



Office of the City Manager

CONSENT CALENDAR  
December 1, 2020

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Liam Garland, Director, Department of Public Works  
Subject: Final Map of Tract 8533: 1500 San Pablo Avenue

RECOMMENDATION

Adopt a Resolution approving the final map of Tract Map 8533, a one hundred seventy-five (175) unit condominium project consisting of one hundred seventy (170) residential units and five (5) commercial units at 1500 San Pablo Avenue.

FISCAL IMPACTS OF RECOMMENDATION

There is no cost to the City. The applicant paid the appropriate fees with submission of their tract map application.

CURRENT SITUATION AND ITS EFFECTS

The Planning Commission approved the tentative map on January 15, 2020, and that map is valid for twenty-four months from the approval date. Prior to the sale of any condominium units, state law and City Ordinances require the owner to submit a final map to City Council for approval. The owner duly submitted a final map for this project within the required twenty-four month timeframe, and is now seeking Council approval.

This Council action supports the City's Strategic Plan goal of being a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community

BACKGROUND

On January 15, 2020, the Planning Commission voted to approve the application of 1500 San Pablo LLC (owner of the 1500 San Pablo Avenue property) for a one hundred seventy-five (175) unit mixed-use condominium project as described above.

Section 21.20.100 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, a legislative body must approve such a final map if it finds it to be in substantial compliance with the approved tentative map.

All conditions of approval have been completed to the satisfaction of the City Engineer and the Planning and Development Department. Engineering Division staff have

examined the final map, and determined it to be in substantial compliance with the approved tentative map.

The final map is meant to provide a record of the underlying property survey and does not constitute 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.

#### ENVIRONMENTAL SUSTAINABILITY

This project complies with the California Green Building Standards Code (CALGreen). CALGreen is California's green building code to improve public health, safety, and general welfare through enhanced design and construction of buildings utilizing concepts which promote a positive environmental impact and sustainable construction practices. In addition, typical of projects of this size, the site utilizes flow-through planters to treat stormwater as required by section C.3 of the Municipal Regional Stormwater NPDES (National Pollutant Discharge Elimination System) permit.

#### RATIONALE FOR RECOMMENDATION

Pursuant to Section 66474.1 of Division 2 of the Government Code, the City Council must approve the final map if it finds it to be in substantial compliance with the approved tentative map. Staff has reviewed the map and finds it to be in substantial compliance with the tentative map.

#### ALTERNATIVE ACTIONS CONSIDERED

No other alternative course of action is recommended.

#### CONTACT PERSON

Andrew Brozyna, Deputy Director, Department of Public Works (510) 981-6396  
Joseph Enke, Acting Manager, Engineering Division (510) 981-6411  
Ron Nevels, Supervising Civil Engineer (510) 981-6439  
Vincent Chen, Associate Civil Engineer (510) 981-6409

Attachment:

1: Resolution

Exhibit A: Tract Map 8533

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

FINAL MAP OF TRACT 8533: 1500 SAN PABLO AVENUE, BERKELEY

WHEREAS, the Council of the City of Berkeley approved Use Permit #ZP2015-0043 on July 19, 2016 with Resolution No. 67,641-N.S. to allow demolition of an existing commercial structure and construction of a five (5) story mixed use building with residential and commercial uses that was granted a density bonus of 35%, subject to conditions of approval related to inclusionary units; and

WHEREAS, the Berkeley Planning Commission has determined that the tentative map of Tract 8533 conforms to the requirements of the City's subdivision Ordinance, and the California Subdivision Map Act, and approved the tentative map of Tract 8533 on January 15, 2020 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, pricing and level of affordability 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 8533 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 8533, a one hundred seventy-five (175) unit condominium project consisting of one hundred seventy (170) residential units and five (5) commercial units located at 1500 San Pablo Avenue, Berkeley, is hereby approved.

Exhibit A: Tract Map 8533

### OWNER'S STATEMENT

THE UNDERSIGNED HEREBY STATES THAT 1500 SAN PABLO, LLC IS THE OWNER OF THE LAND DELINEATED AND EMBRACED WITHIN THE EXTERIOR BOUNDARY LINES ON THE HEREIN EMBODIED MAP ENTITLED TRACT MAP 8533, BERKELEY, ALAMEDA COUNTY, CALIFORNIA; THAT SAID OWNER ACQUIRED TITLE TO SAID LAND BY VIRTUE OF THE DEED RECORDED APRIL 11, 2017 UNDER SERIES NO. 2017-082002, RECORDS OF ALAMEDA COUNTY, CALIFORNIA, THAT SAID OWNER CONSENTS TO THE PREPARATION OF AND FILING OF THIS MAP.

