

V. PLANNING POLICY

This chapter provides a discussion of the proposed project's consistency with land use policy documents. Policy conflicts are not in and of themselves considered significant environmental impacts under CEQA unless they would result in physical environmental impacts. Where policy conflicts could result in physical environmental impacts, such as regional air quality and transportation, applicable policies are discussed in those individual sections. Potential conflicts between proposed and existing land uses in the vicinity of the project site are described in Section IV.A, Land Use.

The primary City documents regulating land use planning within and around the project site are:

- The 2009 General Plan (amended in 2013),¹ including the 2015-2023 Housing Element;
- The 2013 adopted Zoning Ordinance;² and
- The Park Avenue District Plan.³

A summary of the purpose and major components of each of these plans is provided below, followed by a discussion of the proposed project's consistency with applicable policies.

A. EMERYVILLE GENERAL PLAN

The following section begins with a description of the Emeryville General Plan, including applicable goals, objectives, policies, implementation measures, and programs to the proposed project. The section then provides a discussion of the proposed projects consistency with identified General Plan policies.

1. Description

The Emeryville General Plan (General Plan) was adopted in 2009 and has been amended several times since adoption, most recently in 2013. The General Plan discusses the City's goals, policies, and implementation actions regarding future development. As described within that document, the General Plan:

“consists of a series of policy statements (in text and map form) regarding the future of the city. It focuses on issues which may be affected, to varying degrees, by actions of the city government... As its name implies, it is not a specific blueprint of what the city should be.

¹ Dyett and Bhatia, 2009. *City of Emeryville General Plan*.

² Emeryville, City of, 2013. *Zoning Ordinance*.

³ Emeryville, City of, 2006. *Park Avenue District Plan*. August.

Rather, it attempts to establish a generalized framework to guide city change, looking some 15 years into the future.”

The General Plan includes each of the seven State mandated topical areas: Land Use, Circulation, Open Space, Conservation, Noise, Safety and Housing. Additionally, two optional elements of Urban Design and Sustainability are also included. These topical areas are organized more broadly within six chapters of the General Plan as follows:

- **Land Use.** This chapter of the General Plan provides the basis for land use decision-making; establishes the land use classification system, intensity and height standards; and outlines citywide and area-specific land use policies. Policies and goals in this chapter focus on land use classification and zoning, building height and intensity, site and area specific development, and economic development.
- **Transportation.** This chapter includes goals and policies focused on developing an efficient, multi-modal transportation network that accommodates cars, public transit, walking and biking. Policies in this chapter address circulation, parking, streets, public transportation, transportation demand management, pedestrian and bicycle access, the marina, and the movement of goods.
- **Parks, Open Space and Public Facilities.** This chapter focuses on parks and recreation as well as schools and public services. Goals and policies are focused on active and passive park use including large parks, small open spaces, greenways and green streets; schools and education, including cultural arts and community oriented projects; and the improvement of public safety and facilities.
- **Urban Design.** This chapter focuses on enhancing the public realm and everyday livability, creating distinctive yet synergistic and connected districts, while strengthening Emeryville’s identity and sense of place. Policies and goals are specific to neighborhoods and districts; urban streetscapes, connections and views; skylines and building bulks; building to street interfaces; building design, identity and gateways.
- **Conservation, Safety and Noise.** This chapter establishes goals and policies for the conservation of natural and cultural resources, and for the protection of the community from hazards and excessive noise. Policies are focused on air and water quality, water conservation and habitat protection, geology and soils, hazards and hazardous materials, flooding and drainage, fire hazards, and noise.
- **Sustainability.** This chapter focuses on the overall sustainability for the City and the community and focuses on goals and policies that address waste, energy, green building, water conservation, and climate action.

The General Plan Land Use Diagram provides a land use designation for each parcel within the City’s boundaries, ranging from residential to industrial uses. Twelve land use designations are identified on the Land Use Plan. Existing and proposed land use designations within or adjacent to the project site are described in Table V-1⁴ and Land Use Diagram shown in Figure V-1.

⁴ Dyett & Bhatia, 2009. *City of Emeryville General Plan, Land Use Policy, Chapter 2, 12-13.*

Table V-1: General Plan Land Use Designations Descriptions

General Plan Land Use Designations	Description
Industrial	A range of industrial and high technology uses, including light manufacturing, repair, testing, printing, service commercial, and biotechnology uses. Three industrial areas are designated in the Land Use Diagram: (1) west of Hollis Street and north of 65th Street (“west of Hollis”), (2) east of Hollis Street and north of 65th Street (“east of Hollis”), and (3) along Horton Street between Powell Street and Stanford Avenue (“Horton Street”). “Light” live/work is appropriate in the east of Hollis and Horton Street industrial areas. “Heavy” live/work uses (e.g. work involving manufacturing, welding, and assembly) will only be allowed in the west of Hollis area. General manufacturing uses are only permitted in the west of Hollis area. In the east of Hollis area and the Horton Street area, new light industrial uses are permitted, but new general manufacturing uses are not. Existing general manufacturing uses can continue as conforming uses, and may be expanded with a conditional use permit subject to performance standards for noise, air quality, and truck traffic, to safeguard adjacent residential uses. Unrelated retail and commercial uses that could be more appropriately located elsewhere in the city are not permitted, except for offices, subject to appropriate standards, and in Neighborhood Retail Overlay areas (i.e., North Hollis).
Medium Density Residential	Residential development at FARs less than 0.8. Single family detached and attached housing. Multifamily housing types may be a conditional use, as specified in the Zoning Ordinance. Incidental retail uses that serve the neighborhood are also permitted.
Mixed Use With Residential	One or more of a variety of residential and nonresidential uses, including but not limited to offices, retail and hotels. On larger sites, a mix of residential and non-residential uses is required; on smaller sites, a single use may be permitted.
Mixed Use With Non Residential	One or more of a variety of nonresidential uses, including but not limited to offices, retail and hotels. On larger sites, more than one use is required; on smaller sites, a single use may be permitted.
Office/Technology	Administrative, financial, business, professional, medical and public offices, research and development, biotechnology, and media production facilities. Warehousing and distribution facilities and retail are permitted as ancillary uses only, subject to limitations established in the Zoning Ordinance.
Parks/Open Space	Parks, recreation facilities, and greenways for the general community, and open space for habitat conservation (e.g. Emeryville Crescent State Marine Reserve).
Public	A variety of public and quasi-public uses, including government offices; fire and police facilities; schools; community services; transit stations and ancillary facilities.
Regional Retail Overlay	This overlay is intended to reflect sites that are appropriate for retail uses that serve as a regional draw. Stores can be small in size (such as at Bay Street) or large (such as IKEA). For sites with this overlay, 100 percent of the building area can be retail, while the uses in the underlying classification are also permitted
Neighborhood Retail Overlay	This designation is intended for four neighborhood centers. It is intended for stores, offices, services, and restaurants/cafés that serve the local community, as well as “flex space” that can be adapted for retail/restaurant use in the future, but may be used for other uses in the interim. A majority of the ground floor use, and a substantial portion of the frontage along any public street, shall be devoted to these uses. Establishments shall generally be smaller sized, lending themselves to the pedestrian oriented nature of the centers; however larger establishments (such as supermarkets), that serve the local community and are designed appropriately with a pedestrian orientation are also permitted. Retail and eating and drinking establishments can comprise up to 100 percent of the building area.
Neighborhood Center	This designation includes retail, restaurants/cafes, art, and public uses to serve neighborhood needs and community services.

Source: Dyett & Bhatia, 2009; *City of Emeryville General Plan*, amended 2013.

As shown in Figure V-1, the proposed project's General Plan land use designation is Mixed Use With Residential (MUR) and Parks/Open Space (PO).

The General Plan establishes intensity standards for various parts of Emeryville. Intensity is measured as floor area ratio (FAR), obtained by dividing the gross floor area of a building by the lot area. In general, all floor area above grade is included, including residential uses, but excludes parking. Figure V-2 shows the maximum floor area ratio (FAR) for the majority of the project site as 2.0 (and 3.0 with a bonus). Bonus FAR is discretionary and is awarded only after developers demonstrate that projects meet community goals, as specified in the Zoning Ordinance. For residential development on the project site, maximum residential density is 85 units per acre (100 units per acre with a density bonus), as depicted in Figure V-3. As shown in Figure V-3, the current General Plan identifies only a portion of the project site as available for development. Both development options would require a General Plan Land Use Amendment; however, this reconfiguration must result in no less open space than the current designations. Building heights permitted for the project site range from 55 to 75 feet on Parcels A, C-1, B-1, B-2, and from 75-100 feet for Parcels C-2 and D. Maximum permitted building heights depend on the City's density bonus criteria. Figure V-4 illustrates the City's maximum building heights.

The project site is located in a predominantly Mixed Use With Residential neighborhood, and includes Mixed Use With Residential to the east, south, southeast and southwest. Directly north of the project site, the area is designated as office/technology. The area east of the project site is designated as Office/Technology and additional Mixed Use With Residential. The area west of the project site and across the railroad tracks is designated as Regional and Neighborhood Retail. The area south of the project site is designated as Mixed Use With Residential with a Neighborhood Center. The Land Use section of this EIR provides a detailed description of existing land uses surrounding the project site.

