

January 22, 2019

[Sent via email]

Linda Barrera, Chair ([LPB.94608@gmail.com](mailto:LPB.94608@gmail.com))  
D. Miguel Guerrero, Vice Chair ([emeryvillemiguel@gmail.com](mailto:emeryvillemiguel@gmail.com))  
Gail Donaldson ([donaldson1286@yahoo.com](mailto:donaldson1286@yahoo.com))  
Jonathan Hidalgo ([planningcommissionerhidalgo@gmail.com](mailto:planningcommissionerhidalgo@gmail.com))  
Steven Keller([skcivic@outlook.com](mailto:skcivic@outlook.com) )  
Christine Scott Thomson ([christine.thomson@som.com](mailto:christine.thomson@som.com) )  
C. Tito Young ([commissioner.ctyoung@gmail.com](mailto:commissioner.ctyoung@gmail.com))

**Re: Marketplace Parcel B (Office and Garage Building) (FDP18-001)**

Dear Planning Commissioners:

I have reviewed comments recently submitted by Geoff Sears and wish to respond.

As you may know, redevelopment of the Public Market is the result of a decade-plus public planning process, involving dozens of public hearings and stakeholder group meetings. AG-CCRP has specifically worked for over 5 years to bring needed housing, jobs, services and community gathering places to the City of Emeryville to fulfill the vision of the first LEED Platinum Neighborhood Designated project in the country. AG-CCRP has patiently, and painstakingly, implemented the approved 2008 Preliminary Development Plan (PDP) that embodied the goals and policies of the City's General Plan, the Shellmound Streetscape Design Guidelines, etc., and the refinements directed by several Planning Commissions.

We have incurred over \$30,000,000 in public improvements to activate the project, including the Shellmound Street realignment and Christie Park expansion. We have expended in excess of \$3,000,000 remodeling the Food Hall. The grocery store has been constructed and residential units are under construction. Parcel B is the last piece of the planning puzzle to bring daytime employees to the project to activate the streets and Food Hall. Parcel B has already undergone significant design modifications from the original, approved version which was abandoned because of more than \$4,000,000 in increased costs due to escalating construction costs and delays. Nonetheless, we believe the current version of Parcel B provides for a better outcome as it will better activate the district and provide a broader mix of uses.

It also achieves the original vision of the PDP approved in 2008. The current plan — Parcels A and B — presents less visual impacts than the original PDP. The approved PDP allowed a height of 120 feet. The proposed building is 112 feet. As shown in the attached Exhibit A, the original PDP contemplated a much taller tower on Parcel A up to 175 feet. The approved Parcel A allows a height of up to 86 feet on the northern portion of the building and a height of up to 50 feet on the southern portion of the building structure. Altogether, Parcels A and B will allow for a less monumental sightline.

In response to the comment that Parcel B violates the tower separation ordinance, that is not accurate. Zoning Code Section 9-4.202(f) provides that in the "one hundred plus (100+) height district, buildings

over one hundred feet (100') in height shall be separated from each other by a minimum horizontal distance equal to no less than the height of the taller building.” Since the Parcel A building is less than 100 feet, this section of the Code does not apply. Moreover, the Zoning Code recognizes the Marketplace PDP and provides that uses and development regulations shall be governed by the PDP and not later enacted regulations in the Zoning Code. (Zoning Code, Section 9-3.310) Accordingly, the tower separation provision of the Code is not applicable since it was adopted after the adoption of the PDP.

Much thought has gone into the East wall design. The proposed building design is intended to act as a four-sided building, a building with fronts on all sides and no back. The East and West facades of the building are similar and share in their size, proportion, and quality of windows, wall systems, expressed frame system, articulation of roofscape elements, open parking level design and expression, and generally limited articulation in the massing – a design strategy that was embraced by the majority of the Planning Commission.

It may also be noted that the Parcel B building is compatible with the buildings within the Public Market project, as well as the buildings in the surrounding vicinity. As shown in [Exhibit A](#), the proposed Parcel B is consistent with the buildings all around the Public Market as well as the building to the south of the Wareham building, particularly the Terraces apartment building along the railroad tracks, which has a similar four-sided massing.

