

[SENT VIA EMAIL]

August 14, 2019

Mayor Ally Medina, amedina@emeryville.org
Vice Mayor Christina Patz, crpatz@emeryville.org
Council Member John Bauters, jbauters@emeryville.org
Council Member Scott Donahue, sdonahue@emeryville.org
Council Member Dianne Martinez, dmartinez@emeryville.org

Re: Public Market Parcel B FDP18-0110 Appeal Update

Dear City Council members,

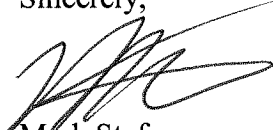
In connection with the Public Market Parcel B Final Development Plan (FDP18-001), I wanted to provide an update on our attempts to resolve the currently pending appeal originally filed by Wareham Development following the Planning Commission's January 24, 2019 FDP approval for 150,000 square feet of office/research & development space, 14,000 square feet of retail space and 565 parking spaces.

As outlined in our June 18, 2019 response to the appeal, AG-CCRP Public Market, L.P. has made repeated attempts to resolve the appeal. (Specifically, see Section I of our June 18, 2019 response letter on "The Appellant's Interests".) Most recently, we have invested significant time, costs and energy to consider and design modifications that might appease Wareham. Specifically, we have incurred architecture and legal fees as well as lost opportunity costs in considering alternative designs. During this period of time while we have been considering project modifications, the City's formal appeal process has not progressed since the Planning Commission's April 25, 2019 denial of the appeal.

After expending energy to prepare materials and schedule a meeting, I met with representatives of Wareham on August 9, 2019 along with our architect from Hart Howerton. Unfortunately, this meeting was incredibly unproductive as the Wareham representatives provided zero constructive input on potential modifications that we presented. Consistent with their behavior during the appeal process, Wareham representatives vaguely complained about the "design" of the alternative and failed to provide any specific comments or suggestions. Within 30 minutes their behavior turned extremely unprofessional and the meeting abruptly concluded. It was exceptionally disheartening that they have delayed progress on our project for more than 7 months to date -- with additional delays anticipated -- and yet they refused to invest even a fraction of that time with us to resolve their opposition. It is clear to us that they are simply trying to stall the project in order to limit competition.

At this point, we request that the appeal is scheduled for a City Council hearing as soon as possible. As this appeal process has extended for the majority of a year, we are extremely concerned that we may lose the development window for research & development use, thereby risking the overall viability of the Public Market mixed use project.

Sincerely,



Mark Stefan

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