

**Planning Commission April 25, 2019 Meeting: 7.1**

**Marketplace Final Development Plan - Parcel B (Office and Garage)**

**Reconsideration Hearing**

***Applicant: AG-CCRP Public Market LP***

***Architect: Hart / Howerton***

# PROCEDURE

- Staff Presentation
- Applicant Presentation (limited to 10 minutes)
- Appellant Presentation (limited to 10 minutes)
- Public Hearing (limited to 3 minutes per speaker)
- Applicant Response (limited to 5 minutes)
- Commission deliberation, including questions to applicant and/or appellant
- Commission vote





# PROPOSED FDP BUILD OUT

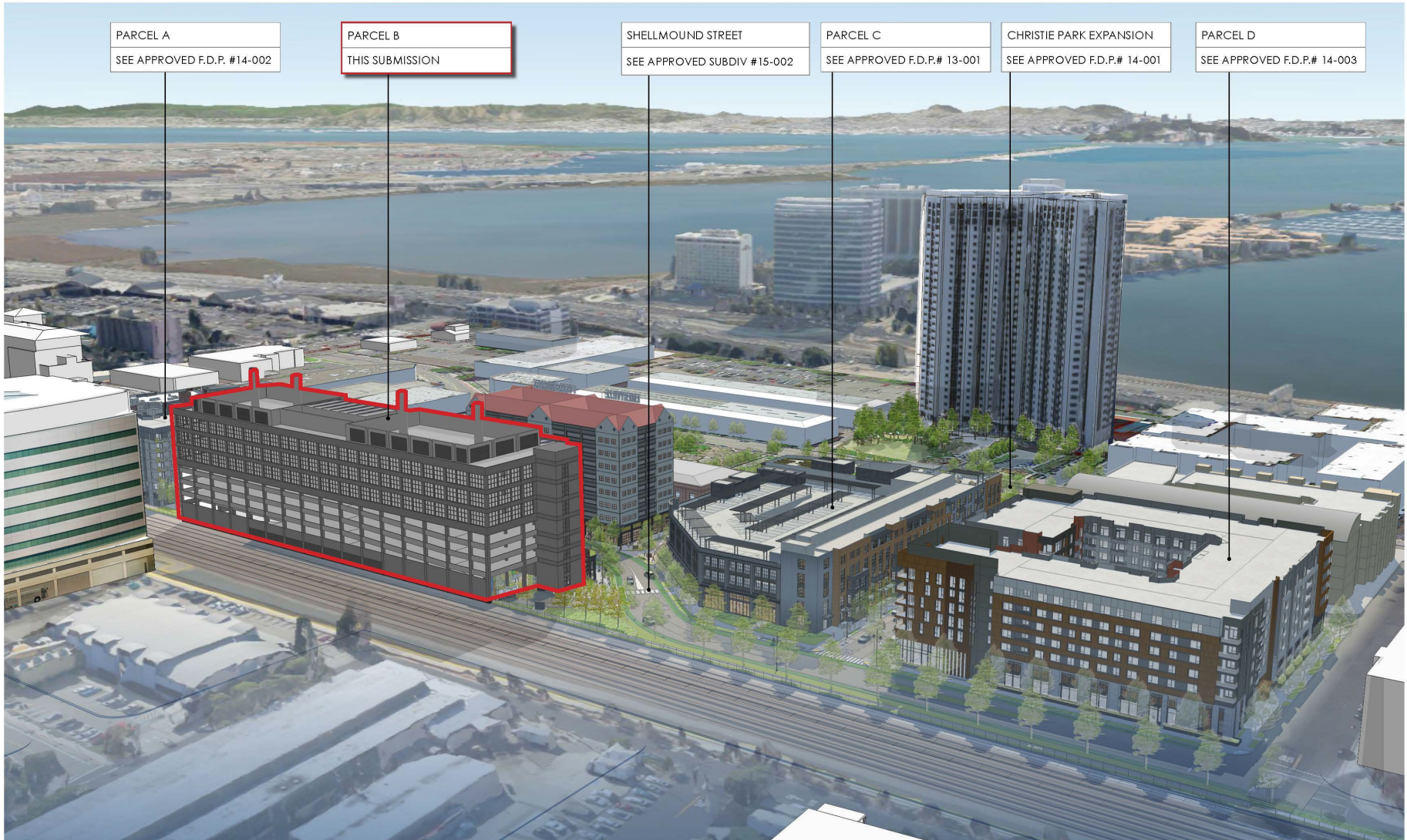


# PROJECT PROPOSAL

- Parcel B FDP was approved on June 23<sup>rd</sup>, 2016 accommodates parking with ground floor retail. The garage would provide parking for existing commercial uses that have been served by previous surface parking lot (Parcel C) and are being served by existing parking lot (Parcel A).
- City Center wished to modify the proposal for Parcel B to accommodate office space.
- 113-feet tall, 8 story building that includes:
  - 15,800 square feet of ground floor retail
  - 4 levels of structured parking (560 spaces)
  - 150,000 square feet of office space on top 3 levels







PARCEL A  
SEE APPROVED F.D.P. #14-002

PARCEL B  
THIS SUBMISSION

SHELLMOUND STREET  
SEE APPROVED SUBDIV #15-002

PARCEL C  
SEE APPROVED F.D.P.# 13-001

CHRISTIE PARK EXPANSION  
SEE APPROVED F.D.P.# 14-001

PARCEL D  
SEE APPROVED F.D.P.# 14-003



City of Emeryville

Marketplace Parcel B <sup>AR2003</sup>

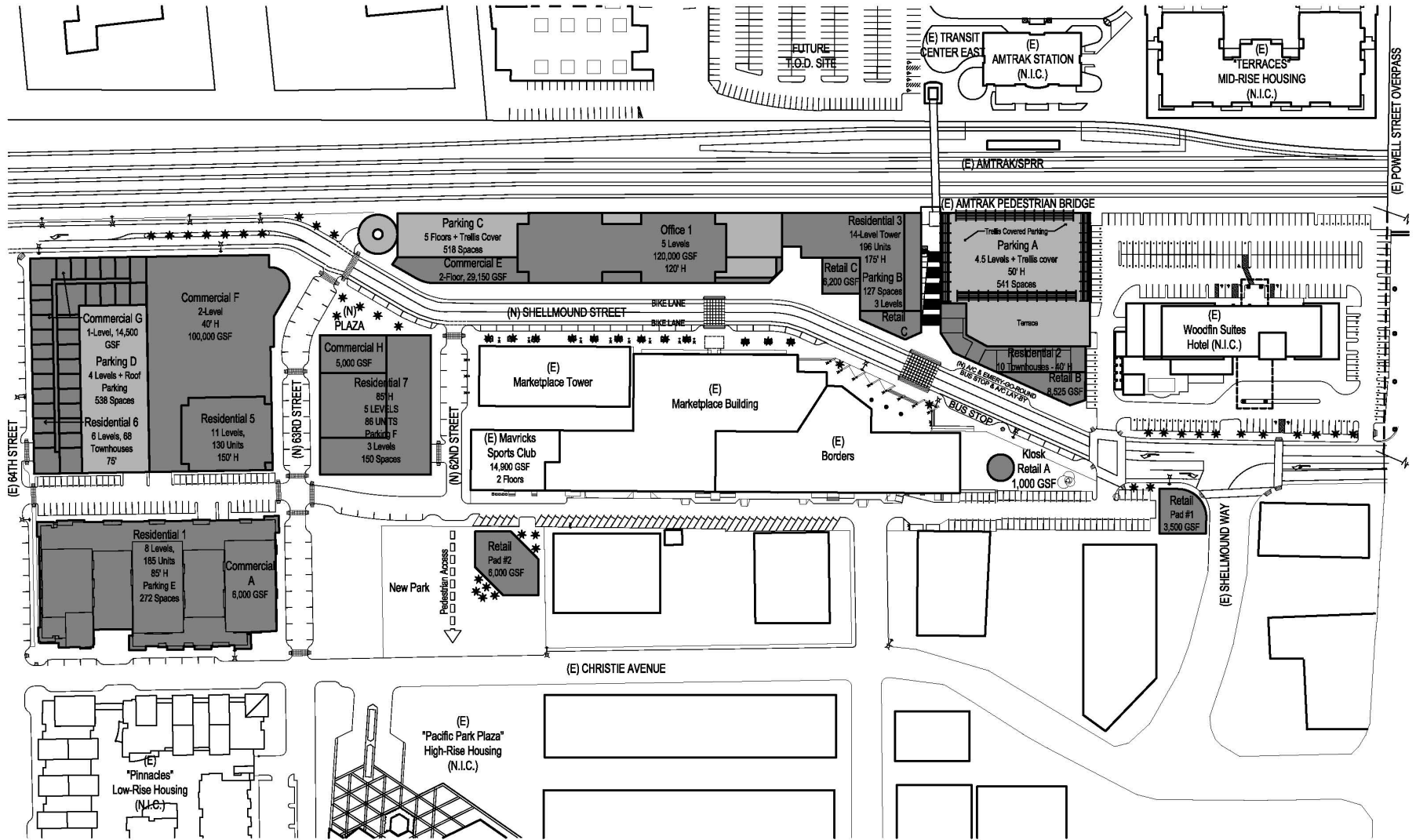
## ISSUES IN THE APPEAL LETTER

*(1) Requirement AES1 calls for the final designs to create a “vital streetscape that enhances the pedestrian experience, avoid blank walls or box-like forms.” The original 2008 approval indeed included large buildings along the railroad tracks. However, in the original approval they have varying and modulated heights and façade, with several important openings and livable gaps between different building gaps.*

	<b>PUD/PDP</b>	<b>FDP</b>
<b>Parcel A</b>	175 feet	86 feet – northern end 50 feet – southern end
<b>Parcel B</b>	120 feet	112 feet



