

2655 Shattuck Avenue

Use Permit #ZP2024-0057

to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85 feet), 84,399-square-foot mixed-use residential building containing 97 dwelling units (including ten Very Low-Income Density Bonus qualifying units), 2,117 square feet of ground-floor commercial space and 41 vehicle parking space, on a 23,527 square foot lot.



Review History

December 4, 2023

The City received a Preliminary Use Permit (PLN2023-0086) application pursuant to SB330

December 12, 2023

The Preliminary Use Permit application was deemed completed, and thereby vesting rights per SB330

May 22, 2024

The applicant submitted a Use Permit application pursuant to SB330

August 18, 2024

The Use Permit application was deemed complete

February 6, 2025

The LPC took no action to initiate a Landmark or Structure of Merit designation

Review History

February 20, 2025

The Design Review Committee provided a favorable recommendation to the ZAB

February 27, 2025

The City mailed public hearing notices to property owners and occupants within 300 feet of the project site, as well as to interested neighborhood organizations. The City also posted notices at three nearby locations within the neighborhood

March 13, 2025

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

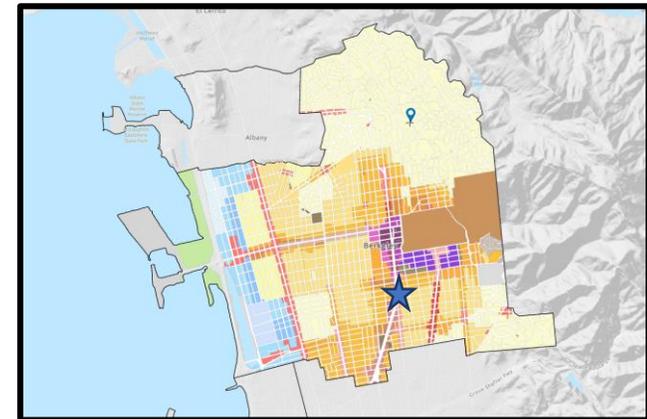
March 26, 2025

The City received an appeal from nearby residents

July 23, 2025

Council Hearing

Project Location



Legend:

 C-AC: Adeline Corridor Commercial District

Site Plan



West Elevation Facing Shattuck



South Elevation Facing Derby Street



East Elevation Facing Existing Residential



SB330 Density Bonus

Base Project Units ^a	Qualifying Units	Percent Density Bonus	Number of Density Bonus Units ^a	Proposed Project Units ^a
65	10 VLI Units (15% of base project)	50%	33 (50% of 65 units)	97 (32 used)

Notes:

a. Pursuant to Government Code 65915(q), all unit calculations are rounded up to the nearest whole number.