The General Plan provides long range policy direction intended to guide city decision making in the form of goals, objectives, policies, implementation measures and programs. Goals are broad, generalized expressions of community held values. The 2009 Emeryville General Plan articulates 13 Land Use Goals. Table V-2, located at the end of this Chapter, provides the goals, objectives, policies, implementation measures, and programs applicable to the planning issues associated with the proposed project and site. As noted previously, objectives, policies, implementation measures, and programs applicable to discrete environmental topics (i.e., air quality, noise, aesthetics,) are discussed in those topical EIR sections.

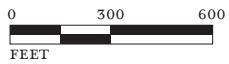
2. Consistency

This subsection provides a discussion of the proposed project's consistency with applicable General Plan land use policies. Table V-2, at the end of this chapter, provides a policy-by-policy listing that indicates the proposed project's relationship and consistency with each identified applicable General Plan policy.

General Plan policies applicable to the proposed project address: land use classification, intensity and height standards, city-wide and specific area land use policies, economic development and open space and pedestrian access. The proposed project, which would add up to 540 residential units to an existing underutilized, mixed-use/residential/commercial site, and is consistent with applicable policies in the General Plan, as described below:



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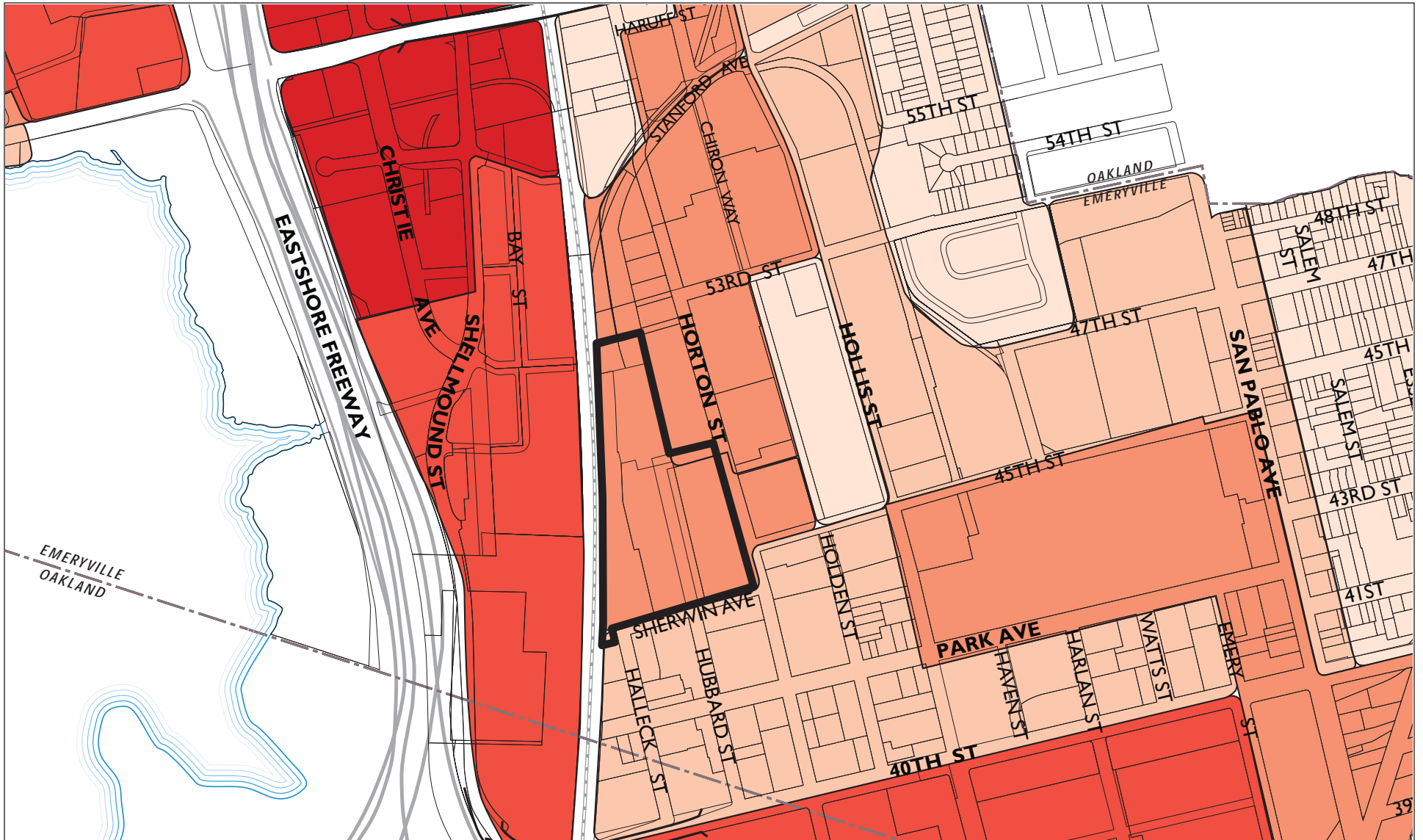
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|--------------------------------|------------------------|-----------------------------|
| Medium Density Residential | Public | Regional Retail Overlay |
| Mixed Use with Residential | Park/Open Space | Neighborhood Retail Overlay |
| Mixed Use with Non-Residential | Public/Park | Neighborhood Center |
| Office/Technology | Other Park Opportunity | Project Location |
| Industrial | | |

FIGURE V-1

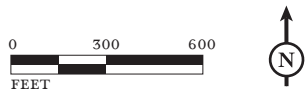
SOURCE: EMERYVILLE GENERAL PLAN, 2014.

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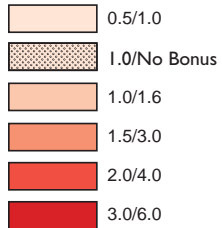
Sherwin-Williams Project EIR
General Plan - Land Use Diagram



LSA



Base/with Bonus



Notes: Residential uses are included in FAR value. Parking areas are not.

Maximum FAR may not be attainable on all sites given development standards in the Zoning Ordinance.

Bonus FAR is discretionary and will be awarded only after developers demonstrate that projects meet community goals, as specified in the Zoning Ordinance.

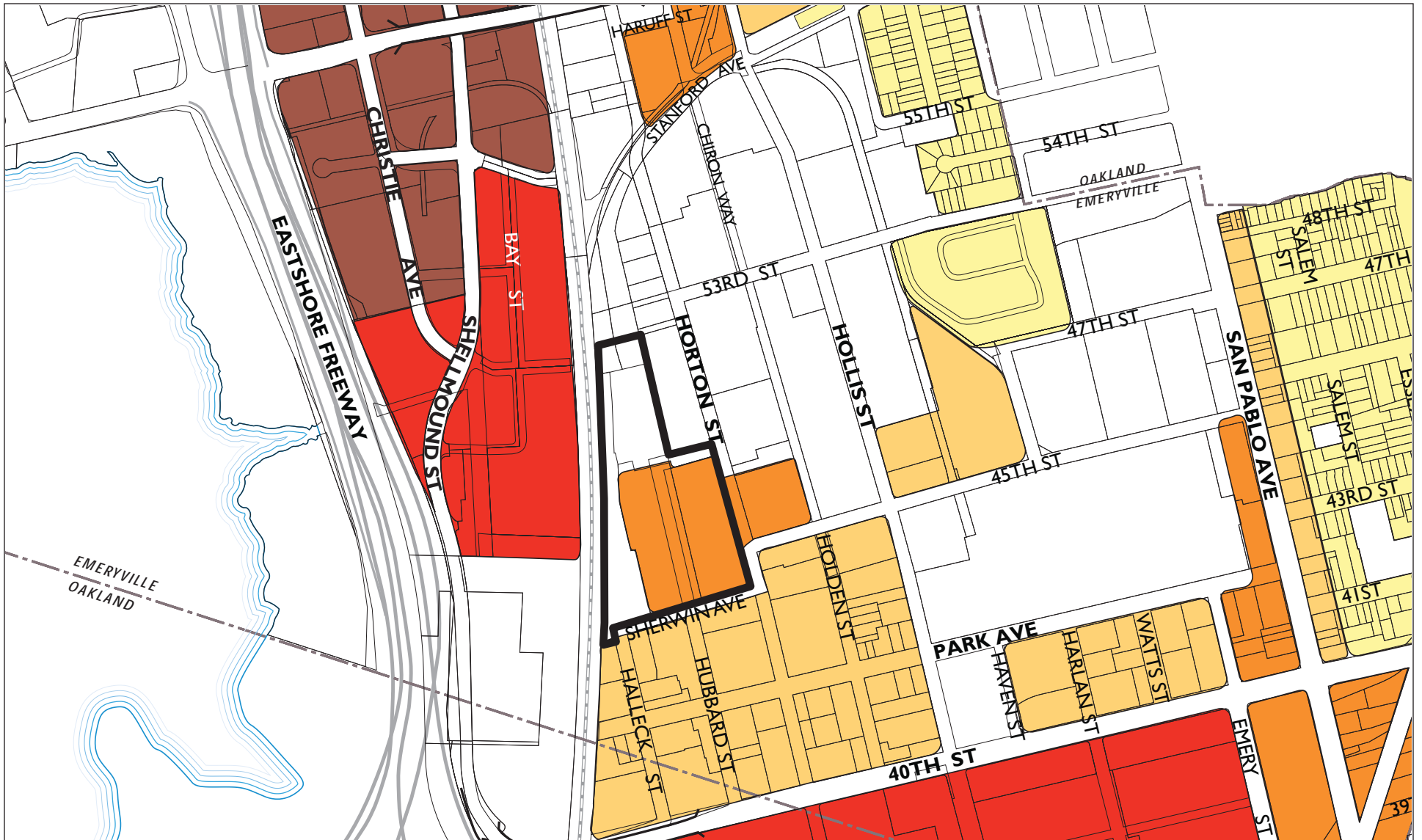
Project Location

FIGURE V-2

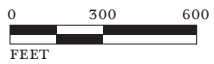
SOURCE: EMERYVILLE GENERAL PLAN, AS AMENDED ON 10/20/15.

