

D E S I G N
R E V I E W
C O M M I T T E E
S T A F F R E P O R T

**For Committee Decision/
Majority Recommendations**
AUGUST 21, 2025

2138 KITTREDGE STREET

PRELIMINARY DESIGN REVIEW

Design Review #DRCP2024-0015 to demolish a four-unit residential building and construct a 42,893 square foot, eight-story (82 feet) residential building with 66 units total, including three (3) Very Low Income (VLI) units, and two (2) Extremely Low Income (ELI) units, utilizing State Density Bonus, on a 6,750 square foot lot.

I. Introduction

This eight-story mixed use project is proposed in the C-DMU – Downtown Mixed-Use Commercial District – Outer Core Sub-area. The subject parcel is on the south side of Kittredge Street, mid-block between Shattuck Avenue and Oxford Street.

This project is applying under the Housing Crisis Act, SB 330, which seeks to boost homebuilding throughout the State with a focus on urbanized zones by expediting the approval process for and suspending or eliminating restrictions on housing development and limiting the number of public meetings. Housing development is defined as a project that is: all residential; a mixed-use project with at least two-thirds of the square-footage residential; or for transitional or supportive housing. The SB330 application vesting date was February 14, 2024.

A Landmark Designation Application (#LMIN2024-0006) was submitted for this parcel on October 30, 2024. On February 6, 2025, the LPC approved this application, designating the property at 2138 Kittredge Street as a City Landmark. The designation was based on findings that the property meets criteria related to architectural merit, cultural value, and historical significance. That decision was appealed by the applicant. On July 23, 2025, City Council reversed the landmark decision made by the LPC.

It is before the Design Review Committee this month for Preliminary Design Review where the Committee will discuss the project's overall massing and design and provide specific feedback to the applicants for Final Design Review. The

project is scheduled to go before the Zoning Adjustments Board on September 25, 2025.

II. Background

The proposed project would demolish a two-story, four-unit residential building and construct a 42,893 square foot, eight-story (82 feet) residential building with 66 units total, including three (3) Very Low Income (VLI) units and two (2) Extremely low Income (ELI) unit, utilizing State Density Bonus. The project has the following primary components:

- 66 units
 - 46 Studios
 - 12 One-bedroom
 - 7 Two-bedroom
 - 73 Total bedrooms
- Bike room for 28 bikes
- 556 square foot amenity room
- 246 square foot raised stormwater planter

III. Project Setting

A. Neighborhood/Area Description:

The project site is associated with the address 2138 Kittredge and APN 57-2029-15. The project site is an approximately 6,750 square foot rectangular parcel located on the south side of Kittredge Street, between Shattuck Avenue (west) and Oxford Street (east). The site is located within the Downtown Mixed-Use District (C-DMU), Outer Core Sub-Area as identified in the City's Downtown Area plan (DAP).

The project site is surrounded by commercial, institutional and mixed-use buildings ranging in height from two to seven stories. To the north, the site is directly across from the California Theater (closed), and there are also a mix of multi-family residential uses and restaurants. Uses to the south of the project site included the Banway Building (part of UC Berkeley), mixed use and offices, which range in height from four to seven stories. To the east, the site is adjacent to the seven-story Kittredge mixed use building and the Brower Event Center is further beyond. Along Shattuck Avenue to the west, there is a mix of two-story restaurant and retail uses.

The project site is served by multiple bus lines (local, rapid, and Transbay) that operate along Shattuck Avenue, one-half block west of the site and is one block away from the Downtown Berkeley Bay Area Rapid Transit (BART) Station.

B. Site Conditions:

The project site contains two existing buildings, a carport and a two-story 3,602 square-foot residential building. The primary structure, historically known as the Fitzpatrick House and later as the Pepper Tree Tea Room, is situated near the

northwest corner of the lot, with its north-facing façade built directly along the northern property line. The one-story carport is located at the rear of the site, occupying the southwest corner and spanning the full width of the rear property line. Vehicle access is provided by a gated driveway at the northwest corner of the parcel, running along the eastern side of the residence.