1500 SAN PABLO LLC, A DELAWARE LIMITED LIABILITY COMPANY

MARGARET SPRIGGS, VICE PRESIDENT

### OWNER'S ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF ALAMEDA

ON \_\_\_\_\_ BEFORE ME, \_\_\_\_\_

A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED MARGARET SPRIGGS, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME IN HER AUTHORIZED CAPACITY, AND THAT BY HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

SIGNATURE OF NOTARY PUBLIC: \_\_\_\_\_

PRINTED NAME OF NOTARY: \_\_\_\_\_

PRINCIPAL PLACE OF BUSINESS: \_\_\_\_\_

COMMISSION EXPIRES: \_\_\_\_\_

### SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF MEG SPRIGGS IN NOVEMBER OF 2018. I HEREBY STATE THAT THIS MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. I HEREBY STATE THAT THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JAMES S. MORAN, LS 7881

DATE: \_\_\_\_\_

### CITY CONSULTANT SURVEYOR'S STATEMENT

THIS MAP CONFORMS TO THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES. I, PATRICK M. REI, HEREBY STATE THAT IT HAS BEEN EXAMINED BY ME, OR UNDER MY DIRECTION BY CITY OF BERKELEY STAFF, AND AM SATISFIED THAT IT IS TECHNICALLY CORRECT.

CITY CONSULTANT SURVEYOR: PATRICK M. REI  
PLS NO.: 8178

DATE: \_\_\_\_\_

# TRACT MAP

### BENEFICIARY'S STATEMENT

THE UNDERSIGNED, WELLS FARGO BANK, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT, AS BENEFICIARY OF THE DEED OF TRUST RECORDED SEPTEMBER 29, 2017, UNDER SERIES NUMBER 2017-215540, OFFICIAL RECORDS OF ALAMEDA COUNTY, CALIFORNIA, DOES HEREBY JOIN IN AND CONSENT TO THE EXECUTION OF THE FOREGOING OWNER'S STATEMENT AND TO THE PREPARATION AND FILING OF THIS MAP AND ALL DEEDINGS AND DEDICATIONS THEREON.

WELLS FARGO BANK, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT

NAME:  
TITLE:

NAME:  
TITLE:

### BENEFICIARY'S ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

ON \_\_\_\_\_ BEFORE ME, \_\_\_\_\_

A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY(IES) UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:  
(SIGNATURE OF NOTARY PUBLIC): \_\_\_\_\_

PRINTED NAME OF NOTARY: \_\_\_\_\_

PRINCIPAL PLACE OF BUSINESS: \_\_\_\_\_

COMMISSION EXPIRES: \_\_\_\_\_

### CITY CLERK'S STATEMENT

I, MARK NUMAINVILLE, CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF BERKELEY, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED MAP ENTITLED TRACT MAP 8355, BERKELEY, ALAMEDA COUNTY, CALIFORNIA WAS PRESENTED TO THE COUNCIL OF THE CITY OF BERKELEY AT A MEETING THEREOF, HELD ON \_\_\_\_\_, THAT SAID COUNCIL, BY RESOLUTION NUMBER \_\_\_\_\_, DID APPROVE SAID MAP:

THAT SAID COUNCIL FINDS THAT THE ZONING OF THIS PROPERTY PERMITS THIS USE AND THE SALE OF INDIVIDUAL UNITS WILL BE PERMITTED.

DATE: \_\_\_\_\_

MARK NUMAINVILLE, CITY CLERK AND  
CLERK OF THE COUNCIL OF THE CITY OF BERKELEY

OWNER/SUBDIVIDER:  
1500 SAN PABLO, LLC  
c/o SHORENSTEIN RESIDENTIAL LLC  
235 MONTGOMERY STREET, 16TH FLOOR  
SAN FRANCISCO, CA 94104

### CITY ENGINEER'S STATEMENT

I HAVE EXAMINED THIS MAP AND THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARS ON THE TENTATIVE MAP (IF ANY) AND APPROVED ALTERATIONS THEREOF.

