



# Action Minutes

Planning & Development Department  
Land Use Planning Division

## Zoning Adjustments Board Thursday, March 11, 2021 - 7:04 PM

### Preliminary Matters:

**Roll Call:**

**Commissioners Present:** Igor Tregub (Mayor Appointee), Yes Duffy (District 1), Kimberly Gaffney (District 2), John Selawsky (District 3), Carrie Olson (District 4), Shoshana O'Keefe (Vice Chairperson, District 5), Charles Kahn (Chairperson, District 6),

**Late:** Alfred Twu (District 7), Denise Pinkston (District 8).

**Staff Present:** Secretary Leslie Mendez, Allison Riemer, Jim Frank.

**Ex Parte Communication Disclosures:** None.

**Public Comment:** Speakers: 1

**Agenda Changes:** None.

### Consent Calendar

1. Approval of Action Minutes from February 25 , 2021

**Recommendation:** APPROVE

**Motion / Second:** C. Olson / J. Selawsky

**Vote:** 6-0-1-2 (Abstain: Y. Duffy; Absent: A. Twu, D. Pinkston)

**Action:** APPROVED

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### Consent Calendar

#### 2. [1330 and 1336 Gilman Street](#) – New Public Hearing

<b>Application:</b>	#ZP2020-0117 to add the sale of beer and wine at an existing grocery store.
<b>Zoning:</b>	C-N – Neighborhood Commercial District
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
<b>Applicant / Owner:</b>	The Natural Grocery Company, 10367 San Pablo Ave, El Cerrito
<b>Staff Planner:</b>	PARS Investments LLC, 1600 Shattuck Ave, STE 106, Berkeley
<b>Recommendation:</b>	Jim Frank, <a href="mailto:jfrank@cityofberkeley.info">jfrank@cityofberkeley.info</a> , (510) 981-7548
<b>Motion / Second:</b>	<b>C. Olson / J. Selawsky</b>
<b>Vote:</b>	<b>7-0-0-2</b> (Absent: A. Twu, D. Pinkston)
<b>Action:</b>	<b>APPROVED</b>

### Action Calendar

#### 3. [800 Dwight Way – Bayer Building 69](#) – New Public Hearing

<b>Application:</b>	<b>Use Permit #ZP2020-0087</b> to construct an approximately 98,840-square-foot, four-story, 79-foot tall building for manufacturing use.
<b>Zoning:</b>	Project site is governed by the Bayer Development Agreement, Block 1
<b>CEQA Recommendation:</b>	An infill checklist was prepared for this project that indicates that the project would not have any significant effects on the environment that either have not already been analyzed in Program Environmental Impact Report prepared in conjunction with the Development Agreement and with the Mitigated Negative Declaration prepared for the Major Amendment to the Development Agreement, or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Pursuant to Public Resources Code Section 21094.5, CEQA does not apply to such effects.
<b>Applicant:</b>	Emilio Balingit, Urban Planning Partners, 388 17 <sup>th</sup> Street, Suite 230, Oakland
<b>Owner:</b>	Bayer HealthCare LLC, 800 Dwight Way, PO Box 1986, Berkeley
<b>Staff Planner:</b>	Leslie Mendez, <a href="mailto:lmendez@cityofberkeley.info">lmendez@cityofberkeley.info</a> , (510) 981-7426
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit #ZP2020-0087 pursuant to the Bayer Development Agreement.
<b># of Speakers:</b>	<b>5</b>
<b>Motion / Second:</b>	<b>J. Selawsky / C. Olson</b>
<b>Vote:</b>	<b>9-0-0-0</b>

#### 4. Appointment of ZAB member to Design Review Committee

**Nomination:** Kimberly Gaffney  
**Nomination/Second:** I.Tregub / D. Pinkston  
**Vote:** 9-0-0-0  
**Action:** Kimberly Gaffney appointed to DRC

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**Adjourn: 8:27 PM; Motion / Second: J. Selawsky / I. Tregub**

**Members of the Public:**

**Present: 26**

**Speakers: 6**

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