# APPROVED PUD/PDP



## MARKETPLACE REDEVELOPMENT - PHASE III

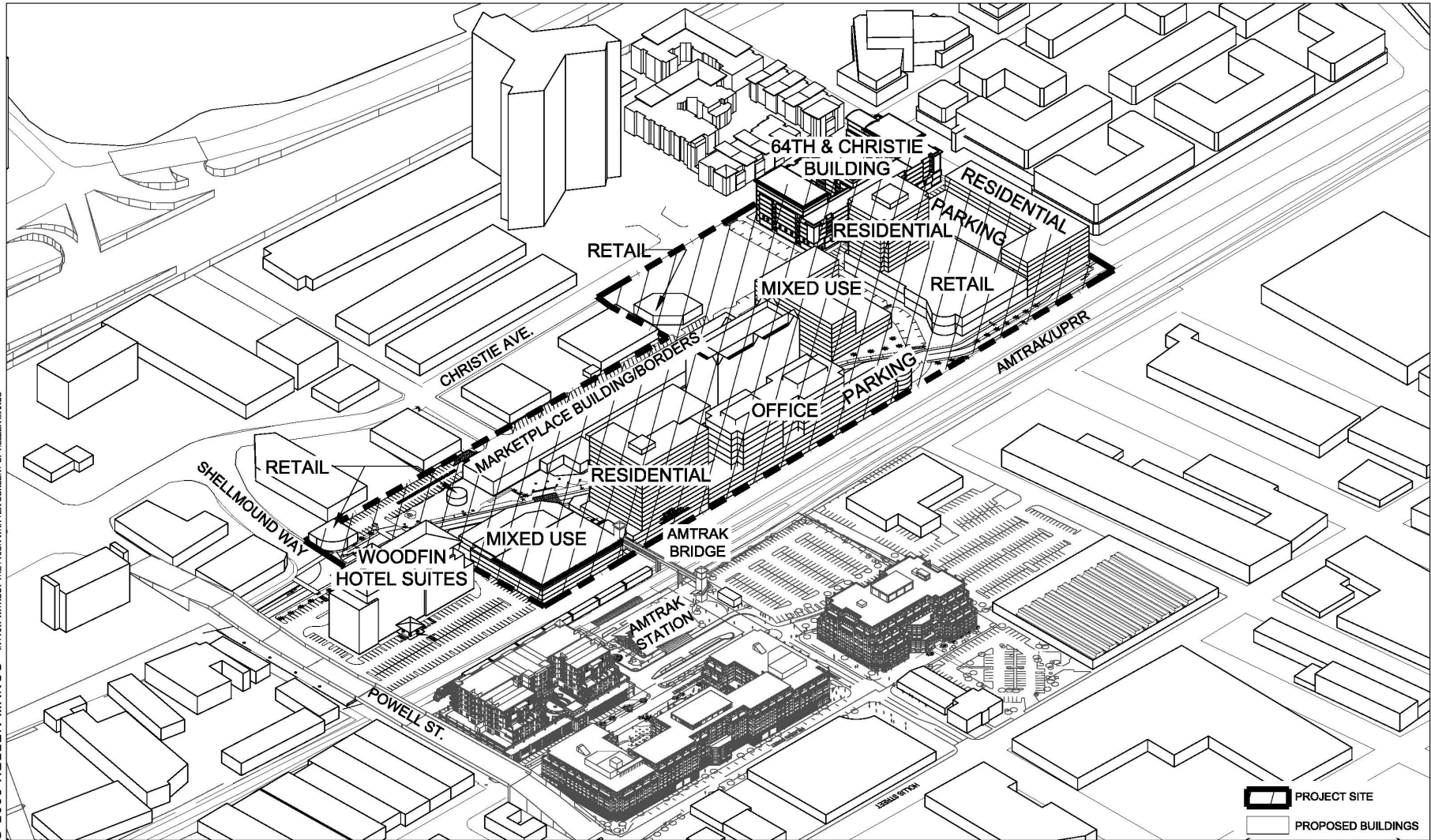
EMERYVILLE, CA

HELLER MANUS  
ARCHITECTS  
APRIL 16, 2008

AR2005

SCALE 1"=120'  
0 120' 240'

# APPROVED PUD/PDP



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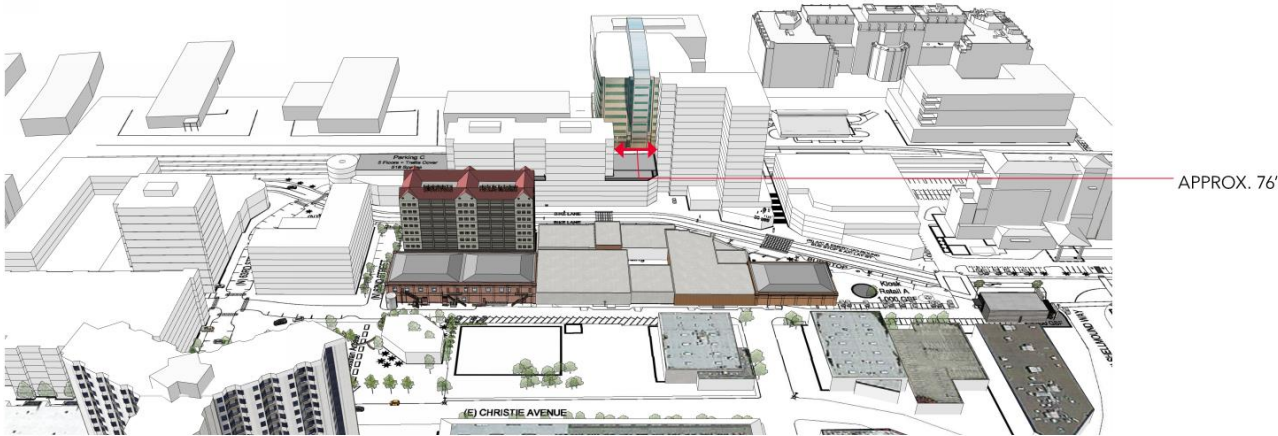
SCALE: NONE

## MARKETPLACE REDEVELOPMENT

ILLUSTRATIVE BIRD'S EYE VIEW OF SITE



Figure 1: PDP 2008 and FDP 2019 FDP Massing Studies from West and South-East



2008 PDP



2014-2019 FDP'S

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

HART HOWERTON



Figure 1: PDP 2008 and FDP 2019 FDP Massing Studies from West and South-East



2008 PDP



2014-2019 FDP'S

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

HART HOWERTON





## ISSUES IN THE APPEAL LETTER (cont.)

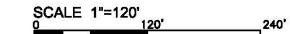
*(2) Requirement WIND 1 calls for a wind study to review the winds that will exist on the pedestrian bridge. No such wind study was presented. It certainly seems that the current design, with only the narrowest gaps between buildings, will create a wind tunnel here and that those conditions deserve extra study.*

This mitigation measure is directed at the pedestrian bridge connection over the railroad and calls for a wind analysis “to ensure that roof areas that would be used by site patrons or residents would be designed such that wind acceleration would be reduced to less than significant levels.



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EMERYVILLE, CA

## ISSUES IN THE APPEAL LETTER (cont.)

- There are no proposed usable roof areas on Parcel B
- The environmental document does note that the project has “the potential to increase ground level winds.”
- A wind analysis study has been submitted that concludes that “based on the exposure, massing and orientation of the building, it would not have the potential to adversely affect ground level winds near its base in any direction.



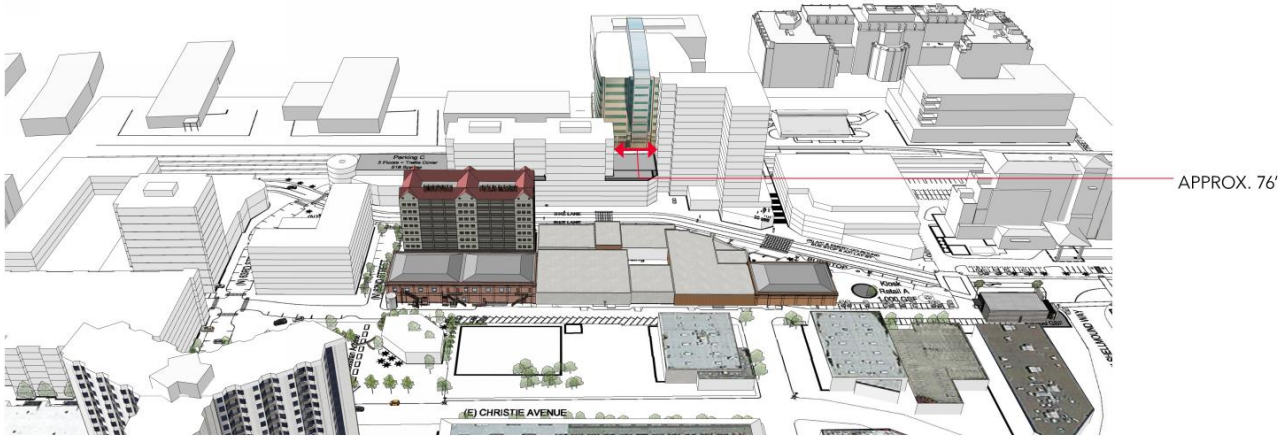
## ISSUES IN THE APPEAL LETTER (cont.)

*(3) WIND 1 also specifically says that any Final Design should “avoid narrow gaps between the buildings where winds could be accelerated.” The current design does the exactly the opposite. The prior approved design for Parcel B has roughly 170-foot gap between it and the approved Parcel A.*

- The Commission needs to make a finding that a FDP is consistent with the PUD/PDP; and not that the proposal is consistent with a previously approved project.



Figure 1: PDP 2008 and FDP 2019 FDP Massing Studies from West and South-East



2008 PDP



2014-2019 FDP'S

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

HART HOWERTON



## ISSUES IN THE APPEAL LETTER (cont.)

*(4) Requirement TRAF-1b states that the applicant will submit a Transportation Demand Management Plan to the City for review and approval prior to completion of the FDP. This did not occur as far as we can tell.*

*Traffic timing and impacts of proposed office use are very different than those of retail.*

- TDM vs Traffic Analysis
- A detailed traffic analysis was included in the EIR and a building specific traffic analysis has been done for each FDP. Kimley Horn prepared a Trip Generation Evaluation in December prior to the January approval that concluded that proposed office, retail and parking would result in fewer AM and PM peak hour trips when compared to the approved 2008 PDP.
- A TDM pan has been prepared and has been updated regularly.



## ISSUES IN THE APPEAL LETTER (cont.)

*(5) We have been told that the City's "tower separation ordinance", which requires certain distances between the buildings over 100 feet tall, does not apply in this case because the three buildings in question were all approved prior to the ordinance. Even if that is technically correct, the ordinance was put in place as the policy of the City for important planning and aesthetic reasons that matter regardless of some technicality.*

- PUD/PDPs are issued for large development projects phased over relatively long time period to allow developers to propose a phased project with the confidence that the applicable development standards will not change with updates in the City's General Plan and Planning Regulations.
- Therefore, it is not simply a question of technicality but ensures that the City is in compliance with its own rules and provides confidence to all developers that their permit conditions will not be modified as a result of citizen objection.