JOSEPH ENKE, RCE 49027  
ACTING CITY ENGINEER

DATE: \_\_\_\_\_

### CLERK OF THE BOARD OF SUPERVISORS STATEMENT

I, ANIKA CAMPBELL-BELTON, CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE THAT CERTIFICATES HAVE BEEN FILED AND DEPOSITS HAVE BEEN MADE IN CONFORMANCE WITH THE REQUIREMENTS OF SECTION 66492 AND 66493 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

DATE: \_\_\_\_\_

ANIKA CAMPBELL-BELTON  
CLERK OF THE BOARD OF SUPERVISORS,  
COUNTY OF ALAMEDA, STATE OF CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY COUNTY CLERK

### RECORDER'S STATEMENT

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF MAPS, AT PAGE \_\_\_\_\_, AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.

FEE: \_\_\_\_\_ INSTRUMENT NO.: \_\_\_\_\_

MELISSA WILK  
COUNTY RECORDER

BY: \_\_\_\_\_  
DEPUTY COUNTY RECORDER

## A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES

LOTS 1-11 & 21-32 AND A PORTION OF VACATED ALLEY, BLOCK 60, MAP OF TRACT "B" OF THE BERKELEY LAND AND TOWN IMPROVEMENT ASSOCIATION (19 M 79) CITY OF BERKELEY, COUNTY OF ALAMEDA, CALIFORNIA JULY 2020

### MORAN ENGINEERING, INC.

CIVIL ENGINEERS \ LAND SURVEYORS  
1930 SHATTUCK AVENUE, SUITE A  
BERKELEY, CALIFORNIA 94704  
(510) 848-1930

# T.M. 8533

# TRACT MAP

CITY MONUMENT B0686  
BRASS DISC WITH PUNCH

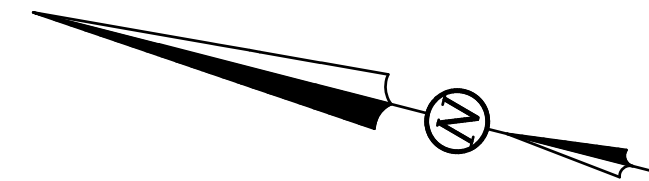
S14°33'55"E 444.47' (444.45') R2

4.34' R2  
CITY MONUMENT B0625  
BRASS DISC WITH PUNCH

## SAN PABLO AVENUE (WIDTH VARIES)

### JONES STREET (60' WIDE)

### CEDAR STREET (60' WIDE) (FORMERLY HOLYOKE STREET)



#### LEGEND

- FOUND CITY MONUMENT IN STANDARD CASING AS NOTED
- ⊗ SET 3/4" BRASS TAG, LS 7881, AT 5' FROM PROPERTY CORNER, ON EXTENSION OF PROPERTY LINE
- PARCEL MAP BOUNDARY
- EXISTING PARCELS / RIGHT OF WAY LINES
- ORIGINAL LOT LINES
- MONUMENT LINES
- - - MONUMENT TIE LINES
- ▬ BUILDING LINE

#### NOTES:

- PER EXCEPTIONS TO COVERAGE LISTED IN THE FIRST AMERICAN TITLE INSURANCE COMPANY PRELIMINARY TITLE REPORT, DATED AUGUST 20, 2019 AND UPDATED FEBRUARY 8, 2020:
- A NON-EXCLUSIVE EASEMENT EXISTS OVER THE PROPERTY IN GROSS AND RIGHT-OF-WAY FOR A BROADBAND COMMUNICATIONS SYSTEM AND INCIDENTAL PURPOSES PER INSTRUMENT NO. 2019-158185, ALAMEDA COUNTY OFFICIAL RECORDS.
- UTILITIES EASEMENTS WITHIN THE VACATED ALLEY, IF ANY EXIST.

## A ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES

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JULY 2020 SCALE: 1" = 30

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1930 SHATTUCK AVENUE, SUITE A  
BERKELEY, CALIFORNIA 94704  
(510) 848-1930

# T.M. 8533

#### REFERENCES:

- R1 TRACT "B" BERKELEY L.T.I. ASSOC. (19 M 79)
- R2 CITY MONUMENT CARD A58
- R3 ASSESSOR'S MAP BOOK 59 PAGE 2331

#### OWNER/SUBDIVIDER:

1500 SAN PABLO, LLC  
c/o SHORENSTEIN RESIDENTIAL LLC  
235 MONTGOMERY STREET, 16TH FLOOR  
SAN FRANCISCO, CA 94104

#### GRAPHIC SCALE



( IN FEET )  
1 INCH = 30 FEET

#### BASIS OF BEARINGS:

THE EASTERN RIGHT-OF-WAY OF TENTH STREET WAS TAKEN AS NORTH 14°30'00" WEST AS SHOWN ON ASSESSOR'S MAP 059-2331 (R3).