Further, the Public Market Art Plan has recently been approved, which will result in world class art throughout the project, including an installation on the East side of Parcel B. An example of the art that may be installed on the East side of Parcel B is shown in [Exhibit B](#). The artwork will be visible by pedestrians from Amtrak passengers, Parcel A pedestrian bridge, and from the office buildings on the East side of the railroad.

While it is not part of the current consideration, the approved Parcel A plans include a bridge walk with a “grand staircase” and elevator with access directly to Shellmound Street. Public art has also been focused in this area, with examples shown in [Exhibit C](#). The Public Market Art Plan provides the following:

The Stairwell Plaza is located on the east side of Shellmound Street across from the existing Public Market and is considered a primary publically accessible space in the Shellmound Public Art Master Plan. The Grand Stair lands on a 45-foot wide public plaza with room for café seating on Shellmound Street. Rising from the plaza, an elevated pedestrian path provides the primary east-west connection between the Shellmound Market District and the neighborhoods across the railway.

An artwork consisting of multiple elements on the stairs rising from the plaza below will invoke curiosity, joy and invite further pedestrian exploration. It will also serve as a placemaker and wayfinder. Additionally, the artwork will anchor the south end of the site, as well as connect it to the Powell Street Gateway artwork.

Moreover, we just spent \$5,000,000 to provide the City a new park and over \$30,000,000 to provide complete streets with street trees and vegetation. Limitless attention, time and energy has been devoted to the pedestrian and community gathering experiences throughout the project with particular emphasis on stairwell plaza at the connection of Parcels A and B.

## AG-CCRP PUBLIC MARKET, LP

170 Grant Ave. Fl. 6 | San Francisco, CA 94108

I urge you to approve the current Parcel B proposal consistent with the largely positive feedback shared at the December Study Session in order to complete this mixed use district, bringing much needed jobs, housing, services and community gathering spaces to the City of Emeryville and to fulfill the original vision of the project, more than a decade in the making.

Sincerely,

Mark Stefan

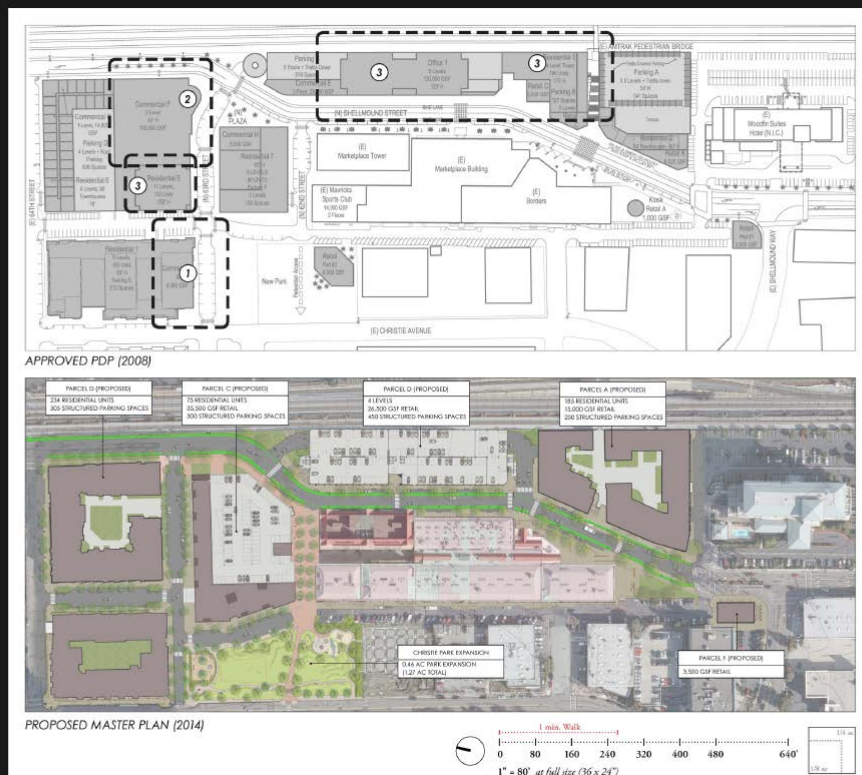
A handwritten signature in blue ink, appearing to read 'MS', with a long horizontal flourish extending to the right.

