

Notice of Exemption

TO: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
 County of Alameda County Clerk

FROM: City of Berkeley
Planning and Development Department
1947 Center Street, 2nd Floor
Berkeley, CA 94704

Project Title: 2037 Durant Avenue Mixed Use (ZP#2023-0064)

Project Location: 2037 Durant Avenue, City of Berkeley, County of Alameda

Project Description: A Density Bonus Project that would demolish a one-story, 13,000 square-foot commercial building and construct an eight-story (90 feet), 76,373 square-foot building with 74 dwelling units, including 4 Very Low-Income Density Bonus qualifying units, and 1,552 square feet of ground floor commercial space.

Name of Public Agency Approving Project: City of Berkeley

Project Sponsor: Kim Fisher, KDA Architects, Berkeley

Exempt Status: (Check one)

- | | |
|---|---|
| <input type="checkbox"/> Ministerial (Sec. 21080(b)(1); 15268) | <input checked="" type="checkbox"/> Categorical Exemption (15332) |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a)) | <input type="checkbox"/> Statutory Exemption () |
| <input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) | <input type="checkbox"/> Other: _____ |

Reasons why project is exempt: The project meets all of the requirements of the Infill Development Project exemption (Section 15332). The project is consistent with the applicable General Plan designation and policies, and with the applicable zoning designation and regulations. The project occurs within the Berkeley City limits on a project site of no more than five acres and is surrounded by urban uses. The parcels within the project site have previously been developed and have no value as habitat for endangered, rare or threatened species. The project will not result in any significant effects relating to traffic, noise, air quality or water quality. The Traffic Impact Analysis prepared for the project was reviewed by the City Transportation Division which concurred with the findings of less than significant impacts. City Standard Conditions will address potential impacts related to traffic, noise, air quality, and water quality. The site can be adequately served by all required utilities and public services. Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project will not affect any historical resource.

Lead Agency

Contact Person: Claudia Garcia, AICP, Principal Planner Area Code/Telephone/Extension: (510) 981.7412

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Claudia Garcia Date: May 24, 2024 Title: Principal Planner

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____