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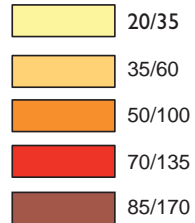
Sherwin-Williams Project EIR
Floor Area Ratios Map



LSA



Base/with Bonus (units/acre)



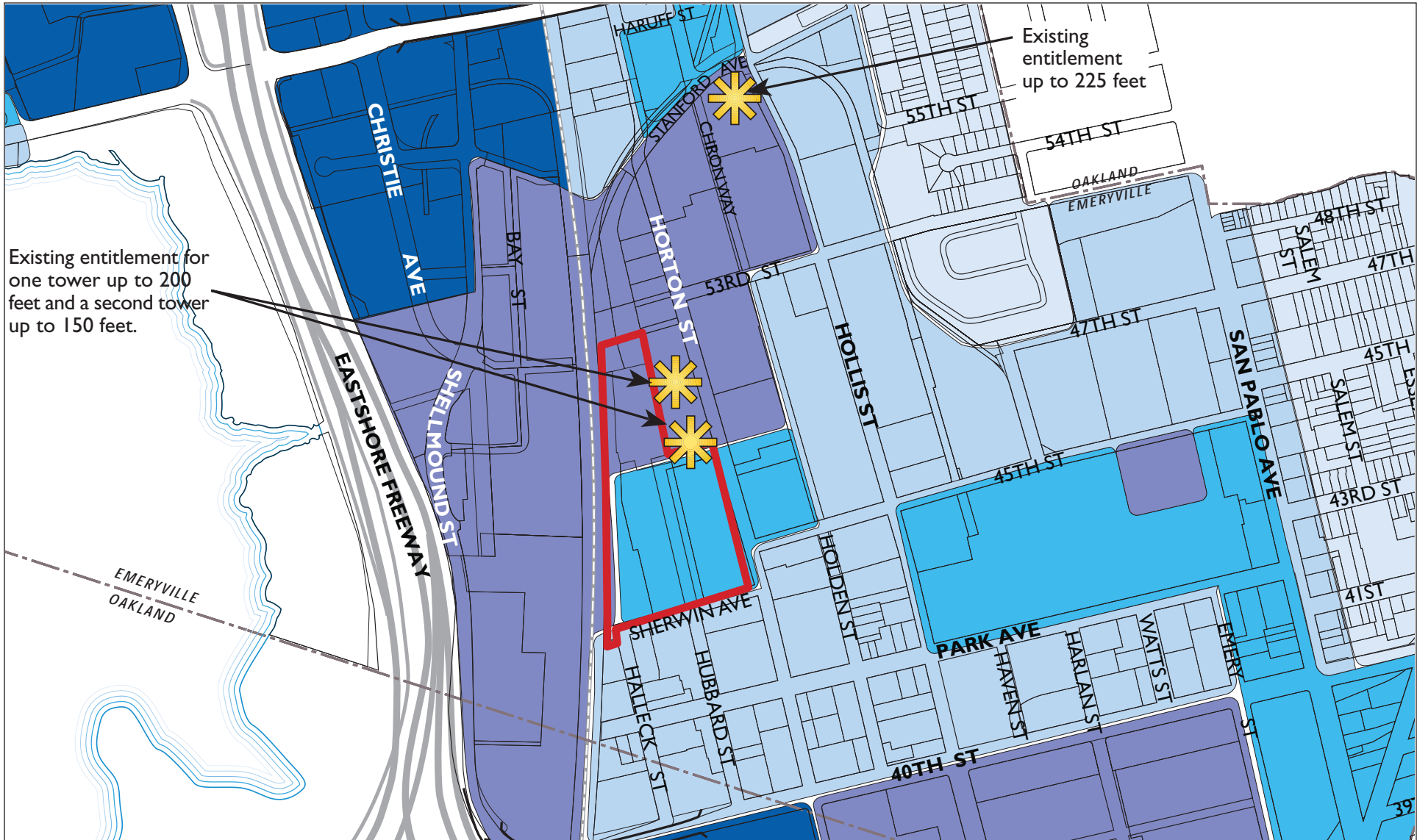
Notes: Maximum residential density may not be attainable on all sites given development standards in the Zoning Ordinance.

Bonus residential density is discretionary and will be awarded only after developers demonstrate that projects meet community goals.

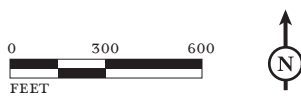
Project Location

FIGURE V-3

Sherwin-Williams Project EIR
Density Map



LSA



- Base/with Bonus
- 30 ft/No Bonus
- 30/55 ft
- 40/75 ft
- 50/100 ft
- 75/100+ ft*
- Existing entitlement to taller building

*High rises over 100 ft are required to have exemplary design, cause minimal impacts (e.g. wind, shadows) and provide community amenities.

Bonus height is discretionary and will be awarded only after developers demonstrate that projects meet community goals.

Buildings in all districts should step down to adjacent lower districts.

Project Location

FIGURE V-4

SOURCE: EMERYVILLE GENERAL PLAN, AS AMENDED ON 10/20/15.

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a. Land Use Classification. General Plan goals and policies related to land use classification include LU-G-1, LU-G-2, LU-P-1, and LU-P-5. There are two General Plan land use designations for the project site: Park/Open Space (OP) for the Successor Agency parcel and Mixed Use With Residential (MUR) for the Sherwin-Williams Company parcel. Permitted uses in the MUR land use category include both residential and non-residential uses, including but not limited to offices, retail and hotels. Both proposed project development options would include a mixed-use development with a range of residential (621,000 square feet) and commercial (94,600 square feet) uses. The proposed development options would also meet the park and open space land use requirement by developing 1.46 acres of the project site into park and open space for public use. However, the configuration of the MUR and OP areas of the proposed project is not consistent with the General Plan Land Use Classification Diagram and would require a General Plan Amendment to reconfigure the areas designated as MUR and OP. For Option A, this reconfiguration would include the land swap of a portion of the Successor Agency parcel. For both options, this reconfiguration must result in no less open space than the current designation. The land uses that will be allowed under the General Plan Amendment on the project site would not result in significant land use impacts, as discussed in Section IV.A, Land Use.

b. Intensity and Density. General Plan policies LU-P-10, LU-P-11, LU-P-12, and LU-P-16 address intensity and density. As described, the General Plan intensity for the majority of the project site is 1.5 FAR, and 3.0 FAR with a discretionary bonus. The proposed project would result in an average 3.0 FAR and the current design assumes that development bonuses would be granted. For residential development on the project, dwelling unit density should be between 50 units (base) and 100 units (with bonus) per acre, as established by General Plan policy LU-P-11. Intensity, height and density bonuses are based on a point system as well as review and approval process and are reflected in General Plan policy LU-P-16. The proposed 540 residential units would average 100 units per acre, which is within the General Plan established density range for the project site. General Plan policy LU-P-10 defines the Maximum Building Heights requirements which are depicted in Figure 2-4 of the Land Use section of the General Plan. The maximum building height permitted for the majority of the project site is 40 feet (base) to 50 feet (with a bonus) with the exception of one parcel that permits building heights of 75 (base) to 100 feet (with a bonus). The height limits described in the project description are based on the provision that additional height can be provided in exchange for public benefits. The project applicant plans to provide a combination of public benefits to achieve the full development bonus of at least 100 points. As such, conformance with the General Plan policies related to intensity, building heights, building densities and development bonuses is dependent on the applicant receiving the development bonus.

c. Urban Design. General Plan goals and policies related to compatible development and character include UD-G-2, UD-G-19, UD-P-13, UD-P-38, UD-P-40, and UD-P-53. The proposed project would construct a mixed-use development that includes a combination of residential and commercial uses with new parks and open spaces as well as a connection and extension of the Emeryville Greenway. The proposed project is compatible with surrounding land uses since the majority of adjacent uses are also mixed-use residential and commercial office.

d. Specific Area. General Plan policies related to Specific Areas include LU-P-18 that states “The reuse of the Sherwin Williams site shall include a mix of residential and nonresidential uses with ample open space, centered on an extension of the Emeryville Greenway connecting Horton Landing Park and the Park Avenue District (District).” The General Plan Housing Element contemplates the development of at least 460 residential units on the site. In addition, General Plan policy LU-P-25

addresses new residential buildings proposed adjacent to freeways and railroad tracks. The policy states that “impacts of these corridors, including noise, vibration, and air pollution, should be considered during site planning and mitigated to the extent possible.” The Draft EIR evaluates impacts and provides mitigation measures related to air quality, noise and vibration in Sections IV.D, Air Quality, and IV.F, Noise.

e. Economic Development. General Plan goals and polices related to economic development include LU-G-11, LU-G-12, LU-G-13, and LU-P-26. The proposed project would add up to 94,600 square feet of commercial space to support demand for retail, office and local business use. The proposed project would increase employment in the area and therefore generally conforms to the economic development goals and policies of the General Plan.

f. Open Space/Parks. General Plan goals and policies related to improving open space opportunities and parks include LU-P-6, UD-G-3, UD-G-4, UD-P-2, UD-P-3, PP-G-2, PP-G-3, PP-G-5, PP-P-1, PP-P-6, and PP-P-11. The proposed project includes 2.08 acres of zoned open space on the Sherwin Williams parcel and 1.46 acres of open space of land on the Successor Agency parcel that will be used for public open space and parks. Option B of the proposed project would maintain the entire City-owned portion of the project site as a separate park/open space that would connect to the development, which would be in conformance to the land use designation for that portion of the project site. Option A of the proposed project would include a "land swap" that would integrate 0.76 acres of the publicly-owned open space within the center of the development and preserve 0.71 acres of the original City-owned land as open space in its original location. However, the land use designation for the Successor Agency parcel is Parks/Open Space. Development under Option A would therefore not be in conformance with the Parks/Open Space land use designation of the project site. As such, the proposed project conforms to the goals and policies that address open space, parks and pedestrian access in the General Plan.