Appeal Issue 1: Parking Requirements

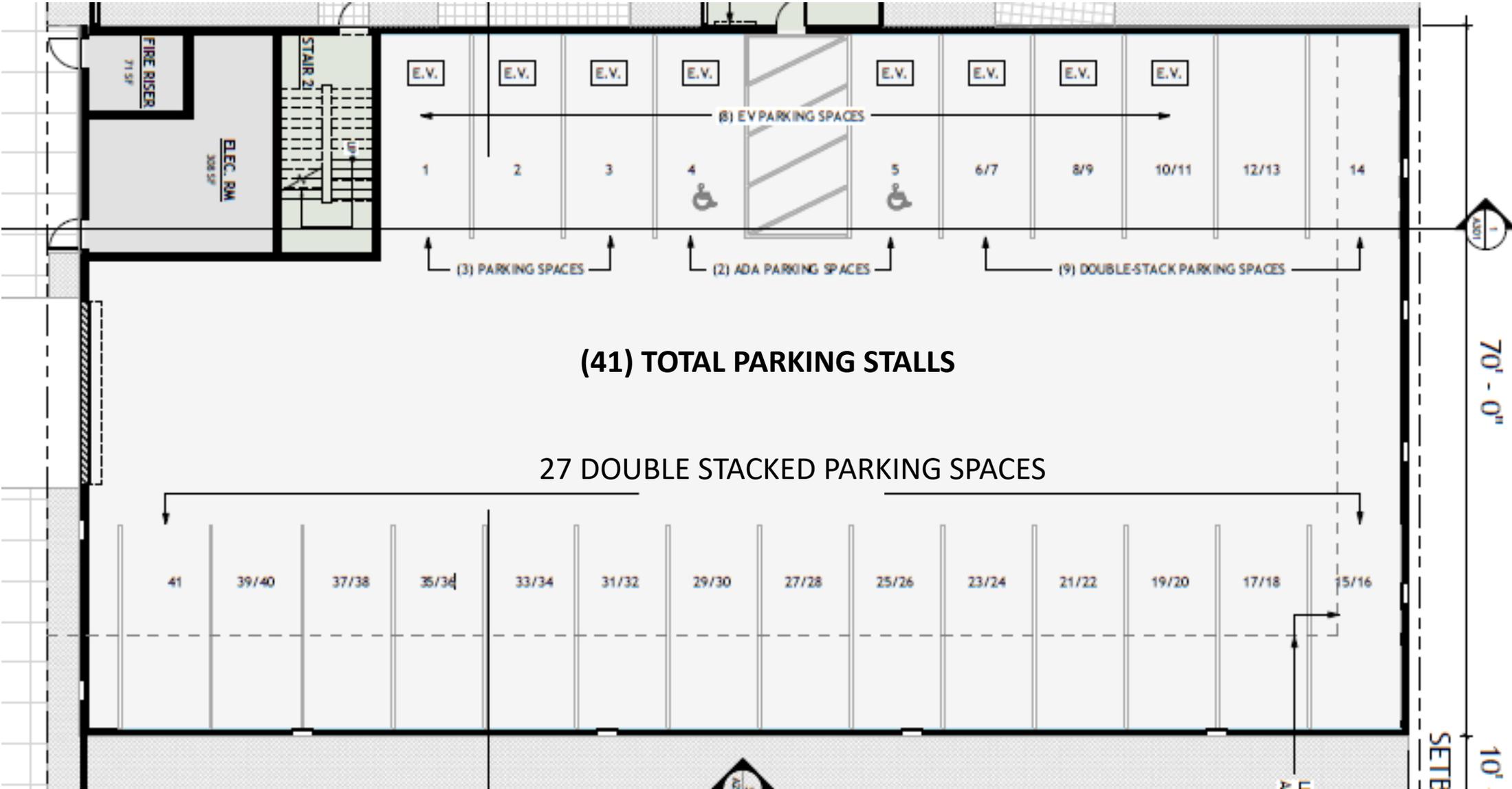
Appellants Request:

- **Eliminate parking entirely to shorten the eastern wing.**
- **Move driveway from Derby Street to Shattuck**

Staff:

- **Parking Maximums are regulated by BMC Section 23.322.070(B).**
- **May not exceed 0.5 off-street parking spaces per dwelling unit.**
- **The maximum is 49 parking spaces and project proposes 41 parking spaces.**
- **The City may not impose stricter parking limitations under State law.**