# APPROVED BUILD OUT



HART HOWERTON

EMERYVILLE MARKET PLACE  
Emeryville, California

SITE PLAN AT FULL BUILD-OUT | G004  
PARCEL B | MAY 13, 2016



City of Emeryville

Marketplace FDP

AR2019

21

# SUMMARY OF CHANGES TO STUDY SESSION PLANS

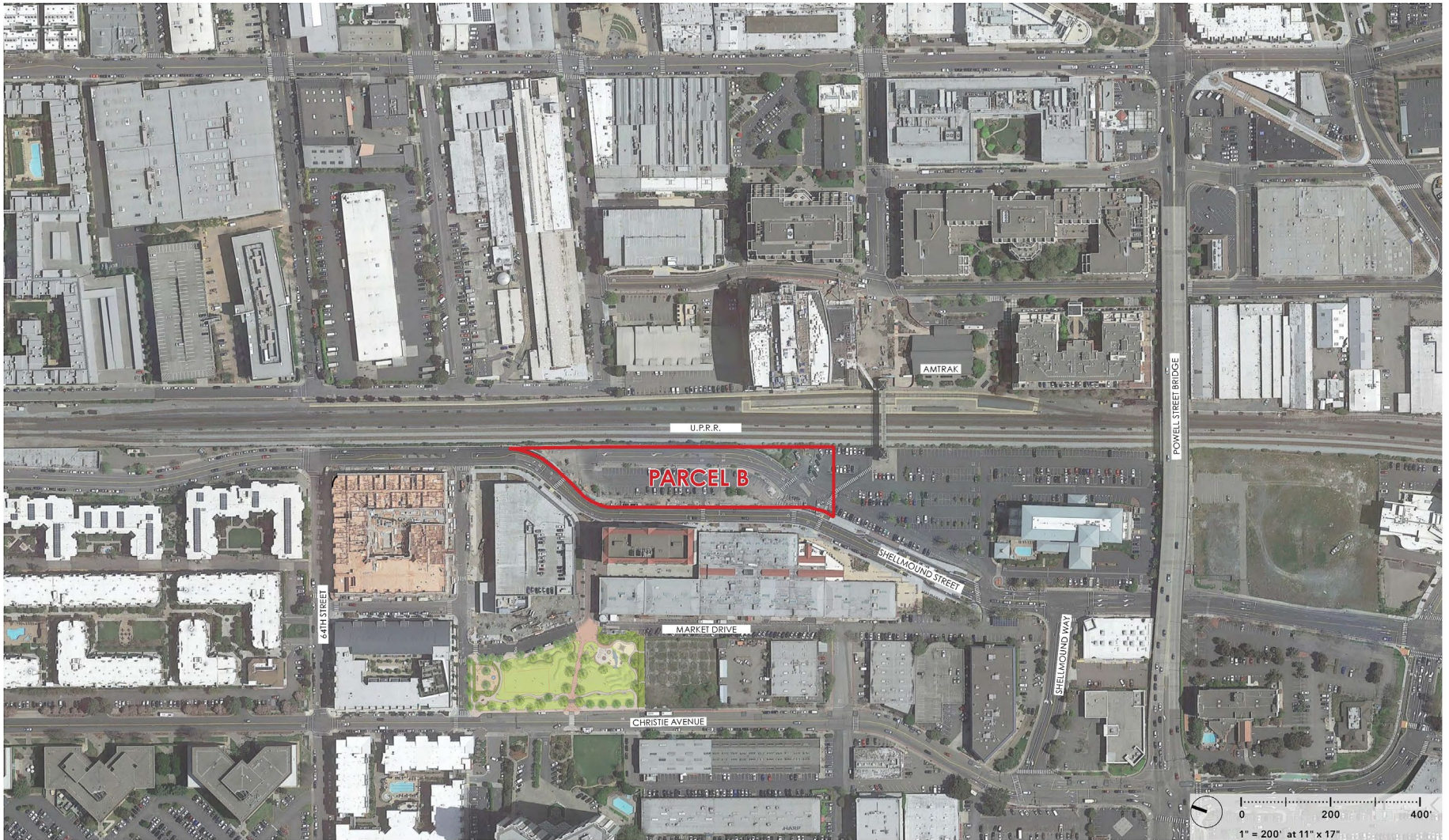
- Increase in retail area from 14,000 sq. ft. to 15,800 sq. ft.
- Solar/PV panels included.
- Primary servicing to the retail area are now provided from the back
- EV Parking spaces included and identified
- North and south elevations have been further developed and refined, including adding windows to the stairs
- Location of some servicing areas have been revised
- Bike room has been moved north, with better access from lobby
- Landscape Plan has further developed





