

2037 Durant Avenue, Berkeley, CA 94704

Applicant Statement

December 4, 2023

Project Overview

Studio KDA is pleased to present this application for a new 8-story multi-family mixed-use building at 2037 Durant Avenue (APN 55-1894-2), near the intersection of Shattuck Avenue. The project site is within the C-DMU Buffer zone which allows Mixed-Use developments as a permitted use. The proposed project is intended for rental housing with a retail space on the ground floor.



The site is currently occupied by Hustead's Auto Body, a 1 story 13,000 SF commercial building. The site's redevelopment will include the demolition of the existing building to allow development of the new 8 story, 76,373 SF multi-family mixed-use building. We propose a $\pm 1,552$ SF retail space on the ground floor with 74 units of multi-family housing. The building has a 0-foot setback at the street frontage (south), a 5-foot setback from the right side (east) and A 7-foot setback at the rear (north) and the left side (west) property lines.

Zoning Information

Within the C-DMU Buffer zone, BMC Section 23.204.130 Development Standards allow a building height of 50 feet or 60 feet maximum with a Use Permit. A Density Bonus is being requested for the project. Please refer to the Housing Affordability and Density Bonus Applicant statement and sheet G050 for additional information.

The ground floor will include the aforementioned commercial space as well as a residential lobby, interior bike storage for 66 bicycles, 4 rental units, and utility spaces accessed from Durant Avenue. Based on recent City Council legislation, no car parking is required or proposed for either the commercial or the residential uses.

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Zoning Code Information				
Site Information				
Address	2037 Durant Ave, Berkeley, CA, 94704			
APN	55-1894-2			
Zoning District	C-DMU Buffer			
Overlay/Special District	N/A			
Seismic Safety				
Eearthquake Fault Rupture Zone	No	Landslide Zone	No	
Liquefaction Zone	No	Unreinforced Masonry Building Inventory	No	
Historic Zone				
Landmark/Structure of Merit	Yes			
Environmental Safety				
Creek Buffer	No	Fire Zone	1	
Flood Zone	No			
Additional Parcel Info				
Redevelopment Area	No			
Building Data Per Planning Code				
	Existing	Proposed	Required/Allowed	Notes/Code
Parcel Conditions				
Occupancy Type (Per Planning)	B, S2	M, R2	B, M, R2, S2	
Lot Area	13,000	13,000	N/A	
Building Footprint	13,000	10,777		
Lot Coverage	1	82.9%		
Floor Area Ratio	1.00	5.9	N/A	
Year Constructed	1949			
Areas				
Commercial Floor Area	12,384	1,552		
Residential Floor Area	0	74,821		See Density Bonus
Residential Usable Open Space	0	2,098	80 S.F. / Unit = 5,920 S.F. Required	Density Bonus waiver requested
Privately Owned Public Open Space	0	191	1 S.F. / 50 S.F. Commercial = 32 S.F. Required	
Landscaped - Residential U.O.S.	0	562	40% of U.O.S. = 2,368 S.F. Required	Density Bonus waiver requested
Impervious Surface Area	13,000			Not req. for SB330 application
Gross Floor Area	12,384	76,373		See Density Bonus
Height				
Building Height - # of Stories	1	8	6 w/ UP	5 Stories without UP
Building Height - Feet	23'-0"	90'-0"	60'-0" w/ UP	50'-0" without UP
Setbacks				
Front Setback	0'-0"	0'-0"	0'-0" Min, 5'-0" Max.	
Side Setbacks < 65' from Frontage	0'-0"	5'-0" East; 7'-0" West	0'-0"	
Side Setbacks > 65' from Frontage	0'-0"	5'-0" East; 7'-0" West	5'-0" Min.	
Rear Setback	0'-0"	7'-0"	5'-0" Min.	
Parking				
Bike Parking (Short Term)	0	6	6 1 sp / 40 Bedrms + (1) Retail	
Bike Parking (Long Term)	0	66	66 1 space / 3 Bedrooms	
Retail Parking	0	0	0 Not required per SB 2097	

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The 74 residential units are a mix of 2- and 3-bedroom units with Kitchen/Dining/Living room areas. Common Usable Open Space (UOS) is provided by a 365 SF patio area at grade, a 733 SF common area outdoor balcony at the 4th floor and (4) 250 SF common outdoor balconies at the 5th - 8th floors.