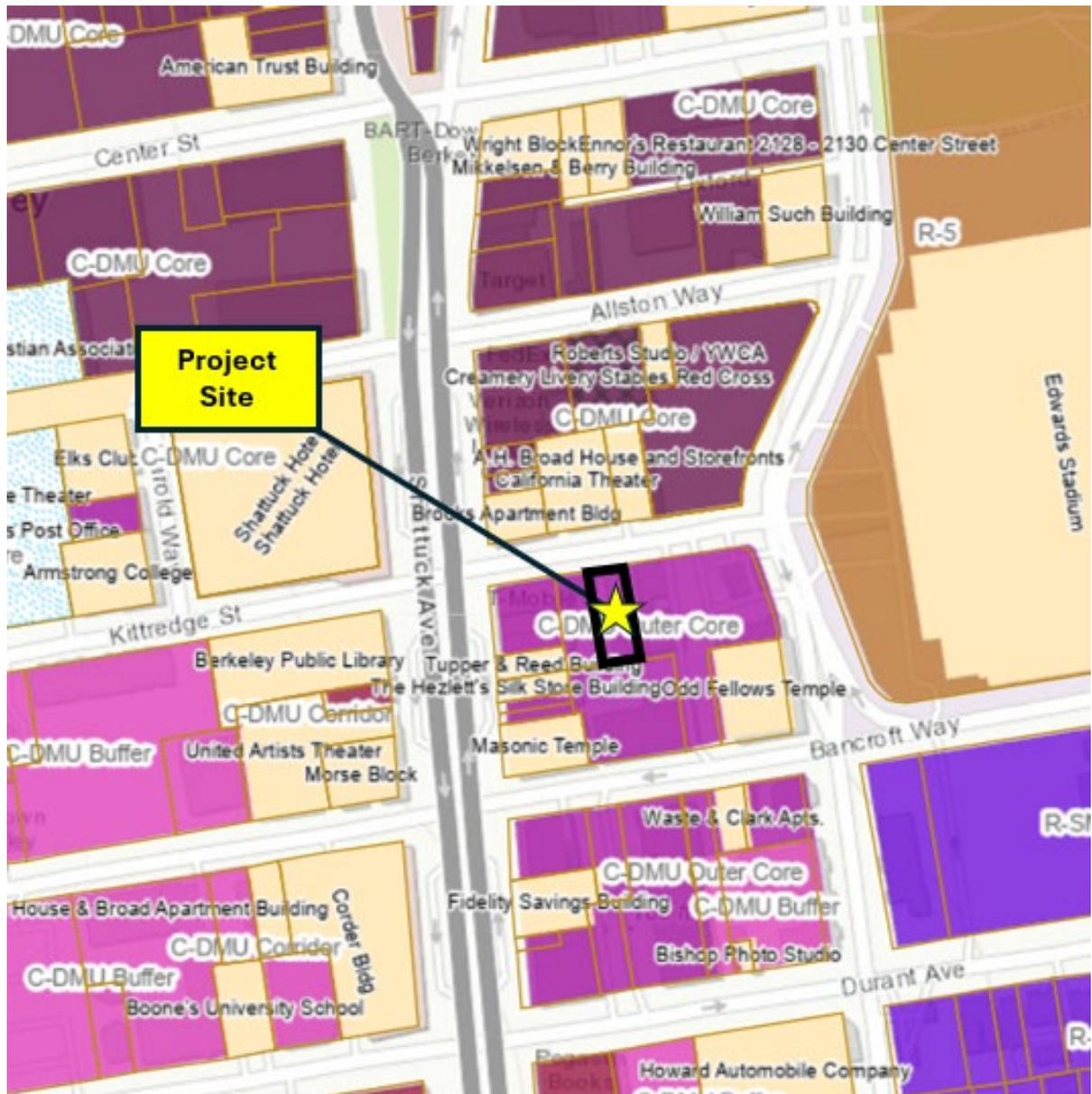
The two-story multi-family residential building at 2138 Kittredge Street was constructed in 1904 by J.C. Fitzpatrick and was designed by William H. Wharff. It was converted to mixed use, with a restaurant on the ground floor and a single living space on the upper floors, by 1925. In 1934, the front of the building was altered with a brick masonry addition in the Georgian Revival (also referred to as Neo-Georgian) style. The ground floor restaurant was known as the Pepper Tree Tea Room, which operated in this space until 1942. In 1943, the building was converted into five apartments; however, only four apartments are currently registered in the building with the Rent Stabilization Board.