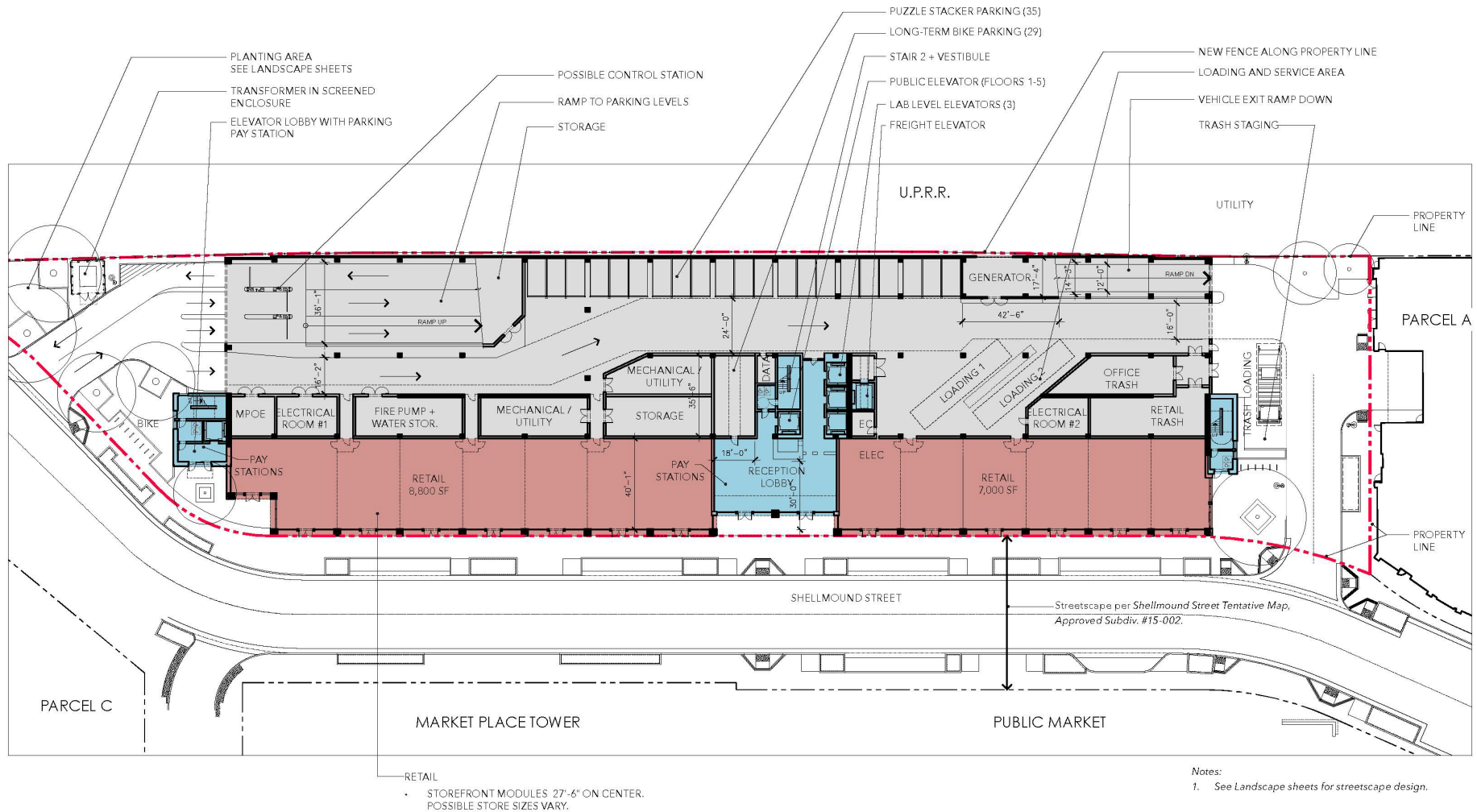




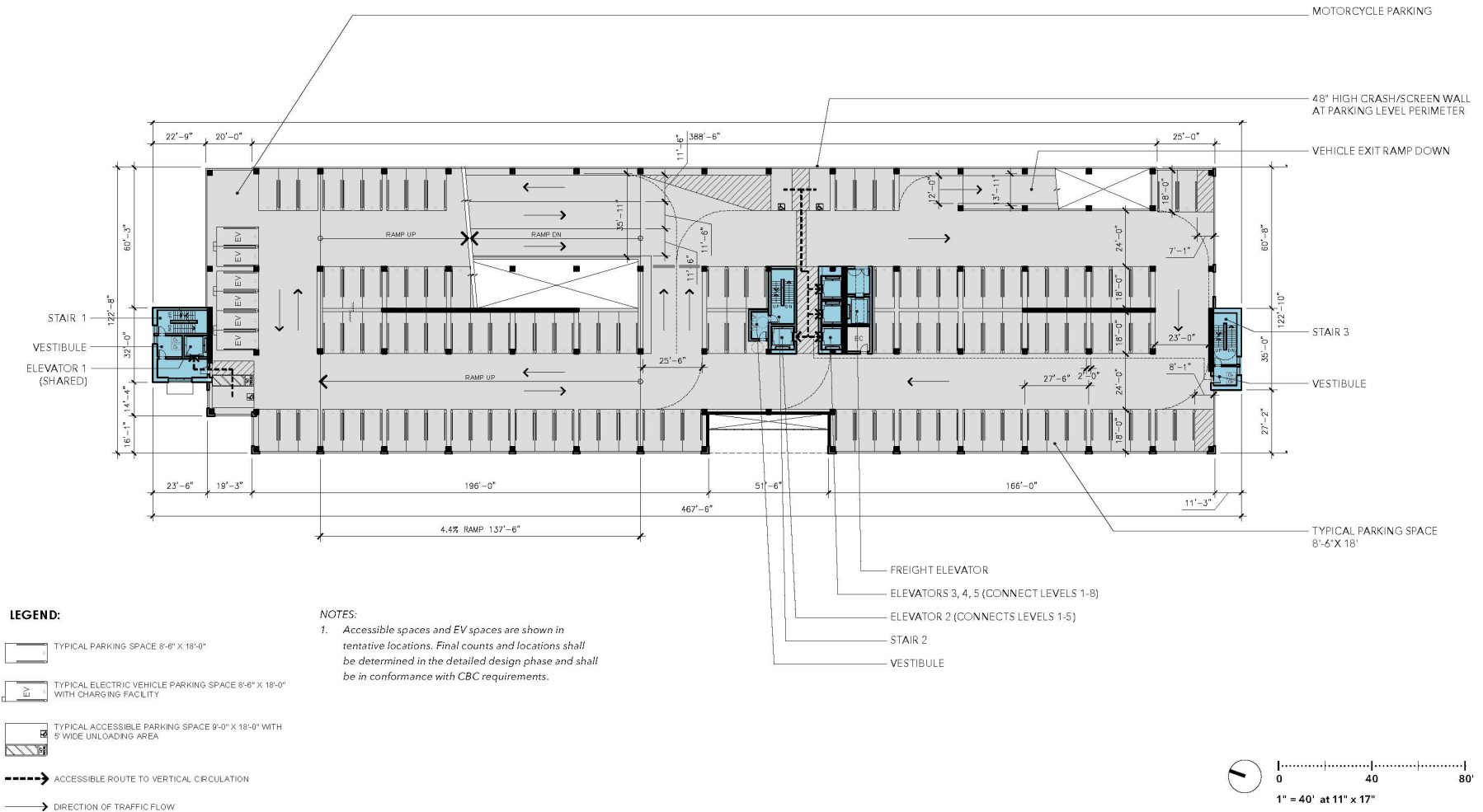




# SITE PLAN – GROUND FLOOR

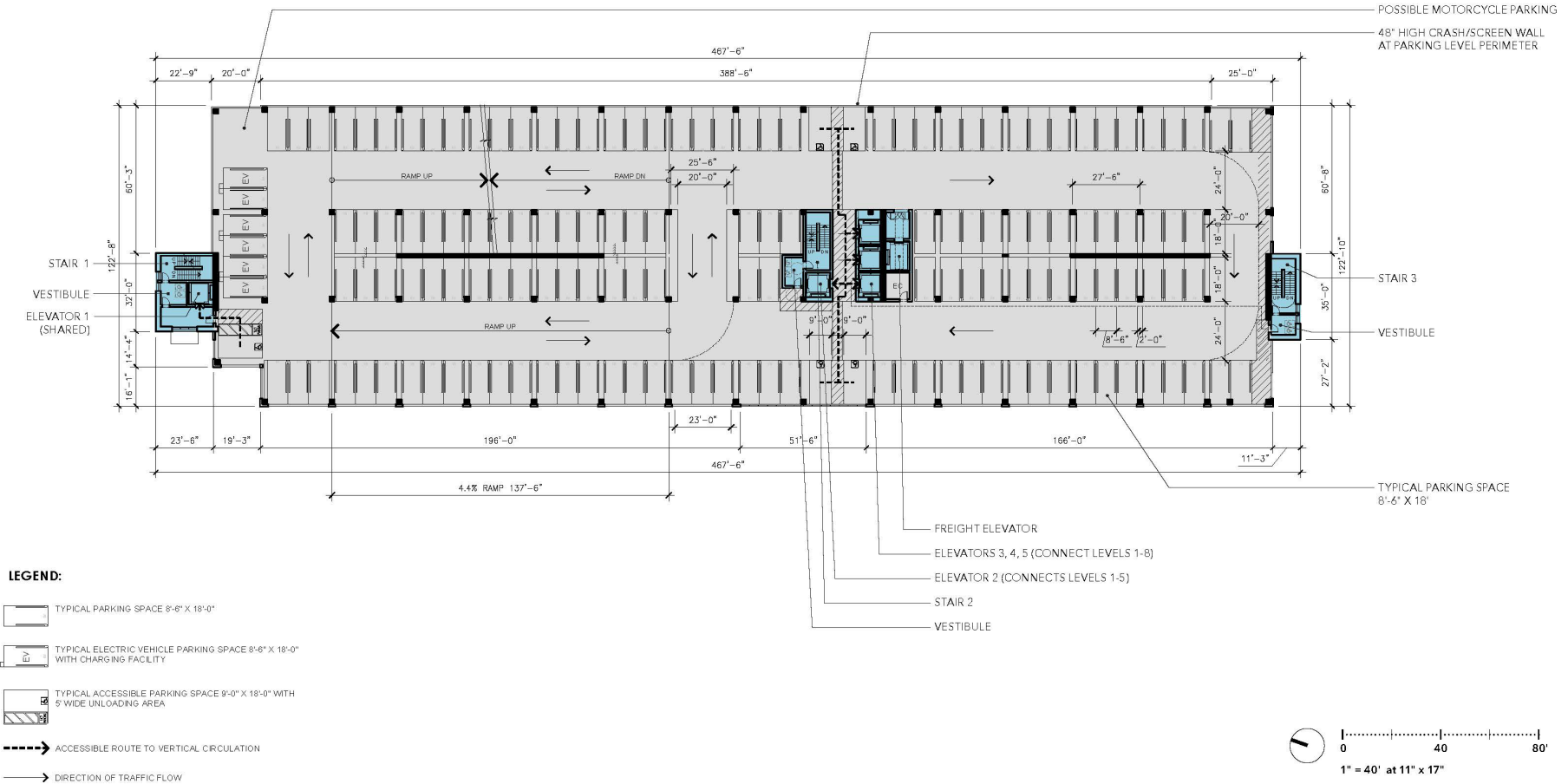


## PARKING LEVEL – 2

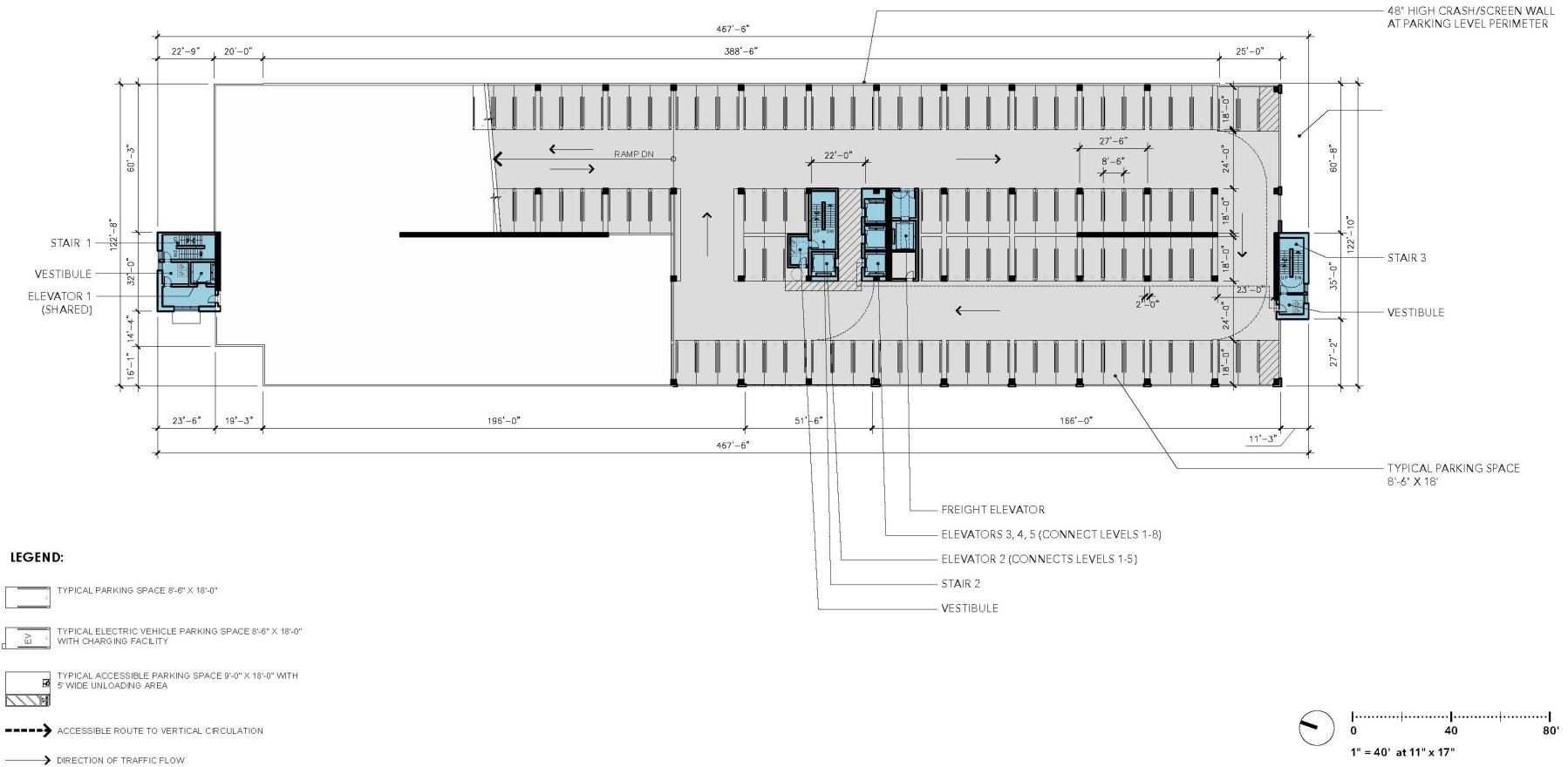




# PARKING LEVELS – 3 AND 4



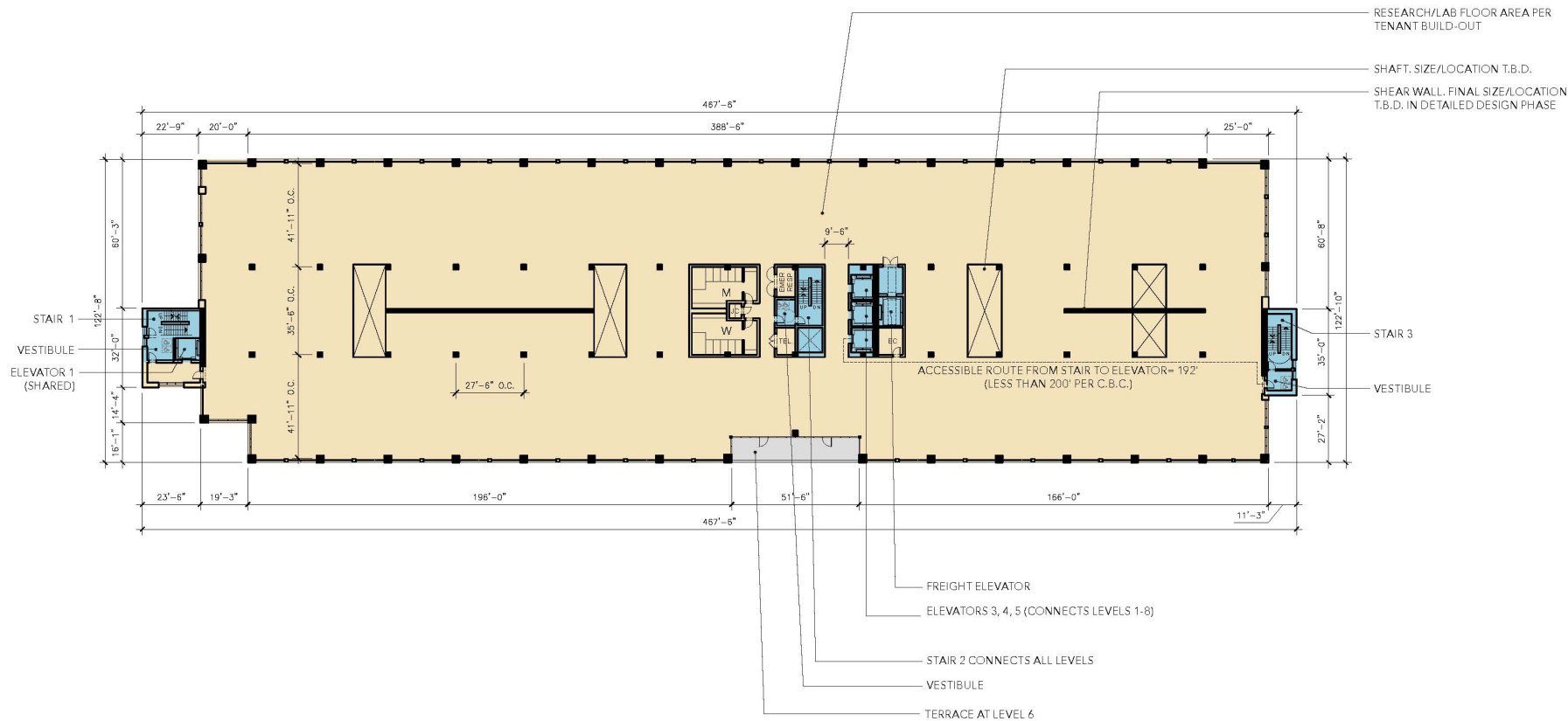
# PARKING LEVEL – 5



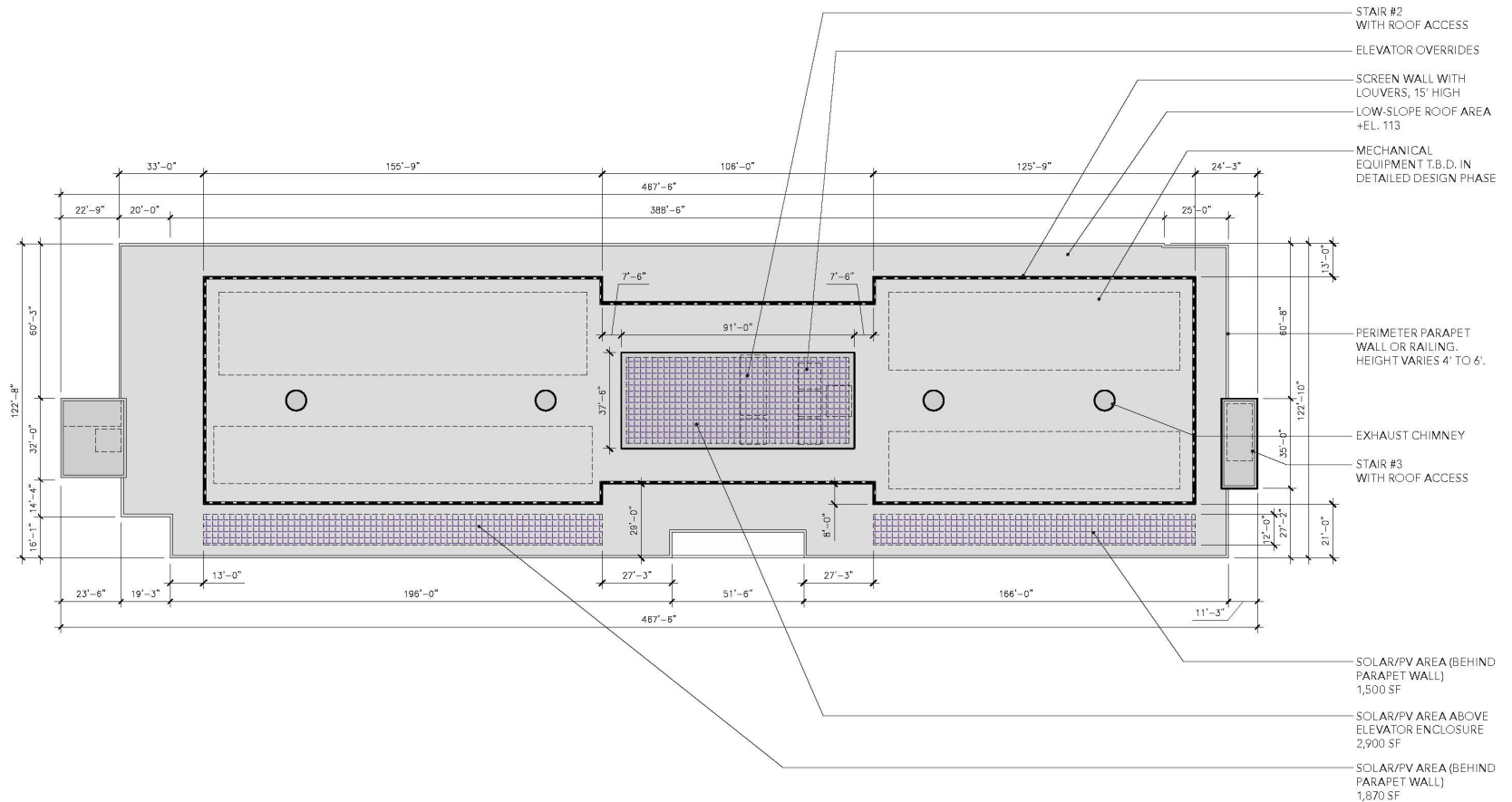
# OFFICE LEVELS – 6, 7 AND 8

Notes:

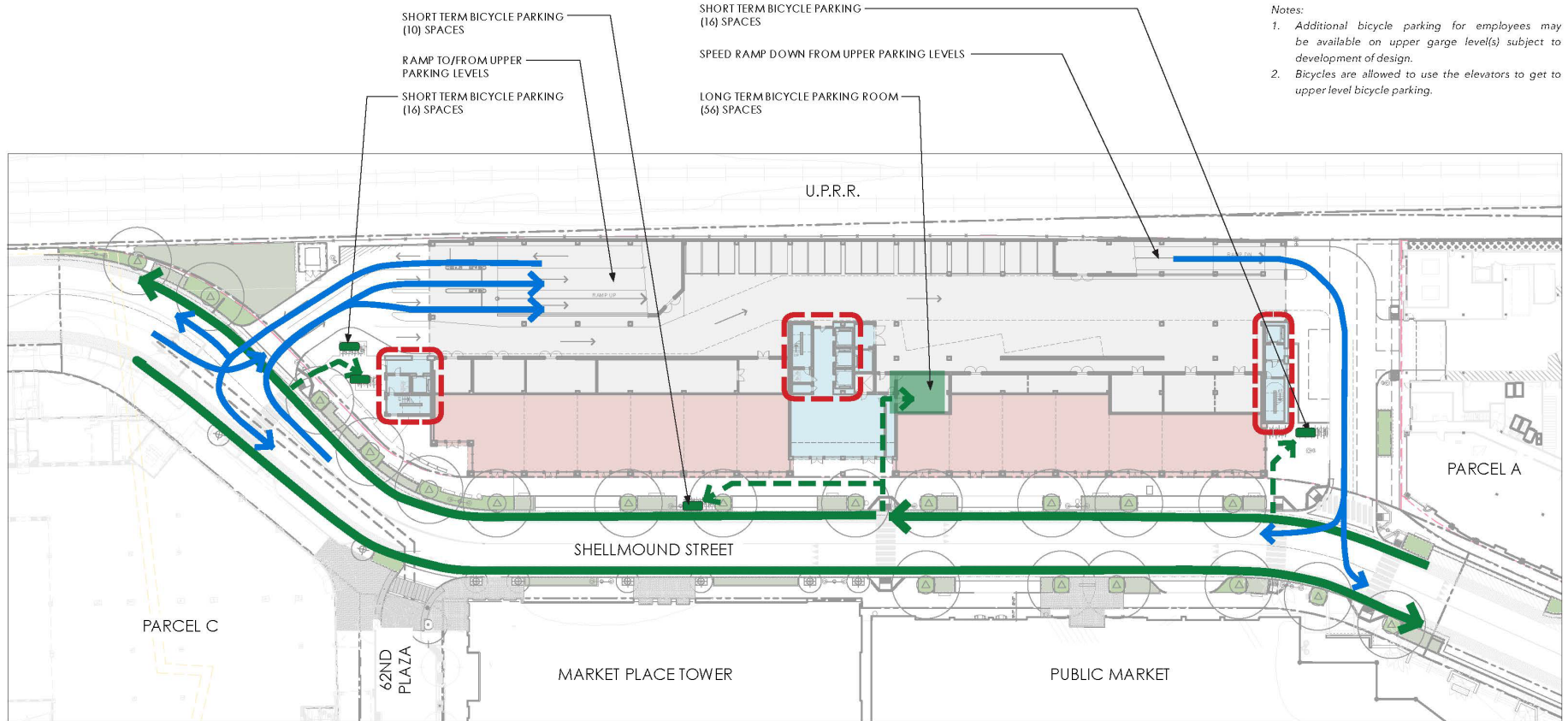
1. Levels 6-8 could have any number of tenants. For example, 1 tenant could occupy all three levels, or each level could have 4 or more tenants.



## ROOF LEVEL



# VEHICLE AND BIKE CIRCULATION



## LEGEND:

- ← BIKE CIRCULATION
- ← RIDER-BESIDE-BIKE CIRCULATION
