



Office of the City Manager

REVISED AGENDA MATERIAL

Meeting Date: October 31, 2017

Item Number: 9

Item Description: Final Map of Tract 8303 – 824 University Ave.

Supplemental/Revision Submitted By: Timothy Burroughs, Interim Director,
Planning and Development Department

“Good of the City” Analysis:

The analysis below must demonstrate how accepting this supplement/revision is for the “good of the City” and outweighs the lack of time for citizen review or evaluation by the Council.

A revised Resolution is attached, clarifying the density bonus and inclusionary housing requirements as they pertain to this project.

Consideration of supplemental or revised agenda material is subject to approval by a two-thirds roll call vote of the City Council. (BMC 2.06.070)

A minimum of **42 copies** must be submitted to the City Clerk for distribution at the Council meeting. This completed cover page must accompany every copy.

Copies of the supplemental/revised agenda material may be delivered to the City Clerk Department by 12:00 p.m. the day of the meeting. Copies that are ready after 12:00 p.m. must be delivered directly to the City Clerk at Council Chambers prior to the start of the meeting.

Supplements or Revisions submitted pursuant to BMC § 2.06.070 may only be revisions of the original report included in the Agenda Packet.

RESOLUTION NO. ##,###-N.S.

FINAL MAP OF TRACT 8303 - 824 UNIVERSITY AVENUE, BERKELEY

WHEREAS, the Zoning Adjustments Board approved Use Permit #ZP2015-0021 on June 11, 2015 to construct a 5-story, 48-unit mixed-use residential building with 2,749 square feet of ground floor retail and 52 parking spaces based on a density bonus of 35%, subject to conditions of approval related to inclusionary rental units; and

WHEREAS, the Berkeley Planning Commission has determined that the tentative map of Tract 8303 conforms to the requirements of the City's subdivision Ordinance, and the California Subdivision Map Act, and approved the tentative map of Tract 8303 on April 19, 2017, subject to conditions of approval including conformance to City of Berkeley inclusionary housing requirements for rental and for-sale projects; and

WHEREAS, State law governs the percentage and pricing of affordable units for rental and for-sale projects that take advantage of Density Bonus (Government Code section 65915 et seq.), which differs and overlaps with local inclusionary housing requirements, and the project will remain subject to all applicable local and State provisions during the rental phase and during the for-sale phase of the development; and

WHEREAS, the City Engineer and the Planning and Development Director have certified that the final map of Tract 8303 substantially conforms to the conditionally approved tentative map, as required by the California Subdivision Map Act.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the final map of Tract 8303, a forty-nine unit condominium project consisting of forty-eight residential units and one commercial unit located at 824 University Avenue, Berkeley, is hereby approved.