The subject property is not listed on the National Register of Historic Places (NR) or the California Register of Historical Resources (CR), but it was recorded for the State Historic Resources Inventory in 1978 and recommended eligible for the NR. It is also listed on the Berkeley Urban Conservation Survey (form #21280).

Several City Landmarks and Structures of Merit are located nearby, including the A.H. Broad House and Storefront at 2117 Kittredge Street, California Theater at 2115 Kittredge Street, Brooks Apartment Building at 2231 Shattuck Avenue, Tupper and Reed Building at 2271 Shattuck Avenue, Hezlett's Silk Store Building at 2277 Shattuck Avenue, Odd Fellows Temple at 2288 Fulton Street, Masonic Temple at 2105 Bancroft Way, and Edwards Stadium at 2594 Hearst Avenue.

A large coast redwood tree which was located behind the house and a tree located in the right-of-way were removed and/or pruned in Spring 2025 (tree removal/pruning permits were issued in February 2025).

Figure 1: Vicinity and Zoning Districts Map



Legend:

Zoning

- C-DMU Core – Downtown Mixed-Use Core
- C-DMU Outer Core - Downtown Mixed-Use Outer Core
- C-DMU Corridor - Downtown Mixed-Use Corridor
- C-DMU Buffer – Downtown Mixed Use-Buffer
- R-5 – High Density Residential District
- R-SMU – Residential Southside Mixed Use District

Table 1: Land Use Information

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Two-story residential building	C-DMU Outer Core	Downtown
Surrounding Properties	North	California Theater (closed), Multi-family Residential and Restaurants	C-DMU Core	Downtown
	South	Banway Building (UC Berkeley), Mixed Use Commercial/Multi-family Residential and Offices	C-DMU Outer Core	Downtown
	East	Mixed-Use/Multi-family Residential, Event Center (Brower Center)		
	West	Retail and Restaurants		

Table 3: C-DMU Zoning District Development Standards BMC Sections 23.204.130 and 23.322 Parking and Loading

Standard		Existing	Addition/ (Reduction)	Proposed Total	Permitted/ Required
Lot Area (sq. ft.)		6,750	n/a	6,750	n/a
Gross Floor Area (sq. ft.)		3,602	33,577	42,893	n/a
Floor Area Ratio		0.53	5.82	6.35	n/a
Commercial Floor Area		0	0	0	n/a
Dwelling Units	Total	4	61	65	n/a
Building Height ¹ (ft. - in.)	Maximum	35	50	85	75ft with a Use Permit
Building Setbacks ² (ft. - in.)	Front (North) (Kittredge)	0	0-4'4"	4'4" (0-11') 0' (12-85')	0'-5' (bldg. ht.≤20') 0' min (bldg. ht.>20' ≤75') 15' (bldg. ht.>75')
	West Interior Side 0'-65' from frontage	13'2"	(12'5")	9"	0'-5' (bldg. ht.≤20') 0' (bldg. ht.>20' ≤75') 5' (bldg. ht.>75')
	West Interior Side over 65'	n/a	n/a	9"	0'-5' (bldg. ht.≤20') 5' (bldg. ht.>20' ≤75') 15' (bldg. ht.>75')