- BIKE PARKING
- SECURE EMPLOYEE BIKE PARKING

- ← VEHICLE CIRCULATION
- VERTICAL CIRCULATION TO/FROM PARKING LEVELS

0 50 100'

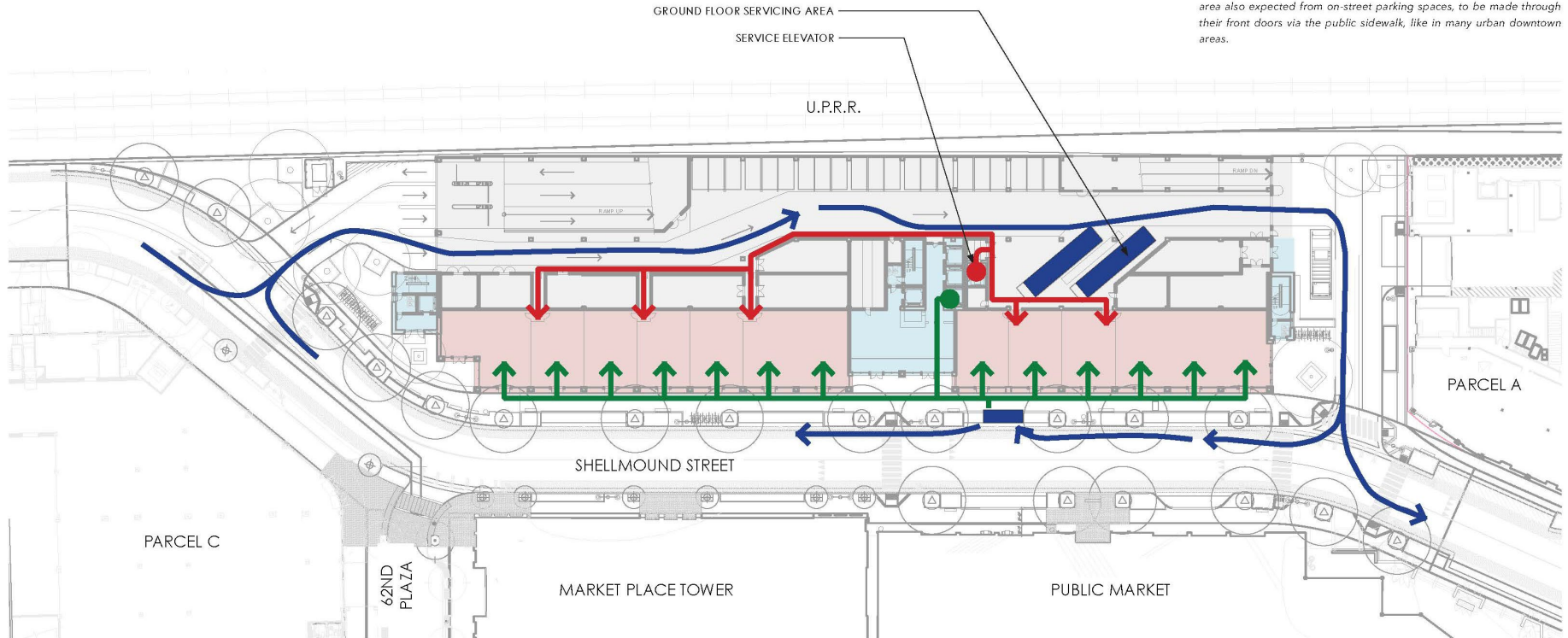
1" = 50' at 11" x 17"



# SERVICING PLAN

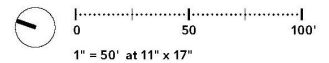
## Notes:

1. Deliveries to the upper floors: Delivery vehicles will park in the Ground Floor service area and deliver materials via the service elevator.
2. Deliveries to the ground floor mixed uses will be made by service vehicles primarily parked in the Ground Floor service area. Some retail deliveries are also expected from on-street parking spaces, to be made through their front doors via the public sidewalk, like in many urban downtown areas.



