



Office of the City Manager

CONSENT CALENDAR
December 13, 2005

To: Honorable Mayor and
Members of the City Council

From: *PK* Phil Kamlarz, City Manager

Submitted by: Claudette R. Ford, Acting Director of Public Works

Subject: Final Tract Map 7537: 1797 Shattuck Avenue

RECOMMENDATION:

Adopt a Resolution approving the final map of Tract Map 7537, a 67-unit residential and commercial condominium to be located at 1797 Shattuck Avenue.

FISCAL IMPACTS OF RECOMMENDATION

No cost to City.

CURRENT SITUATION AND ITS EFFECTS

The Planning Commission approved a tentative map on October 27, 2004. The tentative map is valid for a period of 24 months from the date of the Notice of Decision. Prior to selling any units in the condominium, state law and City Ordinances require the owner to submit a final map to the Council for approval. The owner has submitted a final map for this project and is now seeking approval of this map by the Council. Construction of the units will be complete in December.

BACKGROUND:

On October 27, 2004 the Planning Commission voted to approve the application of Hillside Center, LLC, owner of the property, for a 67-unit residential and commercial condominium project located at 1797 Shattuck Avenue.

Section 21.36.080 of the Berkeley Municipal Code requires City Council approval of all final map subdivisions. In addition, pursuant to Section 66474.1 of Division 2 of the Government Code, the legislative body of the agency responsible for approving a final map must approve a final map if it is found to be in substantial compliance with the approved tentative map.

All conditions of approval have been completed to the satisfaction of the City Engineer as well as the Planning and Development Department. The map has been examined by Engineering staff and has been determined to be in substantial compliance with the approved tentative map.

The purpose of the final map is to provide a record of the survey of the underlying property, and does not constitute the approval of a proposed or existing structure upon the property. Separate action is required for this approval, which has been obtained by virtue of use permits and buildings permits.

RATIONALE FOR RECOMMENDATION

The City Council must approve the final map if the map is in substantial compliance of the approved tentative map. Staff has reviewed the map and found it to be in substantial compliance with the tentative map.

ALTERNATIVE ACTIONS CONSIDERED

No other alternative course of action is feasible.

CONTACT PERSONS:

Claudette R. Ford, Acting Director of Public Works.....	981-6300
Jeffery Egeberg, Manager of Engineering	981-6400

Attachment:
1: Resolution

RESOLUTION NO. – N. S.

FINAL MAP OF TRACT 7537 FOR 1797 SHATTUCK AVENUE

WHEREAS, the Berkeley Planning Commission determined that the tentative map of Tract 7537 conforms to the requirements of the City's subdivision Ordinance, and the California Subdivision Map Act, and approved the tentative map of Tract 7537 on October 27, 2004; and

WHEREAS, the City Engineer and the Planning and Development Director have certified that the final map of Tract 7537 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 final map of Tract 7537, a 67-unit commercial condominium project located at 1797 Shattuck Avenue is hereby approved.