Standard		Existing	Addition/ (Reduction)	Proposed Total	Permitted/ Required
	East Interior Side 0'-65' from frontage	3'9"	(3')	9"	0'-5' (bldg. ht.≤20') 0' (bldg. ht.>20' ≤75') 15' (bldg. ht.>75')
	East Interior Side over 65'	3'9"	(3')	9"	0'-5' (bldg. ht.≤20') 5' (bldg. ht.>20' ≤75') 15' (bldg. ht.>75')
	Rear (South)	68'8"	(58'4")	10'4"	0'-5' (bldg. ht.≤20') 5' (bldg. ht.>20' ≤75') 15' (bldg. ht.>75')
Usable Open Space (sq. ft.)		0	320	320	5,280
Automobile Parking		0	0	0	n/a
Bicycle Parking	Residential – Long Term	0	25	25	1 per 3 bedrooms (73 rooms/3 = 25)
	Residential – Short Term	0	2	2	1 per 40 bedrooms (73 bedrooms)
<p>_____ = Concession or Waiver requested to modify the district standard</p> <p>Abbreviations: sq. ft. = square feet; max. = maximum; min. = minimum; n/a = not applicable; % = percent; avg. = average, ft = feet ('), in. = inches (")</p>					
<p>Notes:</p> <ol style="list-style-type: none"> 1. A use permit to allow height up to 75 feet is included in the Base Project for the calculation of the density bonus, and is not a requested waiver. Additional height beyond 75' is being requested as a waiver. 2. The use permit to allow reduced setbacks up to 75' building height is included in the Base Project for the calculation of the density bonus, and is not a requested waiver. Setback reductions above 75' are being requested as waivers. 					

IV. Project Description

A. Requested Use Permits

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.326.070 to demolish non-residential buildings;
- Use Permit pursuant to BMC Section 23.204.020(A) to establish a mixed-use residential building;
- Use Permit pursuant to BMC Section 23.204.030 to establish more than 10,000 square feet of new floor area in the C-DMU zoning district;
- Use Permit pursuant to BMC Section 23.204.130(E)(1)(a) to establish a building with a maximum height of 75 feet in the outer core sub-area;
- Use Permit pursuant to BMC Section 23.204.130(E)(3)(b) to modify the setback standards in Table 23.204-38 for the side and rear setbacks; and
- Administrative Use Permit pursuant to BMC Section 23.304.050 for projections above the height limit.

B. CEQA Determination

Pursuant to Government Code Section 65589.5, it is staff's determination that the project is categorically exempt under Section 15332 ("Infill Development Projects") of the CEQA Guidelines.

C. Concessions and Waivers and Pursuant to State Density Bonus Law (CA Gov't. Code Section 65915)

- Concession from BMC 23.316 to allow an exemption from the public art allocation in-lieu fee;
- Waiver from BMC Section 23.204.130(E)(1) to increase the FAR from 4 to 6.35;
- Waiver from BMC Section 23.204.150(E)(1) to increase the allowed height from 75 feet to 85 feet;
- Waiver of BMC Section 23.204.130(E)(3)(a) to reduce the front yard setback requirement to zero feet, where 15 feet is the minimum, above 76-foot building height;
- Waiver of BMC Section 23.204.130(E)(3)(a) to reduce the interior side yard setback requirement to nine inches, where 5-15 feet is the minimum, above 76-foot building height;
- Waiver of BMC Section 23.204.130(E)(3)(a) to reduce the rear yard setback requirement from to ten feet, 4 inches (10'4"), where 15 feet is the minimum, above 76-foot building height;
- Waiver from BMC Section 23.204.130(E)(4) to reduce the amount of open space to 320 square feet where 5,280 square feet is required; and
- Waiver from BMC Section 23.304.090(B)(7) to eliminate the requirement to provide 40% landscaping within open space areas.

V. Design Review Guidelines

Following are several key guidelines in the Downtown Design Guidelines which relate closely to this project.

All Buildings

- For new construction projects located on narrow east-to-west streets and over 75 feet in height, prepare an analysis of shade impacts on public open spaces and pedestrian sidewalks across the street.
- Maintain and reinforce Downtown's historic street wall at the property line. Upper floor step backs are desirable above 60 feet and should be used above 75 feet.
- For buildings over 85 feet in height, prepare an analysis of potential wind impacts. Protect sidewalk and public open space by deflecting downward wind drafts ("wind shear") by using building setbacks, recesses, projections and other devices.
- Consider how the building's form and orientation can take advantage of sun and shade to appropriately heat and cool the building.
- Consider using continuous vertical features to unify upper and lower floors, while stepping back upper floors.
- Respect the height of neighboring buildings, and provide a sense of continuity and enclosure which avoids abrupt changes in height.

