

## EMERYVILLE PLANNING COMMISSION

### STAFF REPORT

**Agenda Date:** August 28, 2025

**Report Date:** August 21, 2025

**TO:** Planning Commission

**FROM:** Community Development Department  
Miroo Desai, Planning Manager

**SUBJECT:** Bay Center Life Science Project Permit Extension  
(UPDR22-002)

**PROJECT LOCATION:** 6425-6455 Christie Avenue  
(APNs: 49-1491-7; -8; and -11)

**APPLICANT/OWNER:** Bay Center Investors, LLC c/o Harvest Properties (Tom Wagner)  
180 Grand Avenue, Suite 1400  
Oakland, CA 94612

**PROJECT DESCRIPTION:** Consideration of a request for one-year extension of a Major Use Permit and Design Review for a new six story, 96-foot-tall building accommodating 210,000 square feet of Research and Development space and a new 595-space parking garage at 6425-6455 Christie Avenue that was approved by the Planning Commission on August 24, 2023. The project includes a Tree Removal Permit to remove one street tree on 65th Street and removal of parking lanes along the north side of 64th Street and along the south side of 65th Street to accommodate construction of new wider sidewalks.

**GENERAL PLAN:** Mixed Use with Non-Residential

**ZONING DISTRICT:** Mixed Use with Non- Residential South (MURS) and Pedestrian Priority (PP) Overlay for a portion of 64<sup>th</sup> Street frontage

#### **ENVIRONMENTAL**

**STATUS:** This project was exempt from environmental review under State CEQA Guidelines Section 15332, which applies to infill development projects, and the “common sense exemption” at Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment. The proposed extension of project entitlements is not a “project” pursuant to CEQA Guidelines section 15378 because it is an administrative activity that will not directly or indirectly impact the environment.

## **RECOMMENDED**

### **COMMISSION**

#### **ACTION:**

1. To open the public hearing and take testimony regarding the extension request.
2. To close the public hearing and consider the staff report and Resolution.
3. Adopt Resolution CPC No. UPDR17-009/ Extension approving the requested extension.

## **DISCUSSION**

On August 24, 2023, the Planning Commission approved a Conditional Use Permit and Design Review permit to construct a new six-story, 96-foot-tall building accommodating 210,000 square feet of Research and Development space and a new 595-space parking garage at 6425-6455 Christie Avenue. The Research and Development building includes approximately 2,200 square feet of Community Assembly Space. The project includes a Tree Removal Permit to remove one street tree on 65th Street and removal of parking lanes along the north side of 64th Street and along the south side of 65th Street to accommodate construction of new wider sidewalks.

The applicant now requests a one-year extension of the entitlements for the project. According to the applicant, the reasons for the request include a “change in the economy, including the high-interest rate environment, rapidly escalating construction costs, and more importantly [due to] the lack of any tenant activity we were not able to commence the project”. The applicant anticipates venture capital funding to increase which is the source of capital for early-stage life science projects. (See attached Applicant’s Permit Extension Request Letter).

## **STAFF FINDINGS**

Pursuant to Section 9-7.213(a) of the Emeryville Planning Regulations, unless the Planning Commission specifies otherwise, any conditional use permit and design review permit automatically expires unless an application for a building permit has been filed and fees have been paid within one year from the date of approval or within time specified in the Condition of Approval. For this project, the original approval was for two years, so the approval expired on August 23, 2025. The applicant applied for permit extension well before the expiration and permit extension was agendaized for the June 26<sup>th</sup> Planning Commission agenda. However, due to a lack of a quorum the item was not heard at the June meeting.

For reasons described above and in the attached letter, the applicant has not been able to file a building permit application within two years following the approval date.

Section 9-7.213(b) of the Planning Regulations allows the Planning Commission to grant extensions to previously approved permits to a maximum of three years from the original approved date. If granted, this would be the first and the only extension that will be permitted for this project.

To grant such a request, the Commission must make the following findings pursuant to Section 9-7.213(e):

- (1) That the permit holder has clearly documented that it has made a good faith effort to commence work upon the use; and
- (2) That it is in the best interest of the City of Emeryville to extend the permit; and
- (3) That there are no substantial changes to the project, no substantial changes to the circumstances under which the project is undertaken, and no new information of substantial importance that would require any further environmental review pursuant to the California Environmental Quality Act; and
- (4) That the permit holder is maintaining the property in compliance with all applicable City regulations.

In staff's view, these findings can be made. The difficult economic circumstances regarding both interest rates and escalating construction costs are well documented and the subject of much discussion both locally in the Bay area as well as throughout the state of California. Emeryville remains an attractive market for Research and Development (R&D), and the project would bring new tenants that would add to the city's hub of R&D businesses once the economy improves. There are no circumstances that would require any further environmental review of the project, and the property is being maintained in conformance with applicable City regulations.

**RECOMMENDATION:**

Staff recommend that the Commission approve this request for a one-year extension, with a new expiration date of August 23, 2026.

**Attachments:**

1. [Applicant Permit Extension Request Letter](#)
2. [Resolution](#)