## LEGEND:

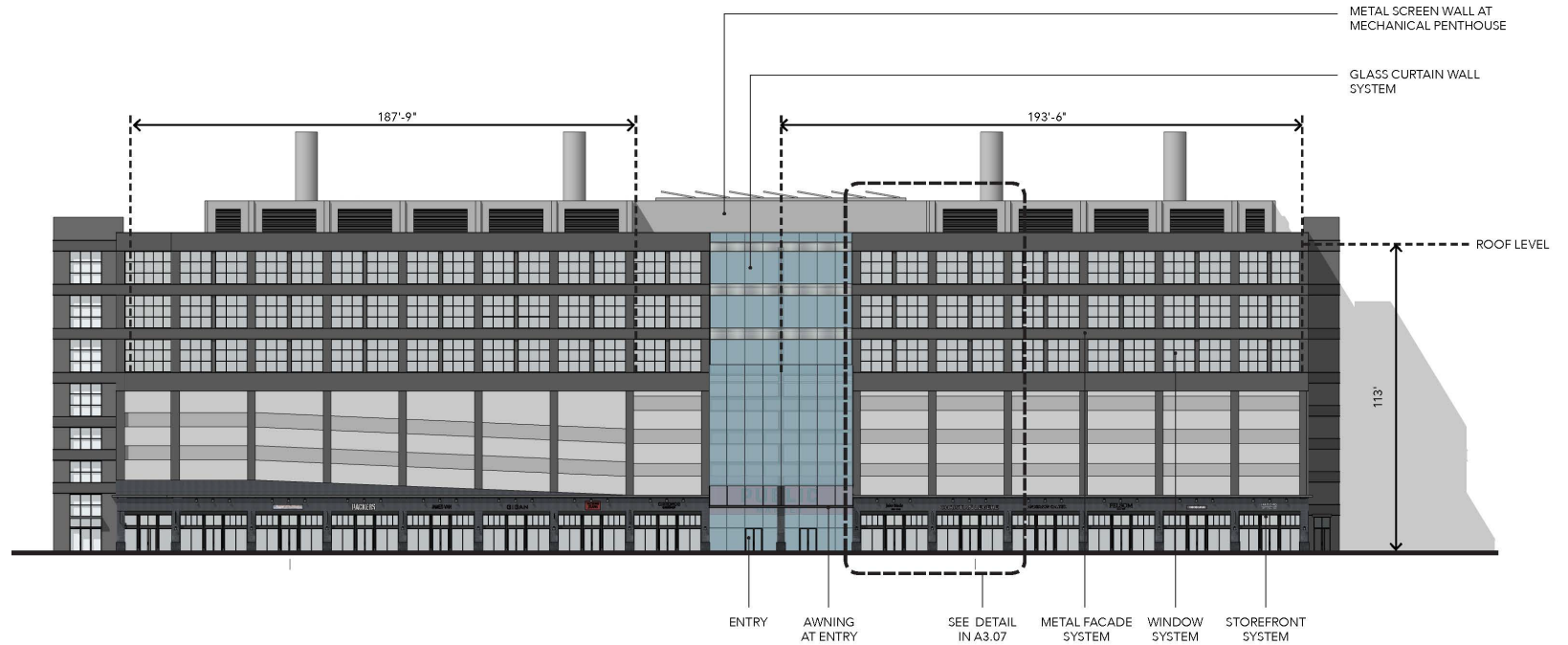
- DELIVERY VEHICLE SPACES
- VEHICLE ROUTE
- PRIMARY DELIVERY ROUTE INTO STORE
- SECONDARY DELIVERY ROUTE INTO STORE



# WEST ELEVATION – SHELLMOUND STREET

**Notes:**

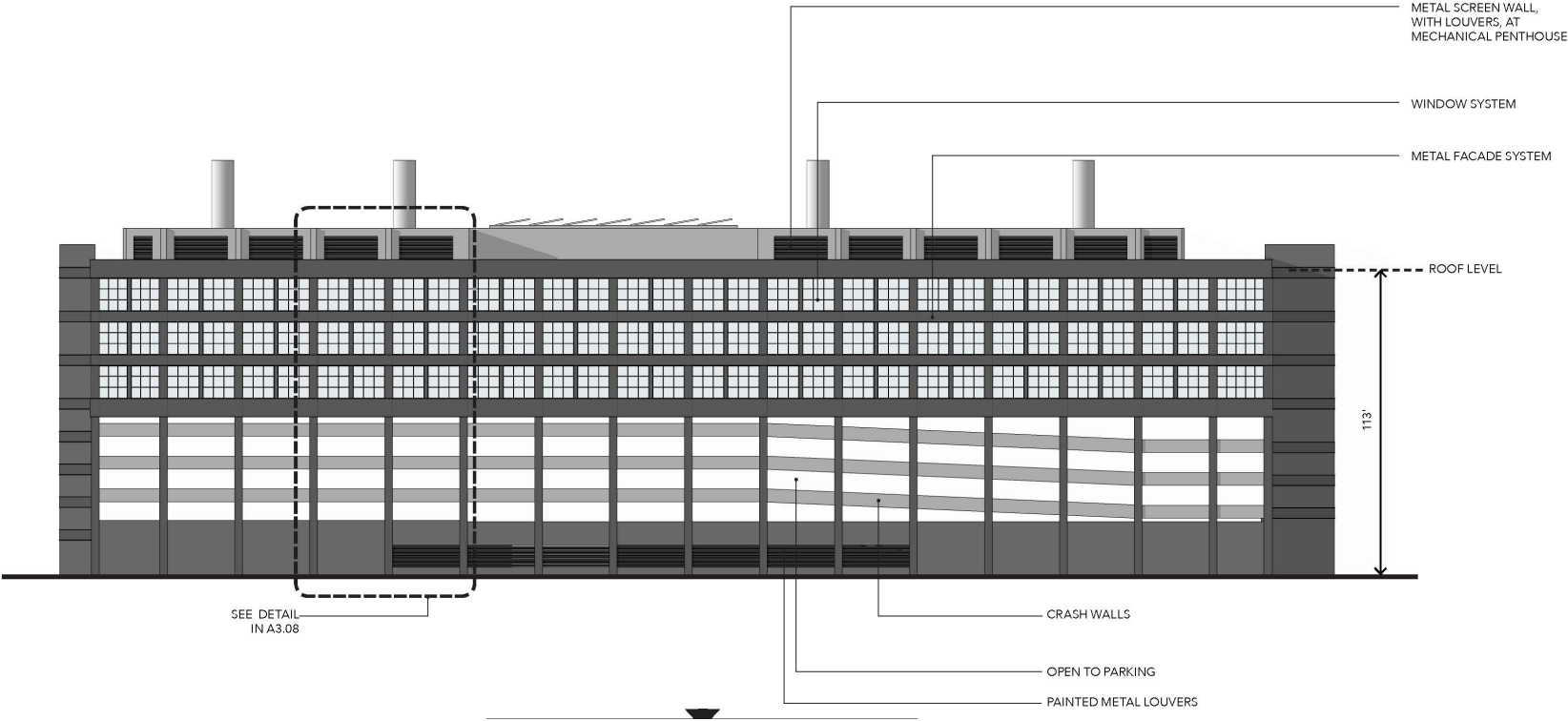
1. Street trees and furnishings omitted for clarity.
2. See A7.00 for Art concept.





# EAST ELEVATION - RAILROAD

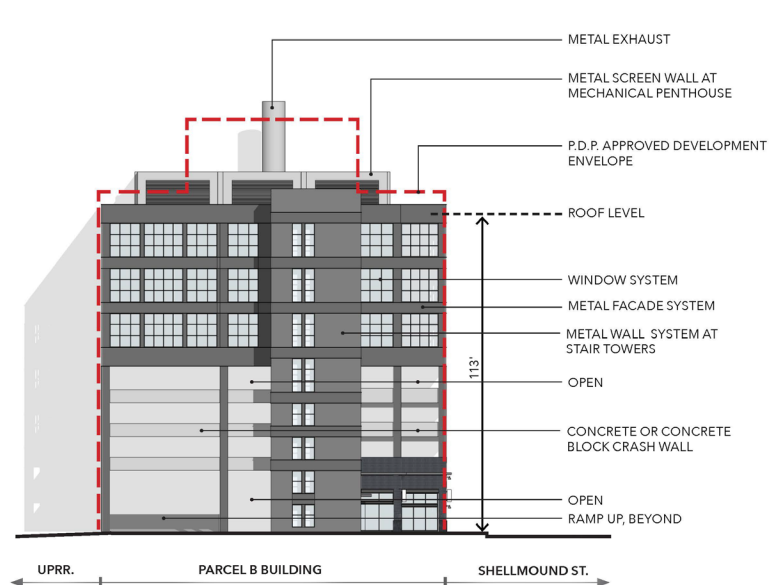
- Notes:
- 1. Street trees and furnishings omitted for clarity.
  - 2. See A7.00 for Art concept.