Facades

- Reflect and reinforce the scale, massing, proportions, rhythm and attention to detailing which are established by the facades of Landmark and Significant buildings.
- Incorporate elements which break up façade planes and create a visual play of light and shadow. Avoid long, uninterrupted horizontal surfaces. Consider the use of bay windows, balconies and architectural projections.
- Vertical divisions of ground and upper floors should be consistent. Generally maintain a cornice that projects horizontally between the ground floor (and its mezzanines) and upper stories.
- Architecturally distinguish the ground floor from the upper façade, to form a visual base for the building. Create an intimate scale for the pedestrian environment.
- Architecturally distinguish the upper façade from the top of the façade to provide a visual termination for the building. Generally maintain a cornice that projects horizontally at the top of the 5th floor, or near the top of the buildings that are less tall.
- Maintain the typical rhythm of structural bays and enframed storefronts of 15-30 feet spacing at ground level, in order to enhance visual continuity with existing buildings and pedestrian scale. Curtain walls, if used, should be designed with rhythm, patterns and modulation to be visually interesting.

Parking and Garage

- Give first consideration to pedestrians during the site planning process.
- For on-site loading and on-site parking, mitigate impacts on the pedestrian to the extent possible.
- Locate and design loading areas to minimize their visibility from public spaces,

- use walls and landscaping to screen views of loading areas.
- Locate parking behind buildings, underground, or behind ground floor storefronts.

Kittredge Street is designated as a required public serving frontage (refer to figure 43 in the 2012 Downtown Guidelines)

- At least one publicly-accessible street-level entrance to be provided for every 40 feet along a street facing frontage. Any remainder exceeding 30 feet shall also have a publicly-accessible street-level entrance. No two entrances shall be separated by more than 50 feet.
- Clear Glass shall comprise at least 60% of the street facing façade where it is between 3 feet and 8 feet above elevation of adjacent sidewalk
- The design of the ground floor shall be visually open to pedestrians such that the design should enable the main activities of the proposed use to be carried out towards the front of the space.

A complete set of the Downtown Design Guidelines can be found online at:

[120330_DBDesignGuidelines_ADDITIONAL GRAPHICS.indd](#)

VI. Issues and Analysis

A. Design Review Issues:

Neighborhood Context This new mixed-use development is proposed in the C-DMU Outer Core sub-area of Downtown Berkeley. The subject parcel is situated mid-block on Kittredge between Shattuck Avenue and Oxford Street. The project site is surrounded by commercial, institutional and mixed-use buildings ranging in height from two to seven stories.

Massing/Building Design The massing on Kittredge would rise to 8 stories and is proposed with a single-story base, and two distinct front bays with a recess in between. The west side of the project is visible from the street and has window bays and balconies with a western view. The east and south edges of the project are on interior lot lines and are more closed and quieter.

Setbacks The project proposes a slight projection on the North property line (Kittredge Street) but also a recessed entryway. The design is setback 10'-4" from the South property line at the rear of the site, 10'-0" for much of the West property, and 9" on the east property line, adjacent to a recently built residential structure.

Ground Floor Design The main residential entry is proposed on Kittredge Street with the lobby, mailboxes and leasing office directly inside. There are also some residential units located at the rear of the parcel on the ground floor and these could

be accessed from a side alley on the west side of the site. Trash is also located off of this side alley.

Landscape/ Open Space Flow-through planter is proposed adjacent to the sidewalk in the northwest corner of the parcel. Private patios are at the south end of the parcel adjacent to the ground floor units.

Encroachment Any encroachment over the Kittredge Street Right-of-way requires Public Works approval. The applicant will clarify the extent of encroachment in their presentation.

Streetscape The project proposes one new street trees on Kittredge, and has been working with Urban Forestry for specific species and planting details.

Colors and Materials The project is designed with stucco and textured fiber cement panels as the main building materials. Some lower brick ledges are shown on the Kittredge frontage and salvaged brick from the existing building is noted in the material legend on the elevations.

B. Issues for Discussion:

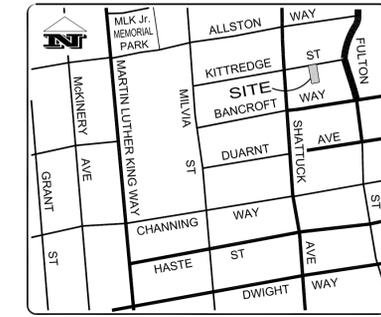
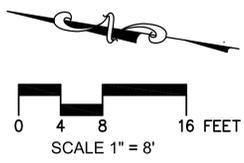
- Neighborhood Context
- Massing
- Building Design
- Landscaping
- Colors and Materials.