The location of the extended Emeryville Greenway under both development options of the proposed project would, however, not be consistent with the location envisioned by the General Plan, as explained in Parks and Open Space Policy 6 (and as illustrated in Figure 5-3 of the General Plan). The General Plan identifies the Greenway extending from Hubbard Street into the Sherwin Williams – owned parcel parallel to Horton Street and continuing on beyond 53rd Street (refer to Figure 5-3 of the General Plan). The proposed project would instead extend the Emeryville Greenway from Halleck Street into the Successor Agency parcel along the Union Pacific Railroad (UPRR) railroad tracks and connect to the future Horton Landing Park located in the northwestern portion of the project site. Bicycle and pedestrian access would still be provided from Hubbard Street through the Hubbard Circle (which is shared with vehicles). Additional bike/pedestrian-only pathways would connect from Hubbard Circle to the future Horton Landing Park. The extended Greenway proposed under both development options would provide access to a variety of open spaces within the development including the new City park, the center green area, meadows, dog parks and sports courts, but would not be in the location specified within the General Plan.

g. Pedestrian and Bicycle. General Plan goals and policies related to improving pedestrian and bicycle access include T-G-5, T-G-8, T-G-11, T-P-5, T-P-6, T-P-16, and T-P-24. The proposed project includes a Transportation Demand Management program which encourages the use of bicycles and alternative fuel vehicles. Bicycle and pedestrian circulation within the project site would occur along roadways proposed as part of the project, including sidewalks along all interior roadways and additional pedestrian pathways throughout the site. Bicycle pathways would also be available

along the western boundary of the project site, adjacent to the UPRR tracks and other internal paths within the project site.

Assuming the approval of the General Plan Amendment and density bonus provisions, the proposed project would generally be consistent with applicable planning-related General Plan policies.

h. Housing Element. Programs applicable to the proposed project from the November 2014 Housing Element include H-2-1-1, H-2-1-2, H-7-2-1, H-7-2-5 and H-7-3-1. The proposed project would not include affordable housing on the project site. However, the proposed project would seek a development bonus for both project development options in exchange for public benefits. The City encourages new housing development within the City's Priority Development Area (PDA) in keeping with regional greenhouse reduction strategies. The proposed project is envisioned by the City as a potential infill redevelopment site within the City's PDA. The proposed project would also comply with the City's Stormwater Ordinance and include features that would help prevent stormwater intrusion.

B. EMERYVILLE PLANNING REGULATIONS

The following provides a general description of Emeryville planning regulations, as well as Zoning Ordinance standards applicable to the proposed project. The section concludes with an analysis of the proposed project conformance with applicable Zoning Ordinance standards.

1. Description

The Emeryville Zoning Ordinance was adopted on September 6, 1988, and most recently amended on November 3, 2015, and the new regulation went into effect on December 3, 2015.⁵ The purpose of these regulations is to implement the Emeryville General Plan and to protect and promote the public health, safety, peace and general welfare. More specifically, these regulations are intended to:

- Provide a precise guide for the physical development of Emeryville in a manner consistent with the guiding principles, goals and policies of the General Plan;
- Foster a harmonious, convenient, efficient and workable relationship among land uses and ensure compatible development;
- Support economic development, job creation and prosperity;
- Provide for the housing needs of all economic segments of the community;
- Provide a balance of regional and local amenities that meet the daily needs of the community;
- Promote high quality architecture and design that emphasizes a walkable environment;
- Promote the stability of existing neighborhoods, protecting them from inharmonious influences and harmful intrusions;

⁵ Emeryville, City of. 2013. Emeryville Municipal Code Title 9 Planning Regulations, Chapter 1, General Provisions. Website: www.codepublishing.com/CA/Emeryville/#!/Emeryville09/Emeryville091.html (accessed February 20, 2015).

- Promote a safe and efficient multi-modal transportation system, with emphasis on bicycle, pedestrian and public transit amenities, while providing adequate facilities for motor vehicles including off-street parking and loading;
- Promote the development of community facilities, parks, open space and recreational areas;
- Promote environmental quality and sustainable development patterns;
- Preserve and enhance the physical appearance of Emeryville; and
- Define duties and powers of administrative bodies and officers responsible for implementation of these regulations.

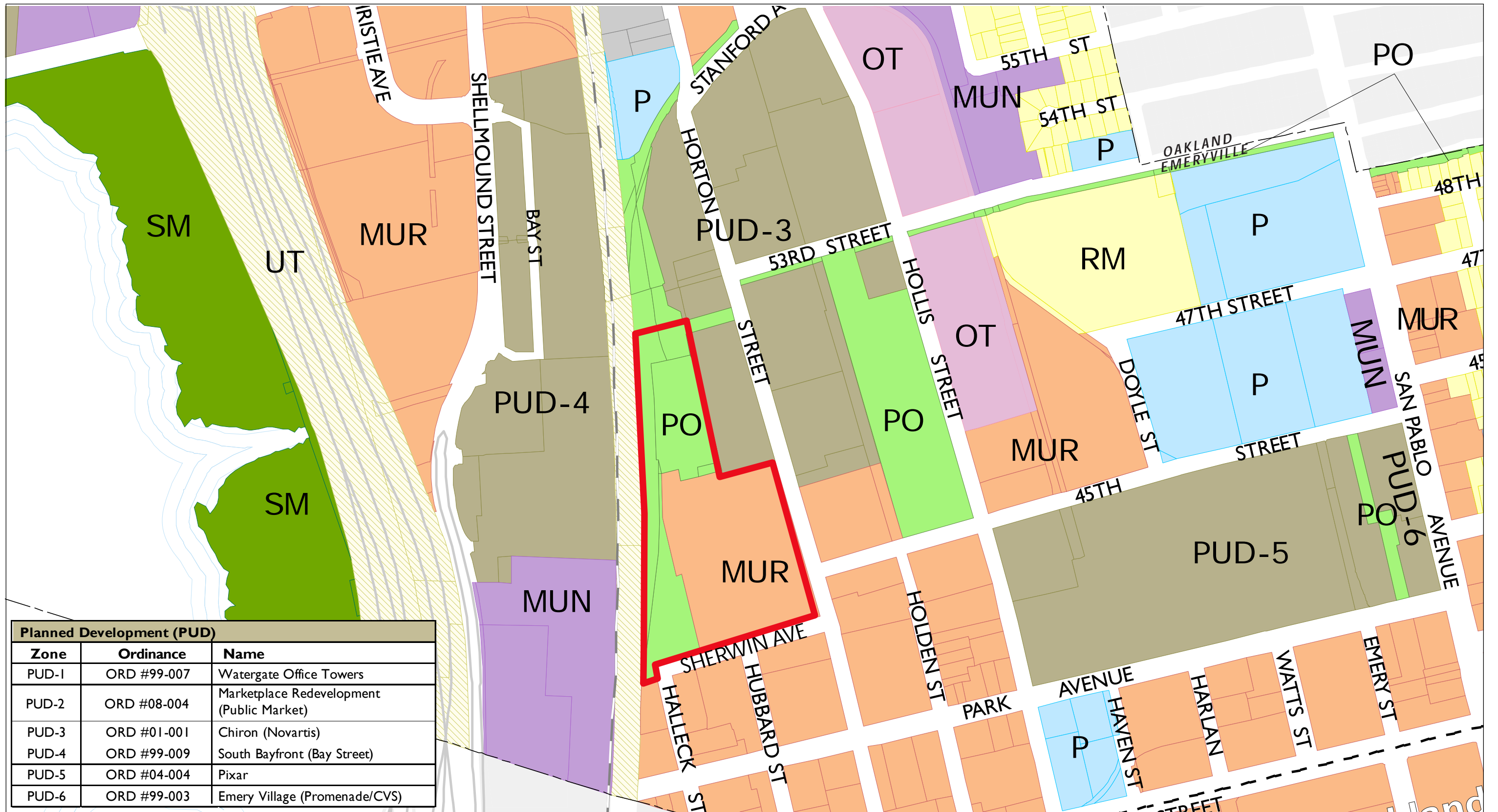
The 10.05-acre site is currently zoned as Mixed Use With Residential (MUR) and Park/Open Space (PO) as depicted in Figure V-5.⁶ The purpose of the MUR zone is to implement the provisions of the General Plan applicable to the Mixed Use With Residential land use classification, which permits the development of one or more of a variety of residential and nonresidential uses, including but not limited to offices, retail and hotels. On larger (1 to 5 acre) MUR-designated sites, a mix of residential and non-residential uses is required; on smaller sites, a single use may be permitted. Additionally, developments must be approved on sites larger than 5 acres, pursuant to the Planned Unit Development outlined in Article 10 of Chapter 7 of the Emeryville Planning Regulations.

a. Mixed Use With Residential Zoning Designation. The MUR zoning designation provides specific development standards for building intensity/floor area ratio, height and bulk, and residential density. Maximum residential density allowed on the MUR designation is 50 dwelling units per gross acre (base), which could be increased to 100 units per acre under a bonus program by the City, as depicted in Figure V-3.⁷ The maximum building heights for the project site are established on the General Plan Building Height Map, shown in Figure V-4. The maximum building height permitted for the majority of the project site is 40 feet (base) to 75 feet (with a bonus) with the exception of one parcel which permits building heights of 50 (base) to 100 feet (with a bonus), as depicted in Figures III-6 and Figure III-7 in Chapter III, Project Description. The maximum intensity of buildings, expressed as a maximum floor area ratio (FAR), is shown on the General Plan Floor Area Ratio Map and illustrated in Figure V-2. Maximum building intensity or floor area ratio permitted in the MUR zone is 1.5 (base) and 3.0 (with a bonus), as shown in Figure V-3.