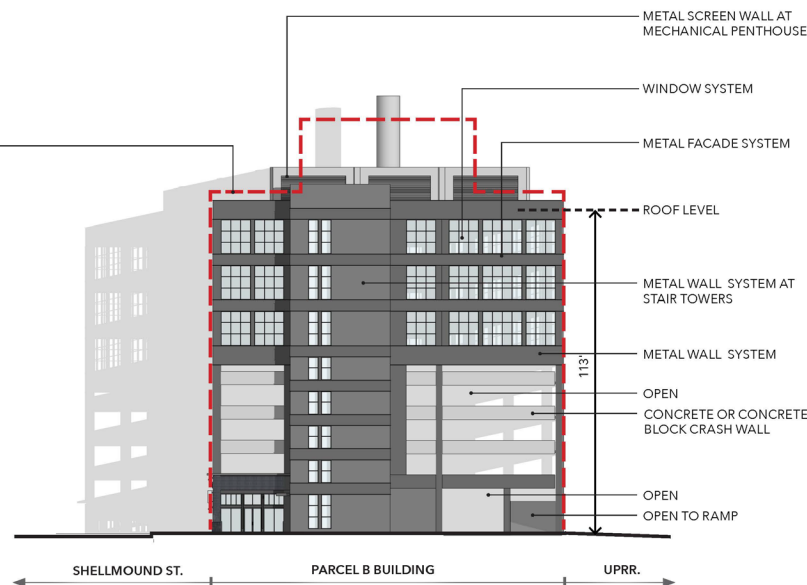


# NORTH AND SOUTH ELEVATIONS

Notes:  
Street trees and furnishings omitted for clarity.



C. NORTH ELEVATION



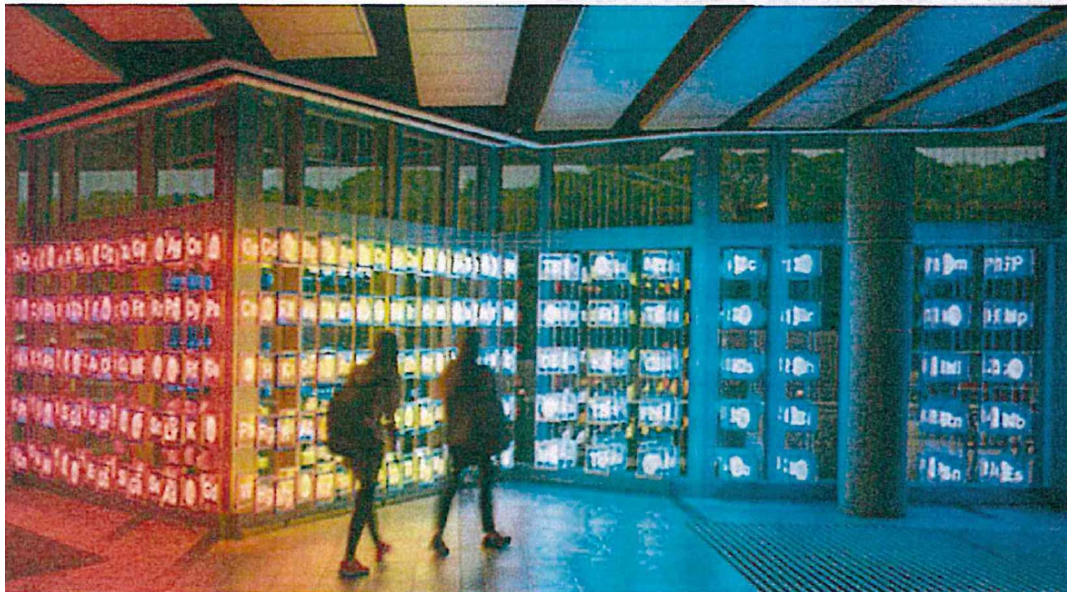
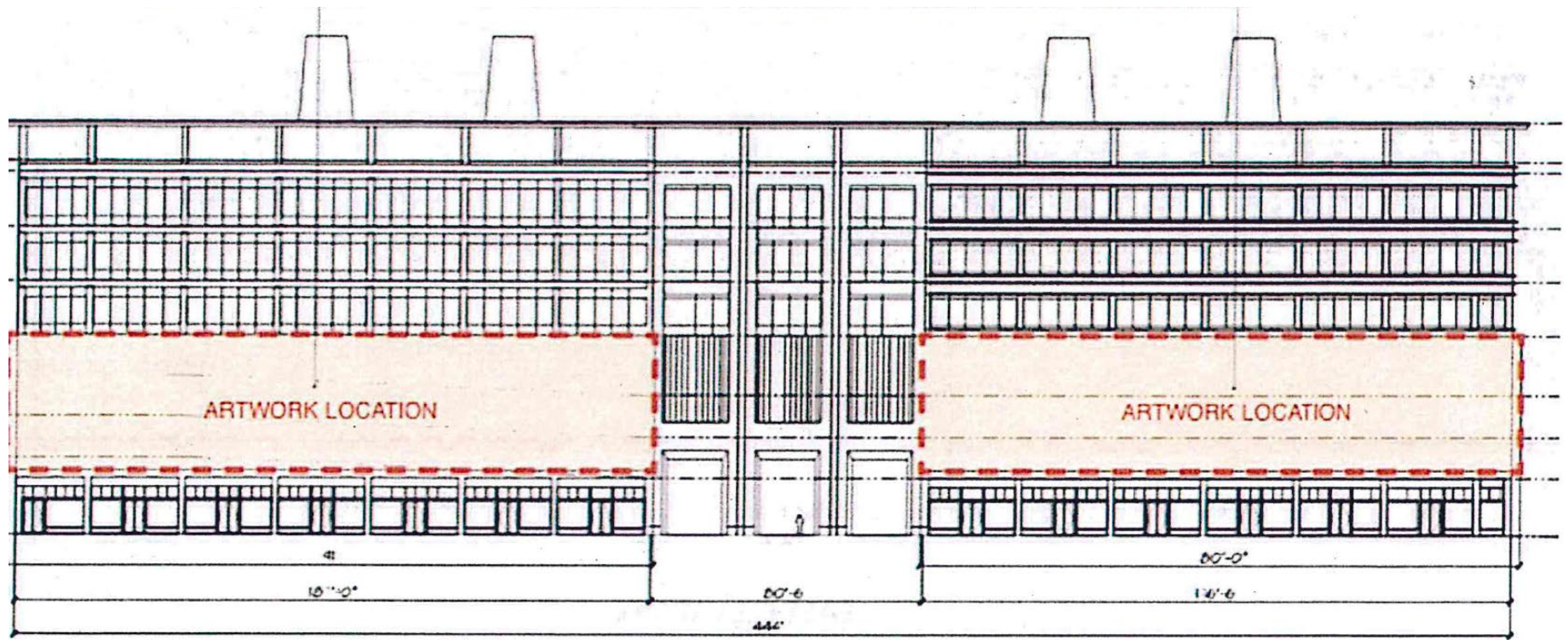
D. SOUTH ELEVATION



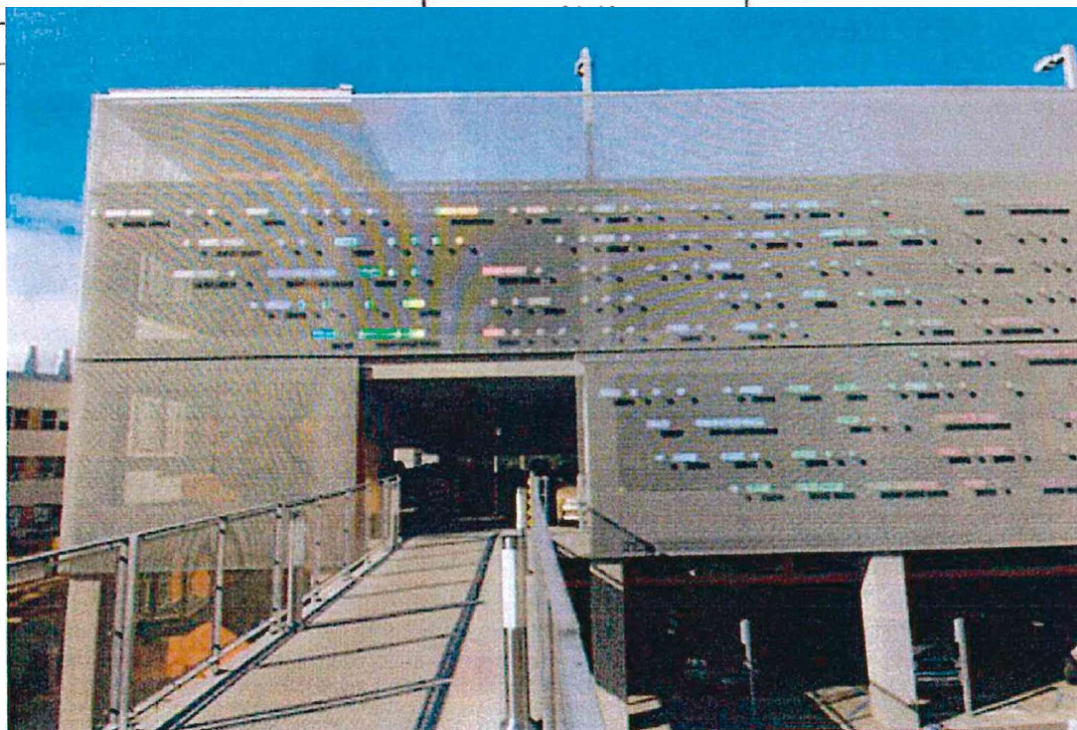
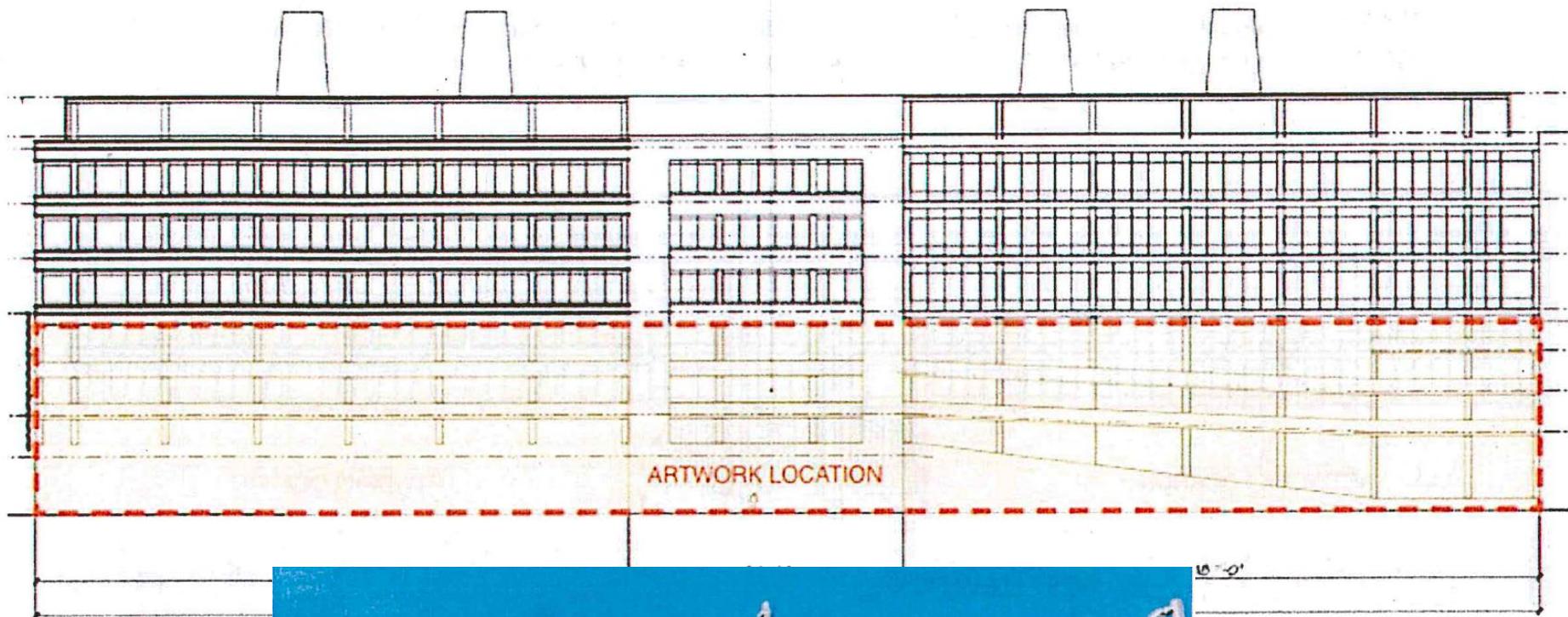
# PUBLIC ART