VII. Recommendation

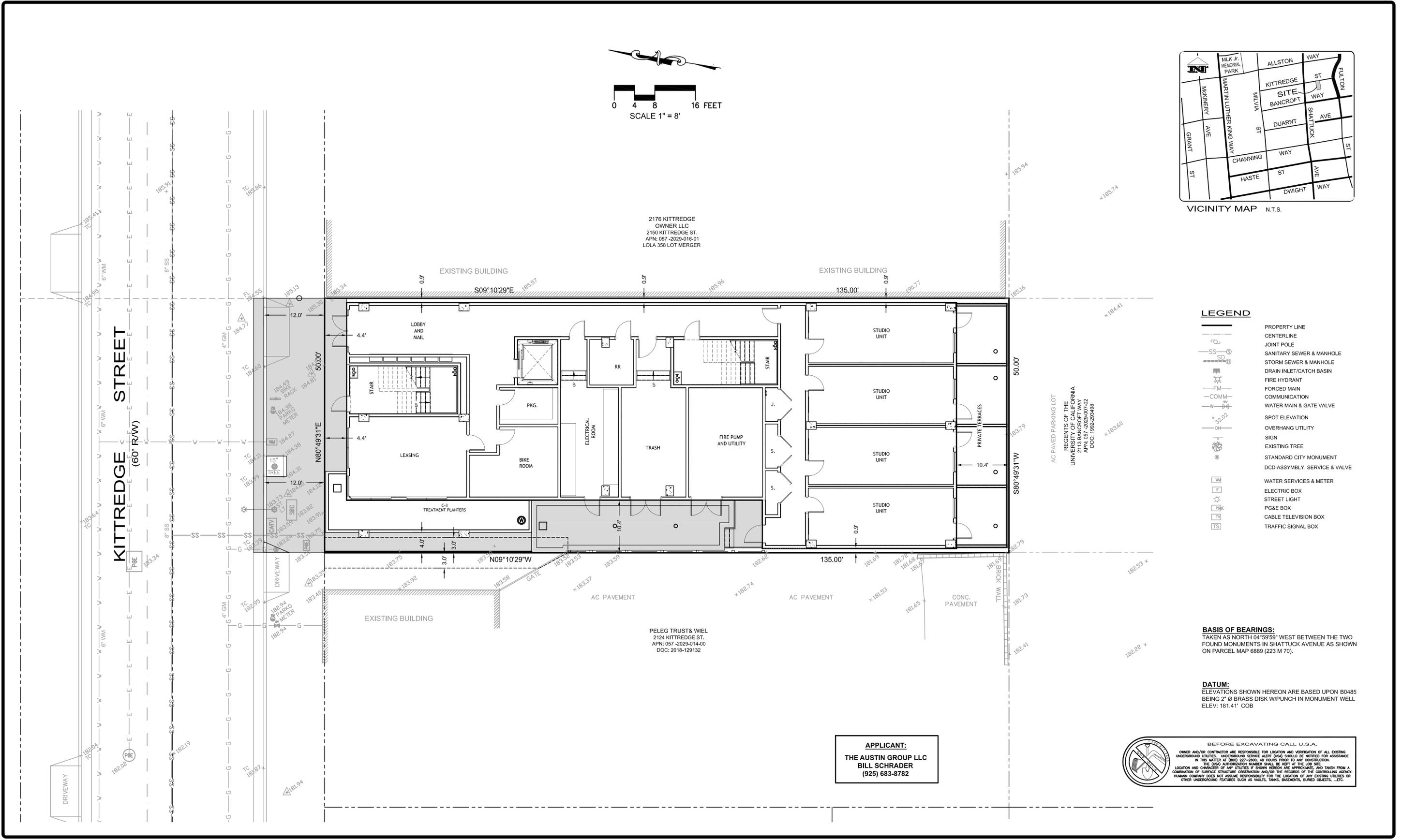
Staff recommends that the DRC discuss the above issues and forward a favorable recommendation to ZAB with any conditions as necessary and specific direction for Final Design Review.