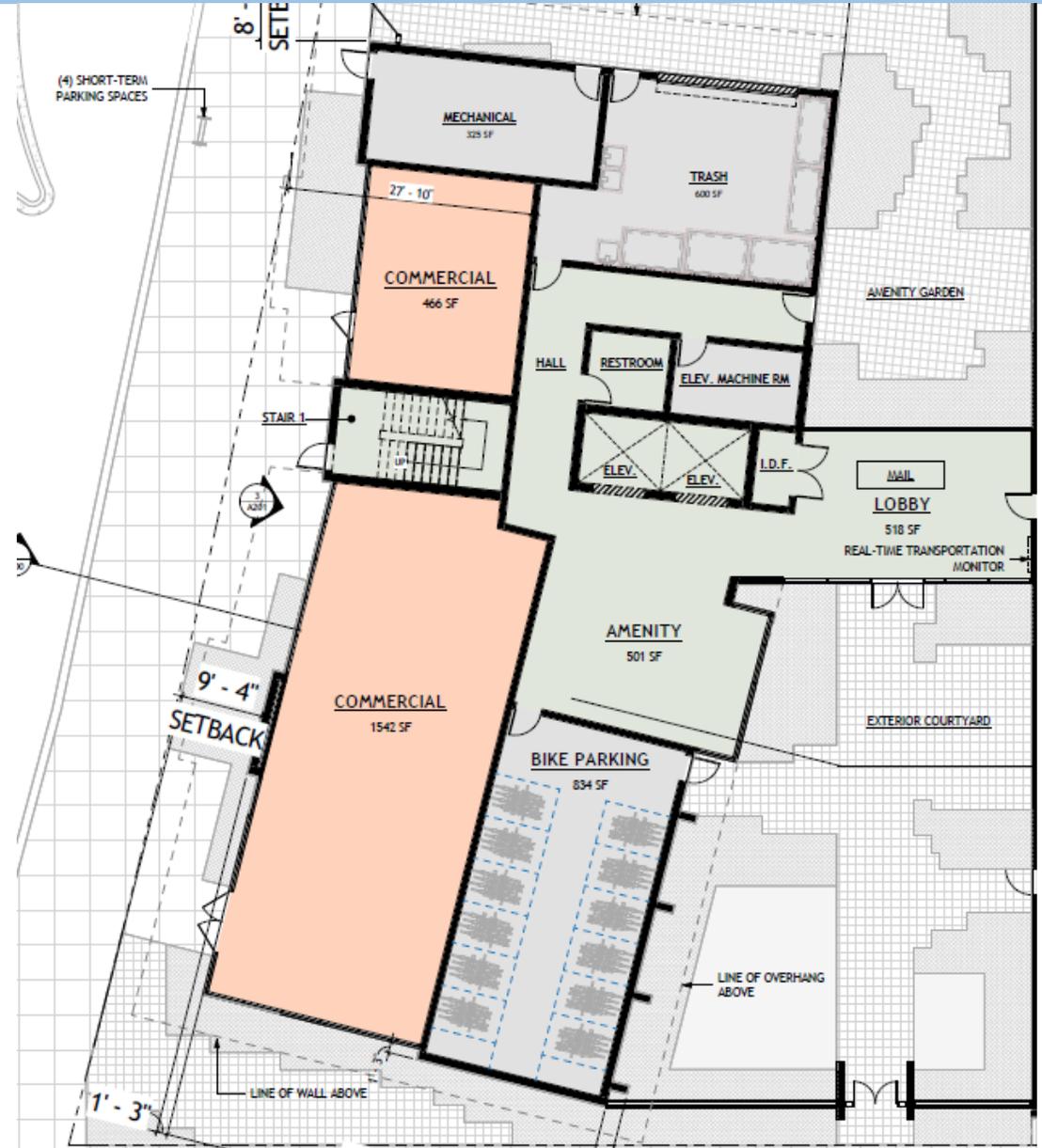
Appeal Issue 1: Parking Requirements



Appeal Issue 2: Ground-Floor Commercial Space

Appellants request:

- Remove the commercial space in order to redesign the project with regards to height and circulation.