The procedure for obtaining bonus points for intensity, height, and density are outlined in Section 9.4.204 of Emeryville Planning Regulations. These include provision of affordable housing and community benefits such as provision of public open space, public improvements and utility undergrounding. The Planning Regulations allow developers to choose between the bonus system under Section 9.4.204 and that allowed under State Density Bonus. For Planned Unit Developments, development bonuses need to comply with the requirements of Section 9.4.204 and are considered as part of the PUD approval process pursuant to Emeryville Planning Regulations Article 10 of 7.

⁶ Emeryville, City of, 2013. Zoning Ordinance. Website: www.codepublishing.com/ca/emeryville (accessed November 11, 2014).

⁷ Emeryville, City of, 2009. General Plan Figure 2-6 Maximum Residential Densities Map. Website: www.ci.emeryville.ca.us/DocumentCenter/View/5907 (accessed November 11, 2014).



Planned Development (PUD)		
Zone	Ordinance	Name
PUD-1	ORD #99-007	Watergate Office Towers
PUD-2	ORD #08-004	Marketplace Redevelopment (Public Market)
PUD-3	ORD #01-001	Chiron (Novartis)
PUD-4	ORD #99-009	South Bayfront (Bay Street)
PUD-5	ORD #04-004	Pixar
PUD-6	ORD #99-003	Emery Village (Promenade/CVS)

LSA

ZONING DESIGNATIONS

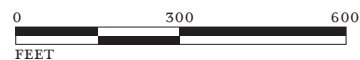
- RH High Density Residential
- RMH Medium-High Density Residential
- RM Medium Density Residential
- MUR Mixed Use with Residential
- MURS Mixed Use with Residential South

- MUN Mixed Use with Non-Residential
- OT Office/Technology
- OT/DH Office/Technology Doyle Hollis North Area
- INH Heavy Industrial
- INL Light Industrial
- P Public

- M Marina
- PO Park/Open Space
- SM Shoreline Management
- PUD Planned Unit Development
- UT Utilities/Transportation
- Railroad

Project Location

FIGURE V-5



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In regards to the setbacks, the minimum setbacks of buildings from lot lines are prescribed in Table 9-4-301(a) of the City of Emeryville Zoning Ordinance. The MUR designation allows structures to be constructed on any property line, except when it abuts a residentially zoned district, either High Density Residential (RH), High to Medium Density Residential (RMH) or Medium Density Residential (RM). As shown in Figure V-5, the project site is not bounded by any areas zoned for residential uses.

Open space requirements for mixed-use projects are the sum of the requirements of individual uses as provided in Section 9-4.303 of the Zoning Ordinance.⁸ The requirements for multi-unit residential and live-work units are as follows:

- A minimum of sixty (60) square feet of required open space shall be provided per dwelling or Live/Work Unit, consisting of forty (40) square feet of private open space and twenty (20) square feet of common open space, except as stipulated below.
 - i. To the maximum extent feasible, each unit shall be provided with a private open space.
 - ii. Where infeasible to provide private open space, common open space may be substituted for private open space at the ratio of two to one (2:1) (i.e., eighty (80) square feet of common open space may substitute for forty (40) square feet of required private open space).
- Driveways, Loading, and Service Areas. Required open spaces may not be located in driveways, loading, and service areas, except in projects of ten (10) units or less, and as permitted by a minor conditional use permit with the following provisions:
 - i. Driveways may constitute up to fifty percent (50%) of the total common required open space for a given project.
 - ii. A minor conditional use permit shall only be granted with the finding that the driveway was designed in such a way that is usable and pleasant, and minimizes conflict with parked vehicles.
 - iii. Suggested surface treatments include unit pavers, supported turf, and painted play courts.
 - iv. Vehicular access shall not infringe upon residents' use of the open space. The driveway must be clearly designed as common open space and include adequate traffic calming measures.
 - v. No surface parking may be placed within fifteen feet (15') of the edge of a play court.
- Commercial and Institutional Uses.
 1. New buildings or additions that exceed ten thousand (10,000) square feet but are less than one hundred thousand (100,000) square feet shall provide a minimum area of common open space and/or privately owned public open space (POPOS) that totals at least five percent (5%) of the gross floor area.

⁸ Emeryville, City of, 2013. Zoning Ordinance, Open Space Requirements. Website: www.codepublishing.com/ca/emeryville (accessed November 12, 2014).

2. New buildings or additions that exceed one hundred thousand (100,000) square feet shall provide a minimum area of common open space and/or privately owned public open space (POPOS) that totals at least five percent (5%) of the gross floor area. Included in this requirement, the developer shall provide a minimum area of POPOS that totals at least one percent (1%) of the gross floor area.

The City provides Open Space Standards in the Title 9-4.303 Open Space of the Zoning Ordinance.

b. Park/Open Space Zoning Designation. The purpose of the Park/Open Space (P/OS) zone is to implement the provisions of the General Plan applicable to the Park/Open Space land use classification. The P/OS zone permits the creation of parks, recreation facilities, and greenways for the general community, and open space for habitat conservation. The Parks, Open Space, Public Facilities, and Services Element Policy PP-P-6 of the General Plan, supported by the current zoning ordinance, provides that the north-south Emeryville Greenway will be expanded as a park on the Sherwin-Williams parcel of the project site, in coordination with the development of Horton Landing Park and the Greenway. In addition, the Parks, Open Space, Public Facilities, and Services Element Policy PP-P-4 identifies the Successor Agency parcel as a designated location for a City Park, per Figure 4-1 of the General Plan.

Since the project site is over 5 acres, a Planned Unit Development (PUD) is required. A PUD is a rezoning, which must be adopted by the City Council by ordinance, following recommendation from the Planning Commission. The PUD would govern the zoning of the project site. The PUD allows for flexibility in designing modern, large-scale, mixed-use developments on sites with complex development constraints, such as environmental contamination. A PUD is established through the approval of a Preliminary Development Plan (PDP), which sets forth the type and intensity of uses on a site, as well as the basic development guidelines. After the PDP is approved by City Council, the individual building designs would be approved by the Planning Commission through one or more “Final Development Plans” (FDPs). All of the buildings in the project can be approved in a single FDP or they can be phased over time through multiple FDPs.

2. Consistency

Rezoning the project site from Mixed Use With Residential (MUR) and Parks/Open Space (P/OS) to Planned Unit Development (PUD) would allow for greater design flexibility than would be allowed under the existing MUR and P/OS standards. The purpose of the PUD zone is to encourage the creative development of large sites so as to permit flexibility in physical design, achieve attractive designs that encourage large-scale site planning, and ensure that the applicable provisions of the General Plan are established early in the formation of such development proposals, pursuant to the procedures in Article 10 of Chapter 7 of City of Emeryville Municipal Code Title 9, Ordinance No. 13-001.

The construction of higher density uses on the site would enhance the urban and mixed-use character of the District and would substantially increase the City’s housing stock. In addition, the PUD designation would allow the entire project site to be planned as one unit and would allow for better integration of open space, residential, and commercial uses. The proposed PUD, if approved, would rezone the 10.08-acre project site PUD with development intensities and densities consistent with that proposed by the project applicant. As a result, no zoning conflicts would occur, and the proposed project would be consistent with the Zoning Ordinance.

C. PARK AVENUE DISTRICT PLAN

The following section provides a description of the Park Avenue District Plan, including applicable goals, objectives, policies, implementation measures, and programs. The section concludes with a discussion of the proposed projects consistency with identified District policies.

1. Description

The Park Avenue District Plan was created in 1995 and amended in 2006. The District is in the historic center of Emeryville with the City's Town Hall (built in 1903 and renovated in 2000) at the heart of the District. The purpose of the Park Avenue District Plan is to preserve the District's existing fabric of small parcels and historic buildings, delineate public improvement projects to enhance the District, and to guide enhancement of Emeryville's historic center into a pedestrian-scaled urban environment.

The seven goals for the District are as follows:

- Preserve the District's unique, historic, diverse, brick-industrial and funky physical character.
- Encourage a vibrant and compatible mix of small-scale art, local business, light industrial and mixed-income residential land uses.
- Create a cultural arts center in the District.
- Improve District streets to provide a pedestrian friendly environment and a unified, distinct District.
- Make Park Avenue a special civic and cultural street, with ample pedestrian space and amenities.
- Provide beautiful open space for recreation, gathering, walking and cycling.
- Design a circulation and transportation system that accommodates a variety of users and links to the city-wide circulation systems.