Attachments:

1. Project Plans, received August 12, 2025 (massing and site plan exhibits only have been uploaded on-line consistent with SB1214 requirements).



VICINITY MAP N.T.S.



2176 KITTREDGE
 OWNER LLC
 2150 KITTREDGE ST.
 APN: 057-2029-016-01
 LOLA 358 LOT MERGER

PELEG TRUST & WIEL
 2124 KITTREDGE ST.
 APN: 057-2029-014-00
 DOC: 2018-129132

AC PAVED PARKING LOT
 REGENTS OF THE
 UNIVERSITY OF CALIFORNIA
 2113 BANCROFT WAY
 APN: 057-2029-007-02
 DOC: 1982-295498

APPLICANT:
THE AUSTIN GROUP LLC
BILL SCHRADER
(925) 683-8782

LEGEND

- PROPERTY LINE
- CENTERLINE
- JOINT POLE
- SANITARY SEWER & MANHOLE
- STORM SEWER & MANHOLE
- DRAIN INLET/CATCH BASIN
- FIRE HYDRANT
- FORCED MAIN
- COMMUNICATION
- WATER MAIN & GATE VALVE
- SPOT ELEVATION
- OVERHANG UTILITY
- SIGN
- EXISTING TREE
- STANDARD CITY MONUMENT
- DCD ASSEMBLY, SERVICE & VALVE
- WATER SERVICES & METER
- ELECTRIC BOX
- STREET LIGHT
- PG&E BOX
- CABLE TELEVISION BOX
- TRAFFIC SIGNAL BOX

BASIS OF BEARINGS:
 TAKEN AS NORTH 04°59'59" WEST BETWEEN THE TWO
 FOUND MONUMENTS IN SHATTUCK AVENUE AS SHOWN
 ON PARCEL MAP 6889 (223 M 70).

DATUM:
 ELEVATIONS SHOWN HEREON ARE BASED UPON B0485
 BEING 2" Ø BRASS DISK W/PUNCH IN MONUMENT WELL
 ELEV. 181.41' COB

BEFORE EXCAVATING CALL U.S.A.

OWNER AND/OR CONTRACTOR ARE RESPONSIBLE FOR LOCATION AND VERIFICATION OF ALL EXISTING UNDERGROUND UTILITIES. UNDERGROUND SERVICE ALERT (USA) SHOULD BE NOTIFIED FOR ASSISTANCE IN THIS MATTER AT (800) 222-5800, 48 HOURS PRIOR TO ANY CONSTRUCTION.

THE USA AUTHORIZATION NUMBER SHALL BE KEPT AT THE JOB SITE.

LOCATION AND CHARACTER OF ANY UTILITIES IF SHOWN HEREON ARE APPROXIMATE AND TAKEN FROM A COMBINATION OF SURFACE STRUCTURE OBSERVATION AND/OR THE RECORDS OF THE CONTROLLING AGENCY. HUMANN COMPANY DOES NOT ASSUME RESPONSIBILITY FOR THE LOCATION OF ANY EXISTING UTILITIES OR OTHER UNDERGROUND FEATURES SUCH AS VAULTS, TANKS, BASEMENTS, BURIED OBJECTS, ...ETC.

NO.	DATE	BY	REVISIONS

SCALE	1"=8'
DATE	07/16/2024
ENGINEER	HN
JOB NO.	23150

REGISTERED PROFESSIONAL ENGINEER
 STATE OF CALIFORNIA
 No. 29528
 IZZAT S. NASHASHIBI
 R.C.E. 29528

Met Washkiel

PRELIMINARY SITE PLAN
 FOR
 LOT 17 "BERKELEY PROPERTY MAP NO. 3 OF BLAKE TRACT"
 2138 KITTREDGE STREET
 APN 057-2029-015-00
 BERKELEY CALIFORNIA

HUMANN COMPANY INC.
 ENGINEERING - SURVEYING
 1021 BROWN AVE. LAFAYETTE, CA 94549
 PH (925)283-5000 FAX (925)283-3578

SHEET	C01
OF 2 SHEETS	
JOB NO.	23150