



Rent Stabilization Board

DATE: December 19, 2024
TO: Honorable Members of the Rent Stabilization Board
FROM: Lief Bursell, Senior Planner
Katrina Lapira, Associate Planner
SUBJECT: Status Update on Berkeley Demolition Ordinance Applications

Residential Dwelling Unit Demolition Application Update

Beginning in calendar year 2022, there have been 19 development applications that propose the demolition of existing multi-family residential buildings that include dwelling units that are either subject to rent control, or potentially subject to rent control when rented. These applications propose the removal of 132 residential units, 86 of which were occupied by tenants at the time that Rent Board staff reviewed the application.

This update includes five new Use Permit applications that were recently forwarded to the Rent Board by Planning Department staff. The first is for the demolition of eight rent-controlled dwelling units at 2030 Bancroft Way (the project address is **2036 Bancroft Way**). This project proposes 87 new dwelling units, but only four these would be set at a below-market rate (BMR). Rent Board staff will work with the project planner and the project applicants to make sure they are clear that the Board's position is that the project should replace the eight existing residential units with a minimum of eight BMR units to best mitigate the loss of more affordable, rent-controlled units.

The second project proposes the demolition of a residential building at **2138 Kittredge Street**. Rent Board records indicate this property contains four residential units, only one of which is currently tenant occupied. A second unit is claimed owner-occupied, and the other two are vacant with a status of "not available for rent". The application proposes constructing 66 new residential units, including five BMR units.

The third project would demolish seven existing dwelling units at **2360 Ellsworth Street**. All seven residential units are tenant occupied and are fully covered. The project proposes 65 dwelling units but would only include five BMR units. Rent Board staff will work with the project planner and the project applicants to make sure they are clear that the Board's position is that the project should replace the seven existing residential units with a minimum of seven BMR units to best mitigate the loss of more affordable, rent-controlled units.

The fourth project would demolish five dwelling units at **1589 University Avenue** – the project address is 1581 University. The units are all tenant occupied and are fully covered. The project proposes 158 dwelling units, with 23 BMR (14 Very-Low Income, 9 Moderate Income) units.

The fifth application would demolish 19 dwelling units at **2421-2427 Durant Avenue** – project address is 2425 Durant Avenue. This application was shared with the Board in a previous update when the SB 330 Pre-Application for the project was under review. The Use Permit application would demolish 19 dwelling units that are currently tenant occupied and are fully covered. This project now proposes 169 dwelling units, including 35 BMR units.

All the above Use Permit applications are being processed under the requirements of the previous Demolition Ordinance, since they were submitted SB330 preliminary applications prior to the date the recent Demolition Ordinance revisions went into effect.

| Project Status (As of 9/12/24) | # Projects | # Existing Units | Tenant Occupied | # BMR Units | Net Gain/Loss |
|---|-----------------------|-----------------------------|----------------------------|------------------------|--------------------------|
| ZAB Approved | 8 | 68 | 33 | 85 | +17 |
| App. Complete | 5 | 26 | 22 | 36 | +10 |
| Under Review | 4 | 29 | 24 | 59 | +30 |
| Pre-Application | 2 | 9 | 7 | 14 | +5 |
| Total | 19 | 132 | 86 | 194 | +62 |

Overall, if all existing projects were approved and moved forward to construction, they would result in a net gain of 62 BMR units (beyond the one-for-one replacement of a BMR unit for each existing residential unit). Of the 19 development applications, 12 currently provide or propose at least one-to-one replacement of rent-controlled units with BMR units.