The seven policies for the District are as follows:

- Preserve buildings of moderate architectural significance (Tier 2) and especially buildings of high architectural significance (Tier 1).
- Maintain the existing height limits, except at the northern edge of the Sherwin Williams site, where taller buildings may be appropriate.
- Maintain the existing pattern of small land parcels and encourage the breaking up of larger blocks.
- Design the intersections of Park Avenue with Hollis Street and San Pablo Avenue as special places within the District.
- Create visual landmarks at the termini of Park Avenue at San Pablo Avenue to the east and at the railroad to the west.
- Ensure that new buildings are compatible with the architectural patterns of the older brick and concrete industrial buildings.
- Encourage building design that promotes the creation of highly walkable and attractive places.

2. Consistency

The proposed project is also located within the Park Avenue District Overlay Zone (P-A), which is guided by the Park Avenue District Plan.⁹ The proposed project would achieve the goals of the Park Avenue District Plan by revitalizing an underutilized site while maintaining the fine-grained character of the District. For instance, the proposed project includes the rehabilitation and adaptive reuse of the historic industrial building within the project site (Building 1-31). The building is characteristic of the District and its preservation and reuse would enhance the distinction and historic qualities of the District.

Development in the Park Avenue Overlay District is envisioned to be intensified now that heavy industrial uses are no longer in existence and land values are increasing. The Park Avenue District Plan intends for the Sherwin-Williams site to be redeveloped with taller buildings and of higher density than other sites in the District.¹⁰ Building heights permitted within the project site according to the General Plan are 55 to 75 feet (depending on development bonus) and 75-100 feet (depending on development bonus). However, the Park Avenue District Plan permits building heights on the Sherwin-Williams site to reach up to 88 feet.¹¹ The plan suggests that it is appropriate for the properties north of Sherwin Avenue and west of Horton Street (specifically the Sherwin William site) to include taller and more intense development, particularly at the northern edge of the project site.¹²

The Park Avenue District Plan specifically states that redevelopment of the Sherwin Williams site, “will present an opportunity to add streets and restore blocks to the more articulated scale found elsewhere in the District.”¹³ The proposed project would add north/south and east/west streets, driveways and sidewalks (i.e., the extensions of Hubbard Street and 46th Street into the development) which would break up the larger block of the Sherwin-Williams site and therefore maintain the characteristic of small parcels within the District. These accessways would reconnect the project site to the existing urban grid and encourage walking and bicycle use, achieving the City’s goal of creating a circulation and transportation system that accommodates a variety of users and links to the City-wide circulation systems and the goal of providing a pedestrian-friendly environment and a unified, distinct District.

The proposed project also includes 3.54 acres of open space/park area which include: a central Green in the Hubbard Circle, an extension of the Emeryville Greenway from Halleck Street to the future City park, a children’s playground, adult fitness area, sports fields as well as meadows and dog parks. Pedestrian and bicycle access would be provided throughout the project site including through the Hubbard Circle as well as the extended Greenway. Recreational pathways would also be located throughout the site providing connectivity to core open space areas and the extended Greenway. The open space and park areas proposed by the project would conform to the District Plan’s goal of providing public parks and open space for recreation, gathering, walking and cycling.

The proposed project is consistent with the Park Avenue District Plan.

⁹ Emeryville, City of. 2006. *Park Avenue District Plan*.

¹⁰ Emeryville, City of. 2006. *Park Avenue District Plan*. p. 18.

¹¹ *Ibid.*

¹² *Ibid.*

¹³ Emeryville, City of. 2006. *Park Avenue District Plan*. p. 20.

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
Land Use Goals & Policies		
LU-G-1	An overall balance of uses—Employment, residential, cultural, destination and local retail—as well as a full range of amenities and services necessary to support a vibrant community.	Both proposed project options would include a mixed-use development project with a combination of residential and commercial uses (including retail), organized around a central plaza, park/open space uses and the extension of the Emeryville Greenway.
LU-G-2	A mixed-use city—Mixed-use development in various parts of the city, with the range of permitted and required uses varying to meet the needs of specific districts and neighborhoods.	Both proposed project options include a mixed-use development project that conforms to the Park Avenue District Plan's vision of live, work, and shop uses for the District.
LU-G-11	A wide range of economic activity—An economy that capitalizes on Emeryville's central location, strengthens the City's tax base, and ensures that Emeryville has adequate fiscal resources to fund high quality public services for its residents and businesses.	Both proposed project options would add commercial and retail space that would provide new job opportunities and new revenue opportunities for the City of Emeryville.
LU-G-12	Successful businesses—retain and foster the growth of Emeryville businesses.	Both proposed project options would construct 94,600 square-feet of commercial and retail space.
LU-G-13	Local employment opportunities— encourage establishment of businesses that will employ and serve Emeryville residents.	Both proposed project options would add commercial and retail space that would provide new job opportunities as well as services for Emeryville residents.
LU-P-1	Land uses will be consistent with the Land Use Classifications in section 2.4 and the Land Use Diagram, Figure 2-2 of the General Plan.	The proposed project options are consistent with the Land Use Classifications – MUR and P/OS Land Use Diagram of the City's General Plan. However, both proposed project development options would include a General Plan Amendment to reconfigure residential, commercial and open space land uses on the project site. The proposed development assumes that the project would meet the criteria for density bonus.
LU-P-5	Retail uses will be concentrated in areas with Neighborhood or Regional Retail overlays, near neighborhood centers, and in the Emeryville Marketplace.	Both proposed project options would add retail space within the Park Avenue District Overlay. In addition, the project site is located in close proximity to the Neighborhood Retail Overlay on Park Avenue.

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
LU-P-6	The current deficiency of park and open space will be addressed by making parkland acquisition a high priority by the City, and working with private land owners to secure these areas through development incentives, land swaps, and other mechanisms.	<p>The two options for the proposed project include a different location for the park and open space areas planned for the site. Option A assumes a "land swap" that integrates a significant portion of the publically-available open space (approximately 0.75 acres) within the center of the project site, with 0.71 acres remaining for open space uses in its original location on the Successor Agency parcel. The Successor Agency parcel would therefore not have a City Park in Option A, but a park would be integrated into the project. Option B would maintain the 1.46-acre Successor Agency parcel as a separate City Park area and connect it to the rest of the project. The final location of the 1.46 acres of public park space would be dependent on which development option is selected.</p> <p>In both options, 2.08 acres of publicly accessible open space would be provided within the Sherwin-Williams parcel and would include a 0.56-acre central green area within the interior of the site as well as a dog park, meadow, sports fields, a children's playground and adult fitness area. The Emeryville Greenway would be extended parallel to the UPRR tracks in both options, which would join the future Horton Landing Park and bicycle/pedestrian bridge that would provide connectivity to the Bay Street Shopping Mall area.</p>
LU-P-10	<i>Height and Intensity:</i> Maximum building height will be defined by the Maximum Building Heights diagram, Figure 2-4 (of the General Plan).	Assuming the project would be granted development bonuses due to public benefits, both of the proposed project options would conform to the maximum building height requirements of the General Plan.
LU-P-11	<i>Height and Intensity:</i> Maximum floor area ratios (FARs) and residential densities for sub-areas of the city, will be defined by Figure 2-3 and 2-6 (of the General Plan), respectively.	Assuming the project would be granted development bonuses due to public benefits, both of the proposed project options would conform to the Maximum FAR and residential densities outlined in the General Plan.
LU-P-12	<i>Height and Intensity:</i> Bulk standards will be defined in the Zoning Ordinance, with particular emphasis on zones where taller buildings are permitted.	Assuming the project would be granted development bonuses due to public benefits, both of the proposed project options would conform to bulk standards defined by the City's Zoning Ordinance. The Sherwin Williams site is a specific site within the General Plan and Park Avenue District Plan that envisions taller building heights (>88 feet) on the northeastern portion of the project site.

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
LU-P-16	<i>Height and Intensity:</i> A point-based system will be established for intensity, height and density bonus, as well as review and approval process	The project applicant intends to provide a combination of public benefits to achieve the full development bonus of at least 100 points under both project options.
LU-P-18	<i>Specific Area:</i> The reuse of the Sherwin Williams site shall include a mix of residential and nonresidential uses with ample open space, centered on an extension of the Emeryville Greenway connecting Horton Landing Park and the Park Avenue District.	Both proposed project options would include 649,000 square feet of residential space (540 units); 94,600 square feet of commercial space; and 3.54 acres of open space centered on an extension of the Emeryville Greenway.
LU-P-25	<i>Specific Area:</i> If new residential buildings are proposed adjacent to freeways and railroad tracks impacts of these corridors, including noise, vibration, and air pollution, should be considered during site planning.	Noise, air quality and vibration impacts are evaluated within this EIR.
LU-P-26	<i>Economic Development:</i> A mix of retail that draws local customers as well as patrons from the greater Bay Area shall be encouraged.	Both proposed project options would provide 10,000 square feet of ground floor retail space.
Urban Design Goals & Policies		
UD-G-2	A diversity of building types and scales— Variation to reinforce the identity of individual districts and foster a variety of options for living and working, with continuity in development scale and character and careful transitions between densities and design typologies.	Both proposed project options would include a variety of building heights, scales and uses on the project site. Assuming the project would be granted development bonuses due to public benefits, the northeastern portion of the project site permits heights up to 100 feet, whereas the remainder of the site permits building heights ranging between 35 and 75 feet.
UD-G-3	A walkable and pedestrian-scaled environment— A network of streets and connections that expands circulation opportunities for pedestrians and bicyclists.	Both proposed project options would include a range of internal and external circulation pathways for pedestrian and bicycle access.

