

2029 University Avenue

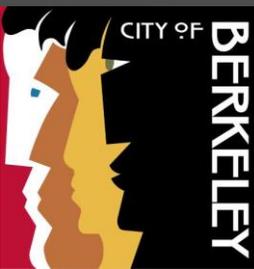
Appeal of the ZAB Approval for:

Use Permit #ZP2024-0181
Multifamily-Oriented Design

Use Permit #ZP2024-0182
Student-Oriented Design



CITY COUNCIL PUBLIC HEARING
February 23, 2026



Overview

- **The Projects**
- **Projects Timeline**
- **Density Bonus**
- **Appeal Issues**
- **Staff Recommendation**



Project Location



C-DMU Outer Core: Downtown Mixed-Use District Outer Core

Existing Site



Project Scopes

Multifamily-Oriented Design Program:

- **240** dwellings (80 Studios, 60 Junior one-bedroom, 60 one-bedroom, 40 two-bedroom)
- **280** Bedrooms
- **8** Short-Term Bicycle parking spaces
- **18** VLI and 18 MI BMR units



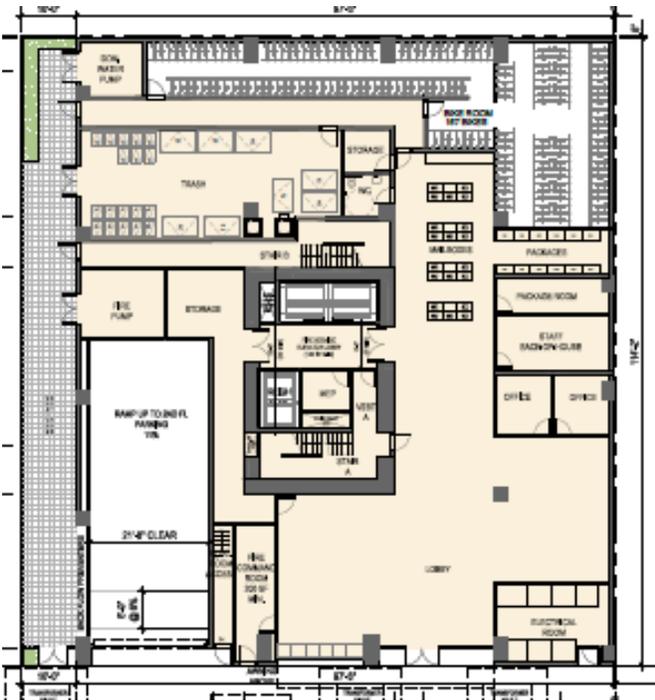
Student-Oriented Design Program:

- **160** dwellings (60 Studios, 20 one-bedrooms, 20 three-bedrooms, 60 four-bedrooms)
- **380** Bedrooms
- **10** Short-Term Bicycle parking spaces
- **12** VLI and **12** MI BMR Units