Cc: Charlie Bryant ([cbryant@emeryville.org](mailto:cbryant@emeryville.org))

Miroo Desai ([mdesai@emeryville.org](mailto:mdesai@emeryville.org))



Exhibit A –  
PDP Conformance



PDP Conformance

Formatted: Centered

Formatted: Width: 11", Height: 8.5"



2008 PDP



2014-2019 FDP'S

2008 PDP vs. 2019 FDP | Comparison of Massing from West

HART HOWERTON



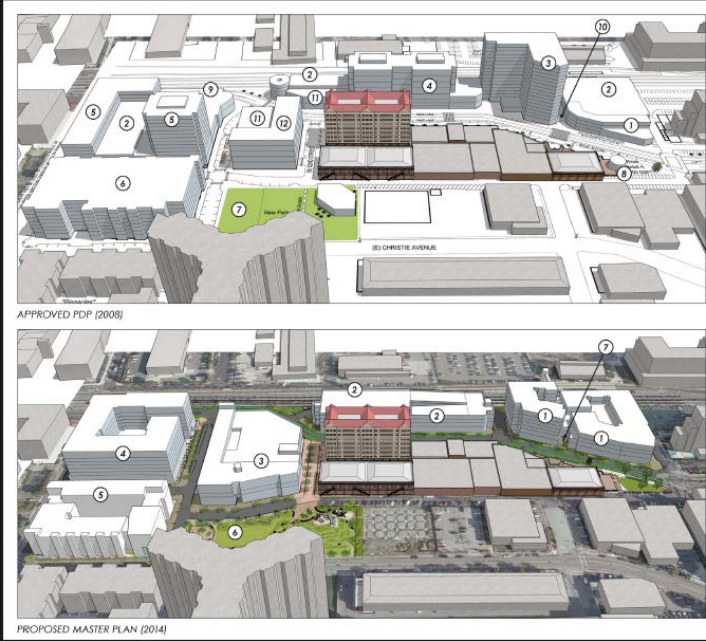
2008 PDP



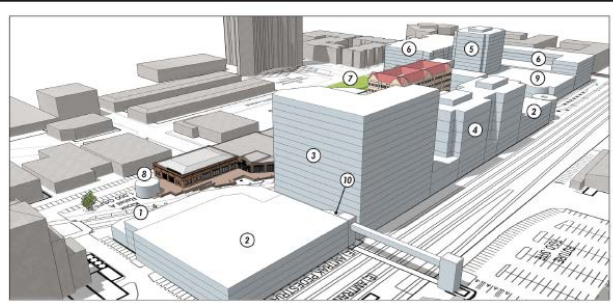
2014-2019 FDP'S

2008 PDP vs. 2019 FDP | Comparison of Massing from Southeast

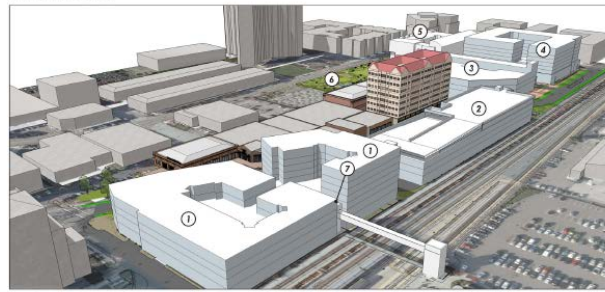
HART HOWERTON



PDP Conformance Massing From West



APPROVED PDP (2008)