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
UD-G-4	New parks—Strategically located new parks and outdoor open spaces to enhance Emeryville's livability and pedestrian orientation.	<p>The two options include different locations for park and open space areas planned for the site. Option A assumes a "land swap" that integrates a significant portion of the publically-available open space (approximately 0.75 acres) within the center of the project site, with 0.71 acres remaining for open space uses in its original location on the Successor Agency parcel. The Successor Agency parcel would therefore not have a City Park in Option A, but a park would be integrated into the project. Option B, however, would maintain the 1.46-acre Successor Agency parcel as a separate City Park area and connect it to the rest of the project. The final location of the 1.46 acres of public park space would be dependent on which development option is selected.</p> <p>In both options, 2.08 acres of publicly accessible open space would be provided within the Sherwin-Williams parcel and would include a 0.56-acre central green area in within the interior of the site within the Hubbard Circle as well as a dog park, meadow, sports fields, a children's playground and adult fitness area in the northern portion of the project site. The Emeryville Greenway would be extended parallel to the UPRR tracks in both options, which would join the future Horton Landing Park and bicycle/pedestrian bridge that would provide connectivity to the Bay Street Shopping Mall area.</p>
UD-G-19	High-quality—Design and construction that respects existing architecture, but creates new signature places.	Both proposed project options include the construction of a mixed-used development that includes the adaptive reuse of a historic building on the site.

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
UD-P-2	Parks and open space is required with new development, consistent with Figure 4-1 in the Parks, Open Space, Public Facilities and Services chapter (of the General Plan).	<p>The two options include a different location for the park and open space areas planned for the site. Option A assumes a “land swap” that integrates a significant portion of the publically-available open space (approximately 0.75 acres) within the center of the project site, with 0.71 acres remaining for open space uses in its original location on the Successor Agency parcel. The Successor Agency parcel would therefore not have a City Park in Option A, but a park would be integrated into the project. Option B would maintain the 1.46-acre Successor Agency parcel as a separate City Park area and connect it to the rest of the project. The final location of the 1.46 acres of public park space would be dependent on which development option is selected. The configuration of parks and open space in Option A would not be consistent with Figure 4-1 of the General Plan; however, Option B would be dependent on which development option is selected.</p> <p>In both options, 2.08 acres of publicly accessible open space would be provided within the Sherwin-Williams parcel and would include a 0.56-acre central green area within the interior of the site as well as a dog park, meadow, sports fields, a children’s playground and adult fitness area. The Emeryville Greenway would be extended parallel to the UPRR tracks in both options, which would join the future Horton Landing Park and bicycle/pedestrian bridge that would provide connectivity to the Bay Street Shopping Mall area.</p>

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
UD-P-3	Parks and open space shall be accessible and available to the public through site design standards for minimum size/dimensions, visibility, and location along public rights-of-way, particularly Green Streets (Figure 5-3 of the General Plan).	<p>The two options include a different location for the park and open space areas planned for the site. Option A assumes a “land swap” that integrates a significant portion of the publically-available open space (approximately 0.75 acres) within the center of the project site, with 0.71 acres remaining for open space uses in its original location on the Successor Agency parcel. The Successor Agency parcel would therefore not have a City Park in Option A, but a park would be integrated into the project. Option B would maintain the 1.46-acre Successor Agency parcel as a separate City Park area and connect it to the rest of the project. The final location of the 1.46 acres of public park space would be dependent on which development option is selected.</p> <p>In both options, 2.08 acres of publicly accessible open space would be provided within the Sherwin-Williams parcel and would include a 0.56-acre central green area within the interior of the site as well as a dog park, meadow, sports fields, a children’s playground and adult fitness area. In both options, the Emeryville Greenway (a bicycle and pedestrian pathway) would be extended parallel to the UPRR tracks on the western boundary of the project site, which is in conformance with Figure 5-3 of the General Plan. Figure 5-3 of the General Plan and Map 7-1 of the Pedestrian and Bicycle Plan.</p>
UD-P-13	The Park Avenue District Plan will continue to guide development in the Park Avenue District, honoring its unique civic, arts, and cultural amenities.	Both proposed project options would generally conform to the development guidelines outlined in the Park Avenue District Plan.
UD-P-38	New developments should employ changes in height, massing, and/or design character to create careful transitions in scale and density.	Both proposed project options would include a variety of building heights and massing on the project site. New buildings proposed in the northern portion of the property would reach heights of 100 feet, whereas other buildings (fronting on Sherwin Avenue and Horton Street) would reach heights ranging from 45 feet to 75 feet. Buildings would step down at street frontage, by a range of 42 feet to 55 feet, to create careful transitions in scale. The proposed development options assume that the project would be granted development bonuses due to public benefits.

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
UD-P-40	<p>Neighborhood structure and pedestrian scale development should be prioritized. The scale and character of existing neighborhoods should be maintained to ensure connectivity and continuity of street design within each district.</p>	<p>Both proposed project options would include bicycle and pedestrian circulation along the new roadways proposed as part of the project; as well as pedestrian pathways located throughout the site. Pedestrian crosswalks would be provided at the intersections surrounding the project site. In addition, buildings would step down by a range of 42 to 55 feet along street frontages. The project includes a lighting plan that would provide adequate pedestrian and vehicular lighting along all new street frontages within the project and at building and garage entrances as well as on the Emeryville Greenway extension from Horton Landing Park to Hubbard Circle. Street trees would be provided on all of the new streets and along the frontage of Sherwin Avenue. Lighting would be consistent with the Emeryville Greenway standard Holophane GranVille 14-foot-high fixture adapted with a LED luminaire and with night-sky cutoff.</p>
UD-P-53	<p>Use of the greenways shall be reinforced by fronting entrances to both commercial and residential development to the public pathway.</p> <ul style="list-style-type: none"> • Encourage open spaces and plazas adjacent to the greenways. • Encourage other public-oriented ground level uses such as workshops, lobbies, and common areas. 	<p>The extension of the bicycle/pedestrian trail (Emeryville Greenway) would occur along the western boundary of the project site, parallel to the UPRR tracks. Under development option A, the publically-available open space (approximately 0.75 acres) would be located within the center of the project site, with 0.71 acres remaining for open space uses in its original location on the Successor Agency parcel. Under development Option B, the 1.46-acre park would be maintained on the Successor Agency parcel as a separate City Park area that would connect to the rest of the project. In both options, 2.08 acres of publicly accessible open space would be provided within the Sherwin-Williams parcel and would include a 0.56-acre central green area within the interior of the site as well as a dog park, meadow, sports fields, a children's playground and adult fitness area. In both options, the Emeryville Greenway (a bicycle and pedestrian pathway) would be extended parallel to the UPRR tracks along the western boundary of the project site.</p>

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project’s Relationship to Goal, Policy, or Program
Parks and Open Space System Goals & Policies		
PP-G-2	New public spaces—A public realm and new public parks and plazas that serve as focal points of the community.	<p>The two options include a different location for the park and open space areas planned for the site. Option A assumes a “land swap”, which integrates a significant portion of the publically-available open space (approximately 0.75 acres) within the center of the project site, with 0.71 acres remaining for open space uses in its original location on the Successor Agency parcel. The Successor Agency parcel would therefore not have a City Park in Option A, but a park would be integrated into the project. Option B would maintain the 1.46-acre Successor Agency parcel as a separate City Park area and connect it to the rest of the project. The final location of the 1.46 acres of public park space would be dependent on which development option is selected.</p> <p>In both options, 2.08 acres of publicly accessible open space would be provided within the Sherwin-Williams parcel and would include a 0.56-acre central green area within the interior of the site as well as a dog park, meadow, sports fields, a children’s playground and adult fitness area. The Emeryville Greenway would be extended parallel to the UPRR tracks in both options, which would join the future Horton Landing Park and bicycle/pedestrian bridge that would provide connectivity to the Bay Street Shopping Mall area.</p>

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project’s Relationship to Goal, Policy, or Program
PP-G-3	Integration of parks and open space— Parks that are coordinated with surrounding developments to form unified urban compositions and that are integrated into the redevelopment of underutilized areas.	<p>The two options include a different location for the park and open space areas planned for the site. Option A assumes a “land swap” that integrates a significant portion of the publically-available open space (approximately 0.75 acres) within the center of the project site, with 0.71 acres remaining for open space uses in its original location on the Successor Agency parcel. The Successor Agency parcel would therefore not have a City Park in Option A, but a park would be integrated into the project. Option B would maintain the 1.46-acre Successor Agency parcel as a separate City Park area and connect it to the rest of the project. The final location of the 1.46 acres of public park space would be dependent on which development option is selected.</p> <p>In both options, 2.08 acres of publicly accessible open space would be provided within the Sherwin-Williams parcel and would include a 0.56-acre central green area within the interior of the site as well as a dog park, meadow, sports fields, a children’s playground and adult fitness area. The Emeryville Greenway would be extended parallel to the UPRR tracks in both options, which would join the future Horton Landing Park and bicycle/pedestrian bridge that would provide connectivity to the Bay Street Shopping Mall area.</p>

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
PP-G-5	Locally accessible parks—At least one park located within a five-minute walk of all residences.	Park and open space areas under both project options would be located within a five-minute walk of all future residences on the project site. In Option A, there would be no City Park; however there would be a significant portion of the publically-available open space (approximately 0.75 acres) within the center of the project site, with 0.71 acres remaining for open space uses in its original location on the Successor Agency parcel. In Option B, there would be a 1.46-acre City Park on the Successor Agency portion of the project site. In both options, 2.08 acres of publicly accessible open space would be provided throughout the Sherwin Williams parcel and would include a 0.56-acre central green area in within the interior of the site within the Hubbard Circle as well as a dog park, meadow, sports fields, a children's playground and adult fitness area in the northwestern portion of the project site. Moreover, future residents and visitors would benefit from access to the extension of the Emeryville Greenway that would be located along the UPPR tracks and connect to the future Horton Landing Park.