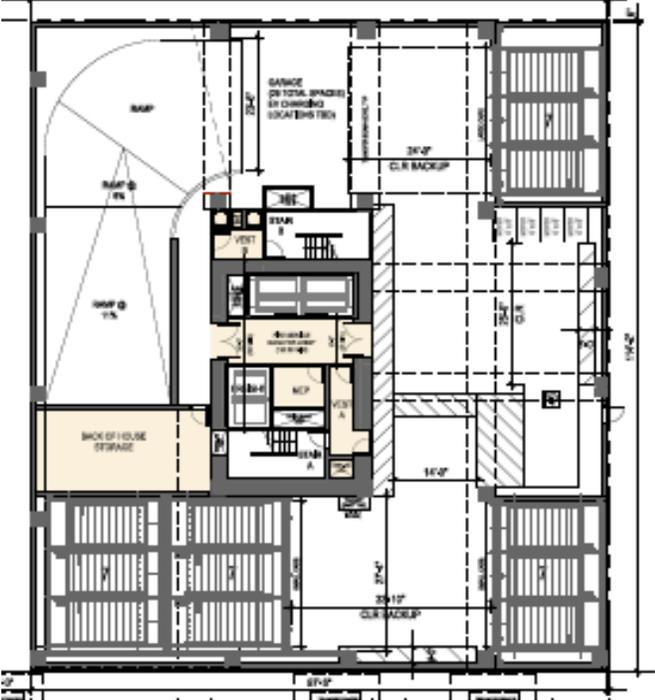


Project Scopes

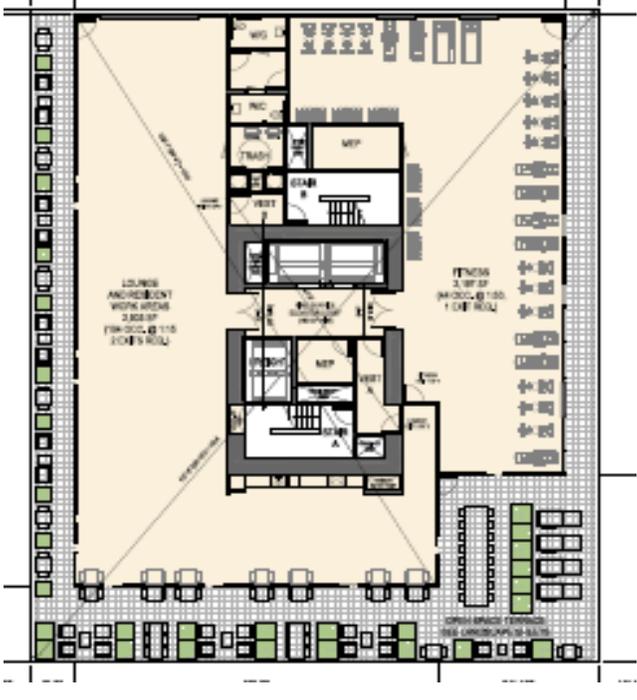
Ground Floor



Level 2



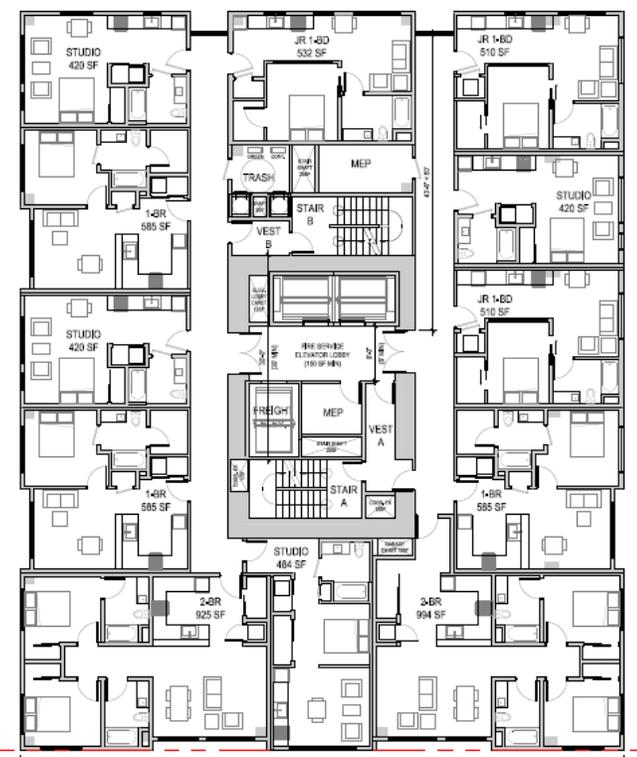
Level 23



- Shared program in both schemes:**
- Ground Floor residential program
 - Community spaces Fitness center
 - Roof deck Useable Open Space
 - 29 off-street parking spaces
 - 167 Long-Term Bike Parking

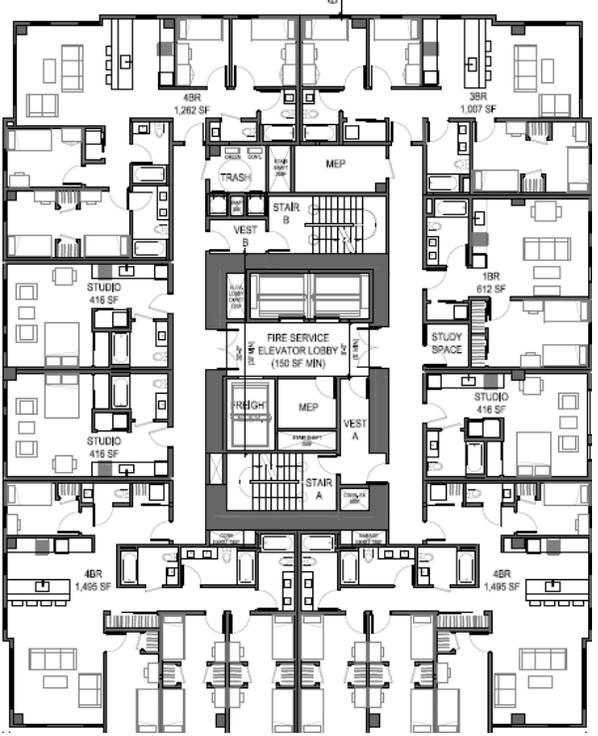
Project Scope (Floors 4-22)