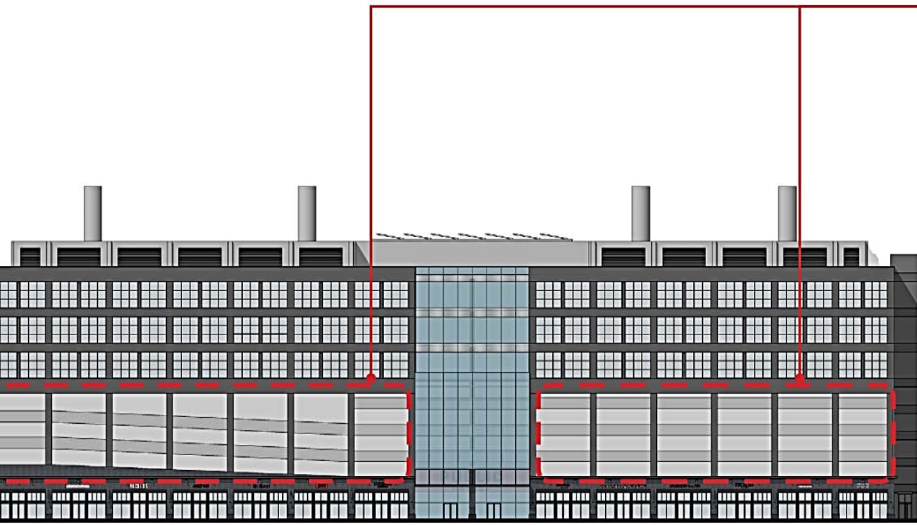
PROPOSED MASTER PLAN (2014)

PDP Comparison Massing From Southeast

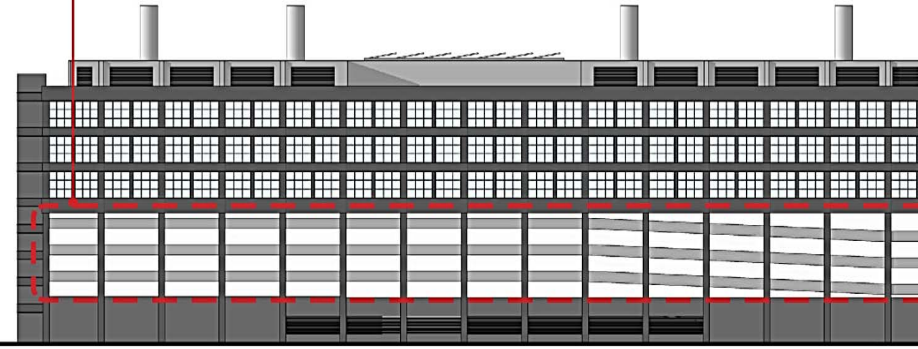


## EXHIBIT B

ARTIST WILL CONSIDER THESE AREAS AS A CANVAS. PART OF PUBLIC MARKET DISTRICT ART PROGRAM UNDER PURVIEW OF EMERYVILLE PUBLIC ART COMMITTEE.



A. WEST ELEVATION



B. EAST ELEVATION

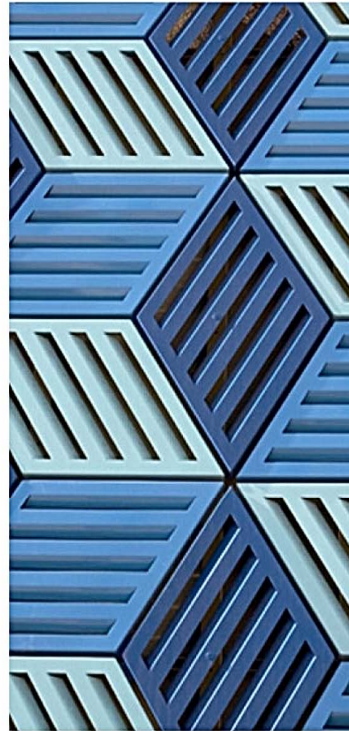
ISTS:



Erwin Redl



Jacob Hashimoto



Jim Isermann



Mark Reigelman



Ray King

Exhibit C

Stairwell Plaza Art