Attachments:

- 1) Residential Demolition Application Update Presentation Slides (Updated for 12-19-2024)
- 2) 12-19-2024 Residential Demolition Application Update

Name and Telephone Number of Contact Person:

Lief Bursell, Senior Planner (510) 981-7368



Residential Dwelling Demolition Application Update

Projects involving demolition of Rent-Controlled Dwellings

December 19, 2024



Demo Project Updates Dec. 19, 2024

2030 Bancroft Way (8 Units)

- Project proposes 87 new residential units
- Includes 4 BMR units
- All 8 units rented & under rent control
- Staff will inform applicant of Rent Board policy regarding BMR replacement units

2138 Kittredge St. (4 Units)

- Project proposes 66 new residential units
- Includes 5 BMR units
- One unit rented; one claimed owner-occupied
- 2 Vacant

Demo Project Updates Dec. 19, 2024, Continued

2360 Ellsworth St. (7 Units)

- Project proposes 65 new residential units
- Includes 7 BMR units
- All 7 units rented & under rent control

1589 University Ave. (5 Units)

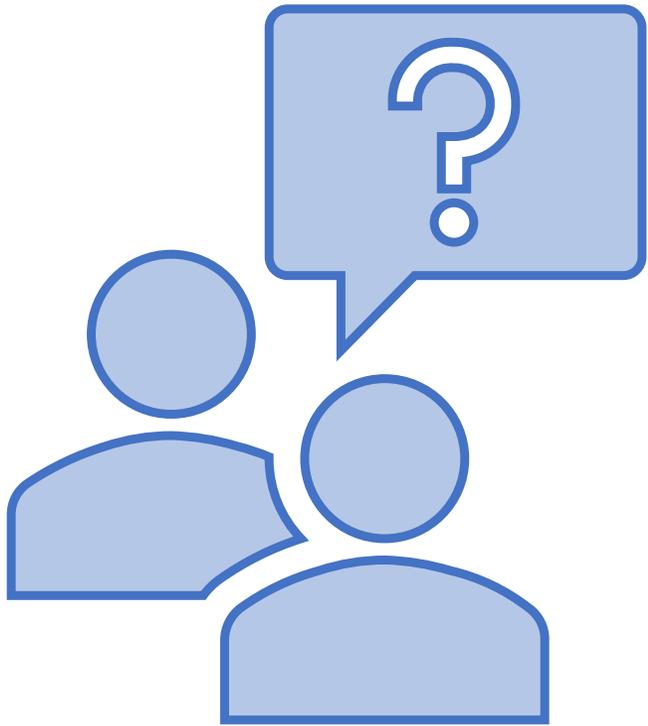
- Project proposes 158 new residential units
- Includes 23 BMR units
- All 5 units rented & under rent control

2421-27 Durant Avenue (19 Units)

- Use Permit submitted on 11/15/24
- Total units increased from 117 to 169
- Affordable units increased from 18 to 35 BMR unit
- All units currently rented & under rent control

2022-2024 Development Applications Proposing Demolition of Residential Units

| Project Status <i>(As of 12/12/24)</i> | # Projects | Existing Units | Tenant Occupied | # BMR Units | Net Gain/Loss |
|--|-----------------------|---------------------------|----------------------------|------------------------|--------------------------|
| ZAB Approved | 8 | 68 | 33 | 85 | +17 |
| App. Complete | 5 | 26 | 22 | 36 | +10 |
| Under Review | 4 | 29 | 24 | 59 | +30 |
| Pre-Application | 2 | 9 | 7 | 14 | +5 |
| Total | 19 | 132 | 86 | 194 | +62 |