Multifamily-Oriented Design Typical Floor Plan



- **240** dwellings (80 Studios, 60 Junior one-bedroom, 60 one-bedroom, 40 two-bedroom)
- **280** Bedrooms

Student-Oriented Design Typical Floor Plan



- **160** dwellings (60 Studios, 20 one-bedrooms, 20 three-bedrooms, 60 four-bedrooms)
- **380** Bedrooms

Project Timeline

December 10, 2024

SB330 Preliminary Use Permit Application was submitted

December 19, 2024

Use Permit Application was submitted

January 9, 2025

SB330 Preliminary Use Permit Application was deemed complete and vested

May 22, 2025

Use Permit Application was deemed complete

Project Timeline

October 16, 2025

Design Review Committee (DRC) provided a favorable recommendation to the ZAB

November 13, 2025

The ZAB held a public hearing for the Use Permit and approved the Use Permit

December 1, 2025

The City received the appeal of the ZAB decision from the Trades Council and Carpenters

February 9, 2026

City mailed Public Hearing Notices for the City Council Public Hearing

February 23, 2026

City Council Public Hearing

Density Bonus per Government Code Section 65915

Student-Oriented Design

Base Project Units ^a	Qualifying Units	Percent Density Bonus	Number of Density Bonus Units ^a	Proposed Project Units ^a
80	24 [12 VLI (15% of Base) + 12 MI (15% of Base)]	100	80	160

Multifamily-Oriented Design

Base Project Units ^a	Qualifying Units	Percent Density Bonus	Number of Density Bonus Units ^a	Proposed Project Units ^a
120	36 [18 VLI (15% of Base) + 18 MI (15% of Base)]	100	120	240

Density Bonus Waivers & Concessions

Concessions (§65915(d) and (k)):

- **Apprenticeship Requirements (BMC Section 13.107.040)**
- **Health Care Expenditures (BMC Section 13.107.050)**
- **Bird Safe Building (BMC 23.304.150)**

Waivers (§65915(e)) :

- **Usable Open Space**
- **Landscaped Usable Open Space**
- **Height**
- **Setbacks**
- **Building's width over 120' in height**
- **Projections above height limit**

Appeal Issue 1

Appellant:

The provisions regarding Apprenticeship Requirements (BMC Section 13.107.040) and Health Care Expenditures (BMC Section 13.107.050) are not the appropriate subject of a concession because they do not pertain to development standards.

Staff:

Concession:

- Reduction in site development standards, modification of zoning code requirements (§65915(k)(1))
- Any other regulatory incentives resulting in identifiable and actual cost reductions to provide for affordable housing costs (§65915(k)(3))

Appeal Issue 2

Appellant:

The requested concessions would not result in identifiable and actual cost reductions

Staff:

- Apprenticeship Requirements (BMC Section 13.107.040), cost saving of \$1,893,000.
- Health Care Expenditures (BMC Section 13.107.050), saving of \$2,839,000.

Total cost reductions = \$4,732,000

Appeal Issue 3

Appellant:

The concessions would have a specific, adverse impact upon public health and safety

Staff:

- **City may deny concessions only if it would cause a “specific, adverse impact” on public health or safety (§ 65915(d)(1)(B))**
- **“specific, adverse impact” is: “significant, quantifiable, direct, and unavoidable impact, based on objective, written health or safety standards”**
- **Appellants have not provided sufficient evidence, and the City cannot make a finding based on substantial evidence that this exception applies.**

Recommendation

- **Conduct a Public Hearing**
- **Adopt a resolution**
 - **Deny the appeal to approve Use Permits ZP2024-0181 & ZP2024-0182**