The building parti respects the adjacent 3 story historic building on the adjacent west property by creating a 22'-6" wide x 33' deep setback and open exterior deck above the 4th floor. This light court also provides upper-level balconies with an open view to the west over the adjacent historic building.

Project Benefits

The proposed project provides much needed housing in the Downtown C-DMU Buffer zone. The project location, only a few blocks from both the UC Berkeley campus and the Downtown Berkeley Bart station, is an ideal location for housing. The mixture of multi-bedroom units will provide much needed housing options for tenants. The building siting and massing responds to the existing building fabric by providing an increased buffer to the west while matching the denser development across Durant Ave. and along the Shattuck Avenue corridor.

We believe this high-quality infill project strengthens the neighborhood and C-DMU Buffer zone by continuing to provide ground floor commercial space near Shattuck Avenue while increasing housing density within biking and walking distance to local businesses, the UC Campus, and the Downtown Berkeley BART station 0.3 miles away.

Natural Gas Prohibition, Berkeley Energy Code and Berkeley Green Code

The proposed project will be all electric, with no reliance upon natural gas infrastructure in compliance with BMC Chapter 12.80. The project is designed to comply with the Berkeley Energy Code, BMC Chapter 19.36 with roof areas ready for solar PV systems. The project will comply with Berkeley Green Code, BMC Chapter 19.37 as applicable for reduction in cement use and construction waste management.

Green Building Provisions

The proposed project will have a LEED Gold rating or higher, or a building performance equivalent to that rating as determined by the Zoning Officer in compliance with BMC Section 23.240.130, Item G.

Required Use Permit Findings

Section 23.204.030 Additional Permit Requirements

A. New Floor Area

2. *C-DMU Findings.* To approve a Use Permit for new floor area in the C-DMU district, the ZAB must find that:
 - (a) The addition or new building is compatible with the visual character and form of the district;
and
 - (b) No designated landmark structure of merit, or historic district in the vicinity would be adversely affected by the appearance or design of the proposed addition.

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Table 23.204-39 C-DMU Setback Standards

E. Development Standards

3. Setbacks

- (b) *Modifications to Standards.* The ZAB may modify the setback standards in Table 23.204-39 with a Use Permit upon finding that the modified setbacks will not reasonably limit solar access or create significant increases in wind experienced on the public sidewalk.

Section 23.406.040 Use Permits

E. Findings for Approval

1. To approve a Use Permit, the ZAB shall find that the proposed project or use:
 - (a) Will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or visiting in the area or neighborhood of the proposed use; and
 - (b) Will not be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City.

Section 23.406.130 C-DMU Downtown Mixed-Use District

- I. Permit Findings.* In order to approve an AUP or Use Permit for a project in the C-DMU district, the review authority must make the findings in Section 23.406.040 (Use Permits), and find that the proposed use or structure:
1. Is compatible with the purposes of the district; and
 2. Is compatible with the surrounding uses and buildings.

Section 23.322.050 Parking Reductions

- A. Allowed Reductions.* The Zoning Officer or ZAB may reduce or waive the number of off-street parking spaces required by Section 23.322.030. for 10. Downtown Reduction / Waiver with a Use Permit or modified with an AUP for a project in the C-DMU district, the Zoning Officer must make the findings in Subsection B:
- a. The reduction will not substantially reduce the availability of on-street parking in the vicinity of the use.
 - b. One of the following is true:
 - i. The use is located one-third of a mile or less from a Bay Area Rapid Transit (BART) station, intercity rail station or rapid bus transit stops.

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Response: The construction, establishment, maintenance, and operation of the proposed project will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of the neighborhood or the City as a whole. The project will redevelop a 1-story commercial building into an 8-story mixed use building compatible in design character and scale appropriate to the neighboring properties. The building has an active sidewalk engagement by providing Retail use and Residential Lobby on the ground floor. The new housing will be in proximity to a number of educational and employment opportunities, as well as to the goods and services along Shattuck Avenue and the Downtown Berkeley BART station.

The proposed project is located on the southern side of Durant Avenue and has limited shadow effects on the public ROW. The requested reduction to setback requirements of 15' above 75 feet height will not reasonably limit solar access or create significant increases in wind experience at the public sidewalk on the south side of Durant Avenue.

As such, the project fulfills the goals of the City's General Plan and Climate Action Plan. Therefore, the project will not be in any way detrimental to the area or neighborhood or to the City as a whole.

Project Team

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