Appeal Issue 3: Shade and Shadow

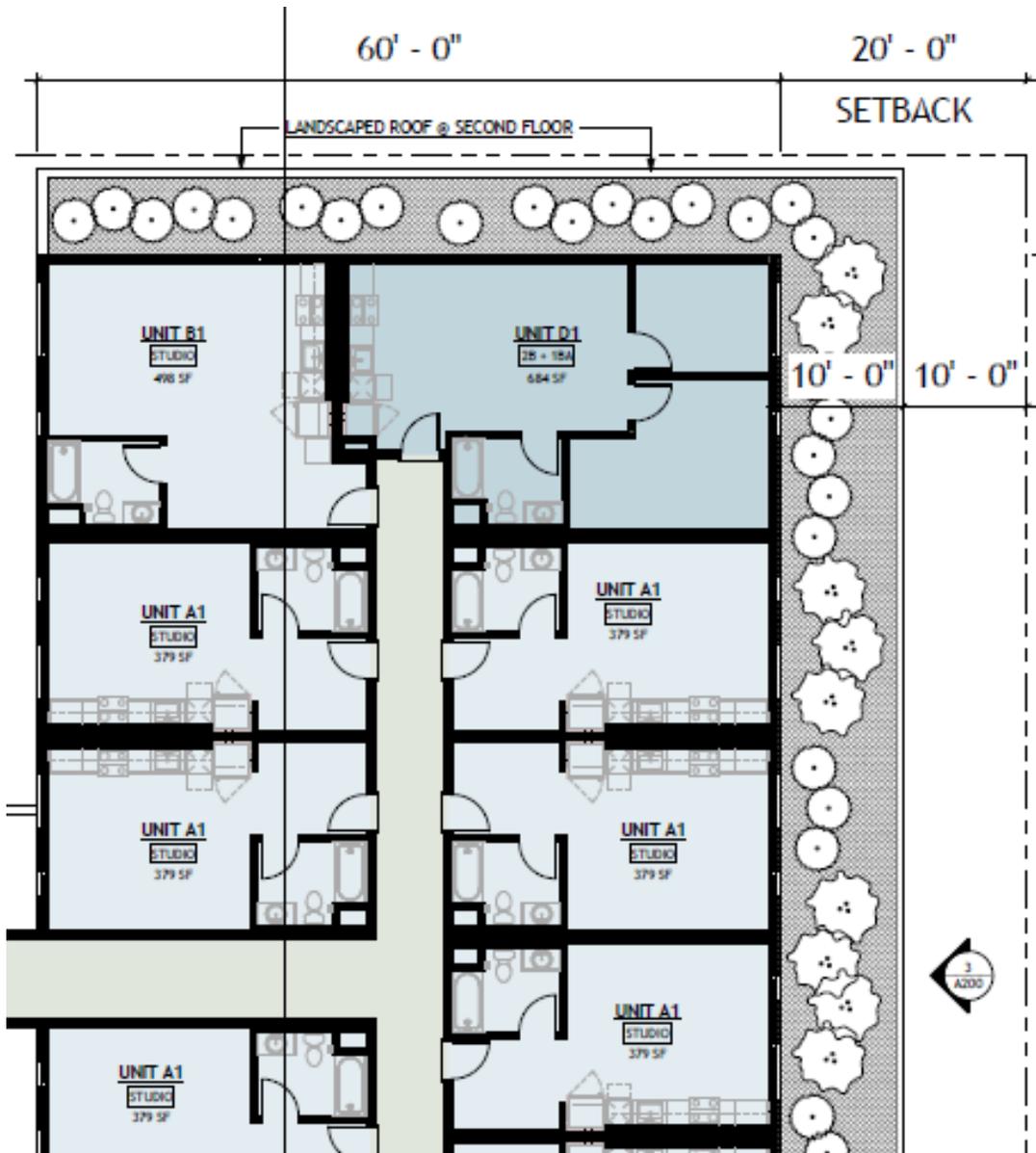
Appellants Claim:

- **Project would create shade impacts eastward along Derby Street**
- **Further impact air, privacy and property values for the adjacent homes.**

Staff:

- **Shadows studies show new shadows would fall on nearby residential homes, but would be limited in duration and extent.**
- **Shadows are typical in a built urban environment and are not considered detrimental to the surrounding residential uses.**

Appeal Issue 3: Shade and Shadow



Staff:

- Project includes trees and screening plants at the ground level
- Landscaped roof on the second floor.
- All stories above the first floor are stepped back 20 feet from the nearest residential property line

Appeal Issue 4: Density Bonus

Appellants Claim:

- **The proposed project was not properly noticed**
- **The public could not review the “base project” which warrants restarting the process.**

Staff:

- **Staff has followed all procedures required by State law and there are no grounds for denial of the project or restarting the process.**
- **The “base project” refers to a theoretical calculation of the maximum allowable density permitted and is not a separate proposal that requires discretionary review**

Appeal Issue 5: Inclusionary Housing Ordinance and in-lieu fees

Appellants Claim:

- **The City and the ZAB are incorrectly applying the Inclusionary Housing Ordinance**
- **The affordable housing in-lieu fees are too low.**

Staff:

- **The proposed project is providing 15 percent VLI below market rate units on site and will pay a prorated in-lieu fee, which is consistent with the requirements.**
- **The affordable housing in-lieu fee was recently analyzed and found to be similar to the City's typical contribution toward providing off-site affordable housing units.**

Recommendation

- **Conduct a Public Hearing**
- **Adopt a resolution**
 - **Affirming the ZABs decision to approve the Use Permit, and the Findings and Conditions, and dismiss the appeal.**
- **Alternative Actions:**
 - **Continue the Public Hearing**
 - **Reverse or modify the ZAB's decision**
 - **Remand the matter to the LPC**