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
PP-P-1	<p>Increase park acreage to serve the needs of the growing population and address current deficiencies in park and open space standards. Maintain a standard of three new acres of parkland per 1,000 new residents, and 0.25 acres per 1,000 new employees.</p>	<p>The City currently has a total of 15.9 acres of public park space, which represents a ratio of 1.56 acres per 1,000 residents.¹ The City proposes 22 to 25 acres of new neighborhoods parks, as well as approximately 5 acres of other open space. The combination of existing, planned and proposed parks would result in 41 to 46 acres of City-owned parkland, plus the Greenways, green streets, and other trails. This total represents a ratio of 2.5 to 2.8 acres per 1,000 residents.</p> <p>The proposed project is expected to generate 923 residents and would provide over 3 acres of combined park and open space (1.46 acres of public park or open space areas, depending on which development option is construed; and 2.08 acres of publicly accessible open space on the Sherwin Williams parcel). The 1.46-acre Successor Agency parcel was identified by the City as a future park location (refer to Figure 4-1 of the General Plan).</p> <p>In development Option A, there would be no City Park on the Successor Agency owned portion of the project site. Instead, Option A would have a significant portion of the publically-available open space (approximately 0.75 acres) within the center of the project site, with 0.71 acres remaining for open space uses in its original location on the Successor Agency parcel. However, in Option B, there would be a 1.46 City Park on the Successor Agency portion of the project site. Although the configuration of the park and open spaces are different under both development options (Option A and Option B), the proposed project is expected to generate approximately 923 residents and would provide over 3 acres of combined park and open space. The additional open space that would be provided by the proposed project would therefore maintain a standard of close to 3 new acres of parkland per 1,000 new residents.</p>

¹ Dyett & Bhatia. 2009 (Amended 2013). City of Emeryville General Plan. Chapter 4.

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
PP-P-6	<p>The north-south Emeryville Greenway will be expanded, enhancing its role as an open space corridor and connector across the City, and a source of inspiration and community pride. The City will support the expansion of a park at the Sherwin Williams site, in coordination with the development of Horton Landing Park and the Greenway.</p>	<p>The two options include a different location for the park and open space areas planned for the site. Option A assumes a “land swap” that integrates a significant portion of the publically-available open space (approximately 0.75 acres) within the center of the project site, with 0.71 acres remaining for open space uses in its original location on the Successor Agency parcel. The Successor Agency parcel would therefore not have a City Park in Option A, but a park would be integrated into the project. Option B would maintain the 1.46-acre Successor Agency parcel as a separate City Park area and connect it to the rest of the project. The final location of the 1.46 acres of public park space would be dependent on which development option is selected.</p> <p>In both options, 2.08 acres of publicly accessible open space would be provided within the Sherwin-Williams parcel and would include a 0.56-acre central green area within the interior of the site as well as a dog park, meadow, sports fields, a children’s playground and adult fitness area. The Emeryville Greenway would be extended parallel to the UPRR tracks in both options, which would join the future Horton Landing Park and bicycle/pedestrian bridge that would provide connectivity to the Bay Street Shopping Mall area.</p>
PP-P-11	<p>All large new residential developments shall include a combination of private and common open space.</p>	<p>Under both development options, the proposed project would provide a total of 3.54 acres of public open space on the project site, of which 0.56 acres would be located in within a central green in the interior of Hubbard Circle. The proposed project would offer private open space in the form of balconies.</p>

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
Housing Element Programs		
Program H-2-1-1	Continue to offer a density bonus for developments that include affordable units, and consider offering additional regulatory incentives such as free or reduced-cost pre-application meetings, study sessions, and/or expedited application review and permit processing.	<p>The project applicant would seek a development bonus for the proposed project in exchange for providing public benefits. The public benefits offered include:</p> <ul style="list-style-type: none"> • Retention and Adaptive Reuse of Building 1-31 • Pursuit of LEED ND Certification (Silver) • Transportation Demand Management: <ul style="list-style-type: none"> ▪ Bicycle sharing: ▪ Bike lockers: ▪ Electronic transit information signs • Electric vehicle charging stations (5 percent of nonresidential parking) • Family Friendly Housing (5 percent of units to be 3 bedroom units): <p>However, the proposed project would not include affordable housing.</p>
Program H-2-1-2	Continue to implement the Affordable Housing Program (formerly known as the Affordable Housing Set-Aside Ordinance) to require the inclusion of below-market-rate units in residential projects.	The proposed project would not provide affordable housing on the project site.
Program H-7-2-1	Continue to require that developers complete the appropriate GreenPoint Rated or LEED Checklist as part of their submittal to the Emeryville Planning and Building Department.	Both proposed project options would pursue LEED ND Certification (Silver).
Program H-7-2-5	Encourage new residential development projects to include features and materials that help to prevent stormwater intrusion.	Both proposed project options would incorporate Low Impact Development (LID) measures to comply with the City's Stormwater ordinance and the Municipal Regional Permit requirements issued by the San Francisco Bay Regional Water Quality Control Board. Also, as called for by the DTSC, the site would be graded and the stormwater collection system shall be designed to minimize ponding and limit infiltration to groundwater to 3.75 inches per year. Refer to project description for further details regarding storm drainage.

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
Program H-7-3-1	Encourage new housing development within the City's Priority Development Area (PDA) in keeping with regional greenhouse reduction strategies. Monitor the availability and local applicability of PDA-linked funding resources and incentives for planning and development. Utilize these resources to the extent feasible and appropriate.	PDAs are defined as locally identified infill development areas near transit. The City has envisioned the Sherwin Williams site as a potential infill redevelopment site within the City's Mixed Use Core area, which is defined as the City's Priority Development Area (PDA). The proposed project would add 923 new residents and 320 new jobs to the area.
Transportation Goals and Policies		
T-G-5	A safe, comprehensive, and integrated bicycle system—A system and support facilities throughout the city that encourage accessible bicycling for all community members.	The proposed project options include bicycle circulation along the new roadways that would be part of the project, including the extension of the Emeryville Greenway which could be used by both pedestrians and bicyclists. Both proposed project options would add an extension of 46th Street into the development which would provide additional bicycle access in and around the site. In addition, both proposed project options would implement bicycle circulation paths along the western boundary of the project site adjacent to the UPPR tracks and along other pathways within the project site. Moreover, the proposed project would include bicycle storage.
T-G-8	A balanced parking supply system— Parking supply that balances economic development, livable neighborhoods, environmental and energy sustainability, and public safety, while reducing dependence on the automobile.	Under both development options, structured parking would be included in all proposed new buildings. The proposed project would provide 982 parking spaces under Development Option A and 929 parking spaces under Development Option B. Lighting within the parking structures would be screened from adjacent public spaces. A summary of parking spaces within each parcel is provided in Table III-3. Since Parcel A would not have parking spaces to serve the proposed uses in the existing building, parking spaces for Parcel A will need to be reserved on one of the other parcels. Option B would have 53 fewer spaces than Option A, but would include the same amount of development.
T-G-11	Transportation demand management strategies—TDM strategies that decrease single-occupant automobile demand and reduce vehicle miles traveled.	The proposed project would implement a TDM plan that includes bicycle sharing, bicycle storage, and electrical vehicle charging stations.
T-P-5	The City encourages development that minimizes Vehicle Miles Traveled (VMT).	The proposed project would be a mixed-use development that would include a variety of uses including residential, office and retail. The project is located in close proximity to the Neighborhood Retail Overlay located on Park Avenue.

Table V-2: Applicable General Plan Goals, Policies, and Programs

Goal, Policy, or Program Number	Goal, Policy, or Program Text	Project's Relationship to Goal, Policy, or Program
T-P-6	To the extent allowed by law, the City's Traffic Impact Fee shall include bicycle, pedestrian, transit, and road improvements so that development pays its fair share toward a circulation system that optimizes travel by all modes.	The proposed project would be required to pay the City's Transportation Impact Fee that would fund multi-modal impacts to the transportation system as described in Mitigation Measures TRANS-1 through TRANS-3 and TRANS-8.
T-P-16	Safe pedestrian walkways that link to streets and adjacent bus stops will be required of new development.	The proposed project would include stop signs and pedestrian crosswalks at intersections (Hubbard Street intersection with Sherwin Avenue and at the new 46th Street intersection with Horton Street and 46th and Hubbard Circle). Bus stops are located within 10 minutes walking distance to the project site.
T-P-24	Safe, secure, and convenient short- and long-term bicycle parking shall be provided near destinations for all users, including commuters, residents, shoppers, students, and other bicycle travelers. Retail businesses in regional retail areas are encouraged to provide valet bicycle parking.	The proposed project would provide bicycle storage and parking on site for future residents to encourage use of non-motorized methods of travel.

Source: *Emeryville General Plan; Emeryville Housing Element 2015-2023*; LSA Associates, Inc., 2015.

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