td>
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<tr>
<td>Maria Cocecal</td>
<td>7224 Via Ave EL CERRITO CA 94530</td>
<td>Maria Cocecal</td>
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<tr>
<td>Sara Hallen</td>
<td>6446 Conlon Ave EL CERRITO CA 94530</td>
<td>Hallen</td>
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<tr>
<td>Suzette Fernando</td>
<td>MVRAA WAY</td>
<td>Hallen</td>
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<tr>
<td>Wei-Chin Cai</td>
<td>6714 Kenilworth Ave EL CERRITO CA 94530</td>
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<tr>
<td>Nicole Tyler</td>
<td>1244 Cerrit Street EL CERRITO CA 94530</td>
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<tr>
<td>Cindy Wu</td>
<td>677 2 Snowdome Ave EL CERRITO CA 94530 CJC</td>
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<td>Biz Campbell</td>
<td>6859 Cutting Blvd EL CERRITO 94530</td>
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<td>Maya Arechiga</td>
<td>2363 Alta Ave. El Cerrito</td>
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<td>Adrienne Imada-Belgado</td>
<td>1729 Walnut St. El Cerrito</td>
<td>Imada-Belgado</td>
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<td>Kristina Giordana</td>
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<td>Eunice Kim</td>
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<td>Daniel Kim</td>
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<td>Bianca Bex</td>
<td>1126 Shevlin Dr. El Cerrito, CA</td>
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<td>Tamara Akso</td>
<td>640 Evers St. El Cerrito</td>
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<td>Utku Akso</td>
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<td>Marty Suess</td>
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<tr>
<td>Dano White</td>
<td>5704 Alt. Pk. Rd. El Cerrito CA</td>
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<tr>
<td>Miguel Raminilla</td>
<td>1712 Manor Circle El Cerrito, CA</td>
<td>Raminilla</td>
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<td>Jorge Salis</td>
<td>912 Richmond St</td>
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<td>Maria Frugoli</td>
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<td>John Yeh</td>
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<td>Irene Diaz</td>
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<td>James Fasb</td>
<td>5226 Powell St Ave</td>
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<td>Michelle Baptiste</td>
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<td>Troy Tyler</td>
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<td>Claudine Swickard</td>
<td>861 Arlington Blvd.</td>
<td>David</td>
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<tr>
<td>Harry M. Green</td>
<td>865 Arlington Blvd.</td>
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<tr>
<td>Nigel Arscott</td>
<td>861 Arlington Blvd.</td>
<td>Screme</td>
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<td>Aubrey Adams</td>
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<td>Damaris Agarbin</td>
<td>862 Arlington Blvd.</td>
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<td>Shelley Green</td>
<td>865 Arlington Blvd.</td>
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<td>Helen Couture</td>
<td>1712 Manor Cir.</td>
<td>E. H.</td>
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<tr>
<td>Henry Cram</td>
<td>1715 Manor Cir.</td>
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<td>James C. Knight</td>
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<td>Rita McKnight</td>
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<td>Antoinette Aslettino</td>
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<td>Patrice Chamberlain</td>
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<td>Karen Smolikoski</td>
<td>1108 Navellier St</td>
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<td>Sharon Sanger</td>
<td>1760 Welby Ave.</td>
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<td>Paula Burch</td>
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<td>Randy Renn</td>
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<td>lan zhoun</td>
<td>1340 Conlom Ave. EL CERRITO CA</td>
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53 Tom
31 Nov
Land Use History for 1800 Elm Street

The initial known use of the property was as a dairy farm. In 1935, the campus was created as the Chung Mei Home for Chinese Boys. It was in operation until 1954. In 1956 the property was transferred to the Western Baptist Bible College. In 1974, the school complex was owned and operated by Armstrong Preparatory School. During its use of the site, the school administration applied for and received approval from the City of El Cerrito of a use permit to define its operation and therefore limit its potential impacts on the surrounding neighborhood.

In April 1987, Windrush School moved to the site under the previously approved use permit for the preparatory school.

A new use permit for Windrush School to operate a K-8 private school was approved by the Planning Commission on January 20, 1988. This approval was appealed to Council based on noise concerns. City Council denied the appeal and upheld the Planning Commission approval. On March 1, 1989, the Planning Commission held a public hearing at the request of Windrush School to address several issues they were experiencing regarding their conditions of approval. The Planning Commission approved modifications to the use permit. This decision was appealed to City Council. Council denied that appeal and upheld the use permit approval in April 1989. On November 8, 1998 the Planning Commission approved an amendment to the original use permit with additional conditions of approval. A sound wall was built in order to mitigate noise impacts from the play area on the southern portion of the campus. In June 1999, a traffic plan for the school was proposed and a formal complaint procedure was established in the form of a communication and conflict resolution plan worked out cooperatively with the neighbors.

On May 16, 2007, the Planning Commission approved a revised Master Plan further amending the use permit. The applicant proposed an amendment to their use permit conditions of approval, as an update to the school’s Master Plan, which was to be carried out in four phases over 20 years. Highlights included:

1. Phase one includes the replacement of an existing one-story classroom wing in front of the existing gym with a new two-story addition in the same location.
2. Phase two consists of the construction of a new library, performing arts classroom, and a dance classroom adjacent to the gymnasium and Phase 1 classrooms.
3. Phase three is the renovation of the existing main classroom and administration building; no new building area will be added.
4. Phase four consists of the replacement of the existing 5,000 square foot rear classroom building with a new 5,500 square foot classroom building.

On May 31, 2007 the City received an appeal of the Planning Commission action. The City Council heard the appeal on June 18, 2007.

On September 26, 2007 a building permit was issued to build new classrooms, a new library and renovate the gymnasium. Windrush School initiated and completed those improvements.
Windrush School closed on April 21, 2012. While the subsequent phases were not completed before the School was closed it should be noted that the use permit and Master Plan remain in effect and the approved work can be completed without any additional discretionary review.

On August 2, 2013, the State Historic Resources Commission recommended the State Historic Preservation Officer (SHPO) forward The Chung Mei Home for Chinese Boys Historic District to the Keeper of the National Register for listing. Generally speaking, this designation means that the campus should be considered a historical resource under CEQA. Exterior physical changes to the campus or its buildings would need to be considered through this criterion. Interior changes to buildings would not impacted by this status, nor would operational aspects of the school that did not result in physical changes to the campus.

On January 28, 2014, the Planning Commission held a public hearing and approved a Zoning Clearance and determined the proposed new middle school (Summit K2) was consistent with the existing use permit entitlements in place on the property of 1800 Elm Street.

On July 25, 2014, the City of El Cerrito approved an Administrative Design Review application for 1800 Elm Street that approved the painting of the exterior of the main building of the Summit K2 Campus. The paint palette was created by using a forensic paint analysis.

On April 15, 2015, the Planning Commission held a public hearing and approved a modification of the existing conditional use permit for the site to align the regular school year to start concurrently with the public school year and to allow the middle school campus to have one start time of 8:00 a.m. at 1800 Elm Street.