From: Linda Harris
To: Klein, Heather
Cc: Neighbors for Safety in Hiller Highlands
Subject: FW: Bentlley third trimester
Date: Friday, April 01, 2011 9:54:46 AM

Dear Heather:

I learned that Bentley's third trimester began on March 14, 2011. The 2/16/11 staff report mentions both "beginning of third trimester" and "April" as the compliance date for reducing vehicle trips to 242. We note that Bentley did not appeal the methodology of the previous DKS reports upon which their noncompliance was measured. They did not comment on the finding that they were in noncompliance or with the specified cure period. Their appeal only deals with the 2/16/11 clarification of TDM language which specified longer time periods ("enlarging time") than DKS had used in the reports to date but does not change the requirement that they are limited to 242 vehicles trips. Will the city move forward with enforcement of the noncompliance that was cited in the staff report?

Regarding the other approvals from the 2/16 PC meeting, has Bentley provided information showing they have increased the transit subsidy or arranged an off-site carpool location as approved by Planning Commission? If not, what is the deadline for these requirements? We assume the deadline for submitting the application for a Berkeley permit is still April 16 since that decision was not appealed.

Do you have any sense yet of the timeframe for the staff report addressing the appeal or for the City Council hearing date on the appeal?

Thanks,
Linda