Questions

| Application Date | Project Address | Application Type | Application Status | Project Description | # Existing Residential Units Proposed for Demolition | # Tenant Occupied Units | # Replacement Units | One to One Replacement with BMR? | Total BMR Units | Council District |
|------------------|--|------------------|---|--|--|-------------------------|---------------------|----------------------------------|-----------------|------------------|
| 6/14/2024 | 1581 University | Use Permit | Complete | Demo existing 5 units and build 158 new units with 23 BMR units (14 VLI and 9 MOD) | 5 | 5 | 5 BMR | Yes | 23 | 1 |
| 9/5/2024 | 2360 Ellsworth | Use Permit | Complete | Demo existing 7 units and build 65 new units with 5 BMR units | 7 | 7 | 5 BMR | No | 5 | 7 |
| 8/6/2024 | 2138 Kittredge | Use Permit | Under Review | Demo existing 4 units and build 66 new units with 5 BMR units | 4 | 1 | 5 BMR | Yes | 5 | 4 |
| 6/20/2024 | 2036 Bancroft Way (2030 Bancroft Way) | Use Permit | Complete | Demo 8 existing units and build 87 new units with 4 BMR | 8 | 8 | 4 BMR | No | 4 | 4 |
| 8/8/2024 | 2425 Durant Ave. | Use permit | Complete | Demo Existing 19 Units in 2 buildings to construct 169 dwelling unit building with 13 affordable housing units designated for VLI households, 9 LI, 13 for moderate-income households. All 19 existing dwelling units, when replaced, will be below-market-rate rentals. | 19 | 19 | 19 BMR | Yes | 35 | 7 |
| 8/7/2024 | 3035 Colby Ave. | Use Permit | Complete | Demo 2 existing units and build 2 new units | 2 | 0 | 0 BMR | No | 0 | 8 |
| 6/5/2024 | 2442 Haste St. | Use Permit | Under Review | Demo Existing 4plex - build 36 new units, 2 BMR, 1 replacement unit | 4 | 4 | 3 BMR | No | 3 | 7 |
| 8/4/2023 | 1330 Haskell St. | Use Permit | Approved by ZAB (2/22/2024) | Construct two detached units in place of existing duplex | 2 | 0 | 0 BMR | No | 0 | 2 |
| 6/22/2023 | 2733 San Pablo Ave | Use Permit | Under Review | Construct a new 8-story mixed-use building with 152 dwelling units | 2 | 0 | 2 BMR | Yes | 16 | 2 |
| 5/20/2023 | 1790 University Ave | Use Permit | Application Complete (12/6/2023) | Construct a five-story mixed-use building containing 17 dwelling units and ground floor commercial space | 1 | 1 | 1 BMR | Yes | 2 | 4 |
| 4/26/2023 | 2127-59 Dwight Way | Use Permit | Approved by ZAB (11/30/2023) | Construct a six-story multi-family building, with 58 new dwelling units | 8 | 5 | 8 BMR | Yes | 8 | 4 |
| 2/10/2023 | 2300-10 Ellsworth St. | Use Permit | Approved By ZAB | Construct a seven-story residential building with 69 units. | 12 | 12 | 12 BMR | Yes | 12 | 7 |
| 1/23/2023 | 2601 San Pablo Avenue (1110-12 Parker and 2609 San Pablo) | SB 330 Pre-App | SB 330 Preliminary Application Complete (12/5/2023) | Merge six parcels and construct an eight-story mixed-use residential development with 242 dwelling units | 4 | 2 | 4 BMR | Yes | 4 | 2 |
| 12/2/2022 | 3030 Telegraph (aka 2330-36 Webster) | Use Permit | Approved by ZAB on 6/08/2023 | Construct 5-Story mixed-use building with 144 dwellings | 4 | 0 | 4 BMR | Yes | 8 | 8 |
| 11/14/2022 | 2538 Durant | Use Permit | Approved on consent by ZAB on 4/27/2023 | Demolish 12 dwelling units & develop an eight-story residential building with 83 units | 12 | 8 | 6 BMR | No | 6 | 7 |
| 10/20/2022 | 2138 Center Street (aka 2128 Oxford) | Use Permit | Approved | Merge two lots to construct a 26 story mixed-used building with 456 dwellings | 16 | 0 | 16 BMR | Yes | 40 | 4 |
| 9/22/2022 | 2427-33 San Pablo Avenue | Use Permit | Approved by ZAB on 7/11/24 | Construct a five-residential replacement apartment units and Group Living Accommodation (GLA) with 77 private rooms | 8 | 8 | 8 BMR | Yes | 8 | 2 |
| 5/10/2022 | 1827 & 1899 Oxford | SB 330 Pre-App | SB 330 Preliminary Application Under Review | Construct 118 new dwellings with 12 BMR | 8 | 6 | 8 BMR | Yes | 12 | 6 |
| 5/10/2022 | 1773 Oxford | Use Permit | Approved by ZAB on 1/12/2023 | Demolish six units and develop a five-story residential building with 22 units | 6 | 0 | 3 BMR | No | 3 | 6 |