- Development Agreement allows the use of public art funds for building elevations
- The applicant is proposing use of public art for its west and east elevations
- Public Art Committee recommended approval of the Public Market Public Art Final Plan that allocates \$750,000 for west elevation and \$250,000 for east elevation. The Plan also identifies artists that will work on each elevation









## CONFORMITY TO THE GENERAL PLAN AND CONSISTENCY WITH THE APPROVED PUD/PDP

- General Plan designation is Mixed Use with Residential MUR where residential, office, retail uses and associated parking are permitted.

Use	PDP	FDPs	Difference
Residential	674 units	649 units	-25 units
Retail	180,000 sq. ft.	59,800 sq. ft.	-120,200 sq. ft.
Office	120,000 sq. ft.	150,000 sq. ft.	+30,000 sq. ft.
Parking	2,082 spaces	1,559 spaces	-523 spaces

-- Building height of 120 feet is consistent with approved PDP height

-- Compared to Approved PDP, there will be 90,200 square feet of less commercial space



## **CONFORMITY WITH SHELLMOUND STREETSCAPE DESIGN GUIDELINES**

- These Guidelines outline sidewalk widths, paving materials, streetscape furniture, and design of facilities such as bus stops
- The plans are consistent with the Tentative Map approval that was previously determined to be consistent with the Guidelines

## **ENVIRONMENTAL REVIEW**

Environmental Impact Report (EIR) for Marketplace PUD certified by City Council applies to the proposed FDP. An Environmental Checklist attached to the staff report confirms that there have been no substantial changes in the proposed project or to the circumstances under which project will be undertaken, and no new information of substantial importance exists which would require preparation of a subsequent EIR



## **STAFF COMMENT AND PUBLIC COMMENT LETTERS**

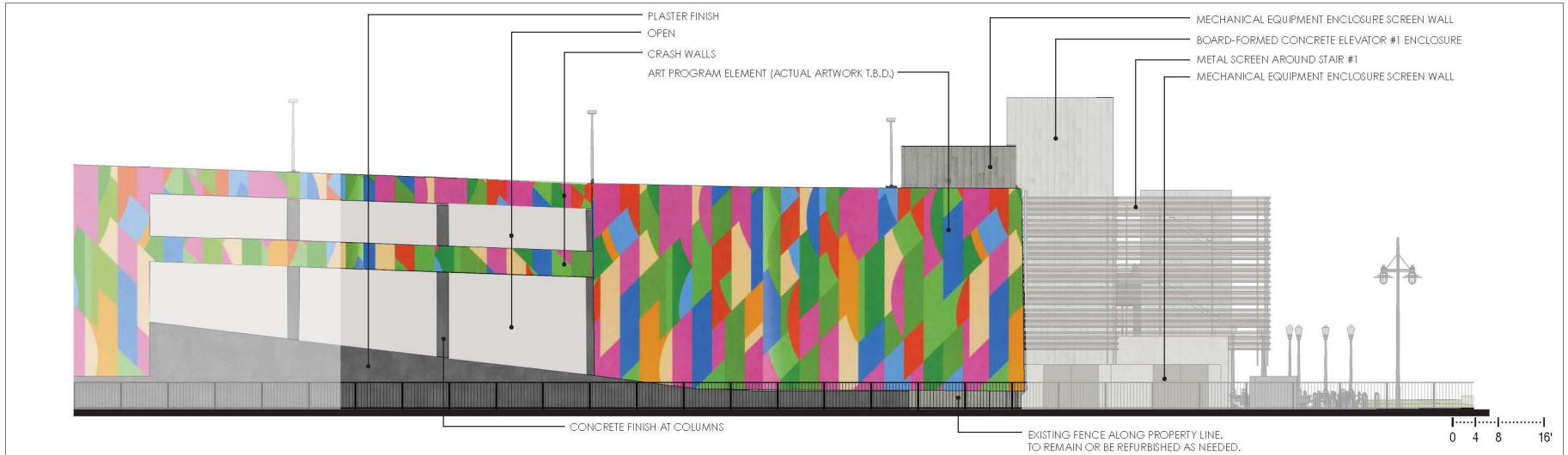
- Additional conditions of approval from Fire Department
- Changes in resolution to change the applicant name from City Center
- Realty to AG-CCRP Public Market LP
- Two comment letters from Wareham
- Mark Stephan's response letter
- Two letters of support
- Three letters from Lozeau Drury LLP and one response letter from Holland and Knight





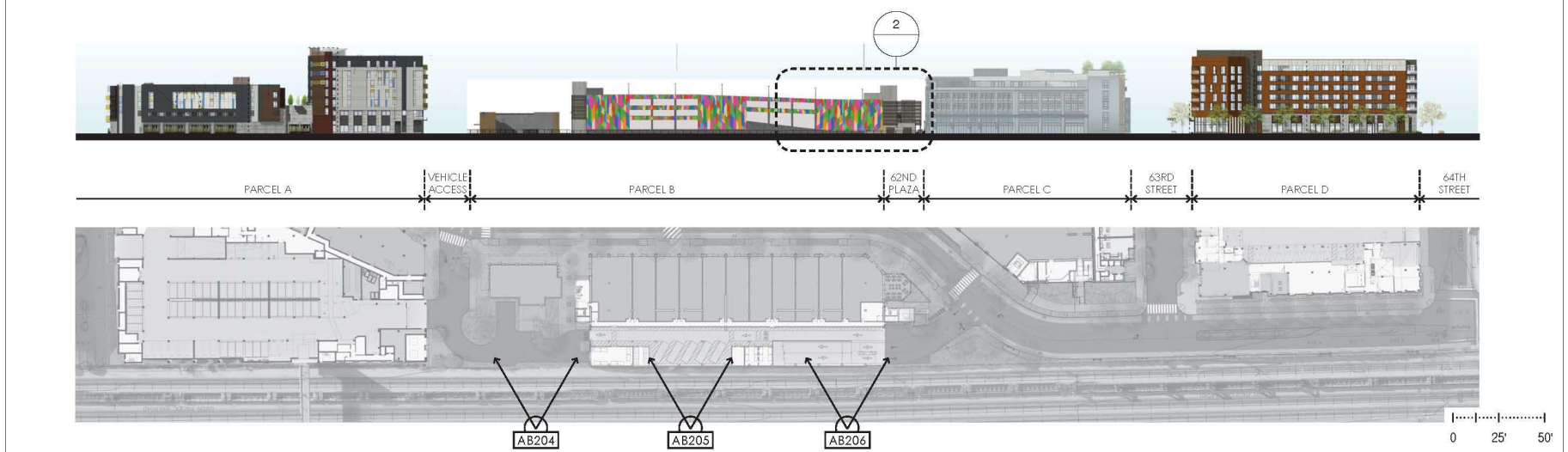






2. EAST ELEVATION - FACING TRAIN TRACKS - NORTH PORTION

SCALE: 1/8" = 1'-0"



1. SITE ELEVATION AND KEY PLAN

SCALE: 1" = 50'

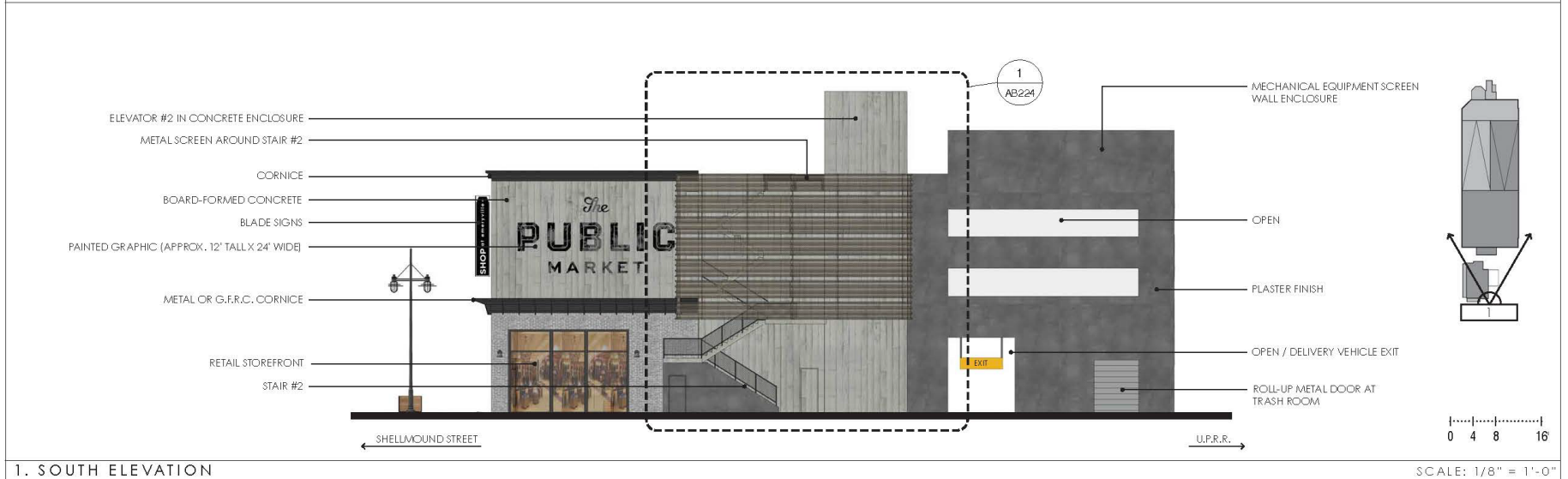


City of Emeryville

Marketplace Parcel B

AR2042

# APPROVED NORTH AND SOUTH ELEVATIONS

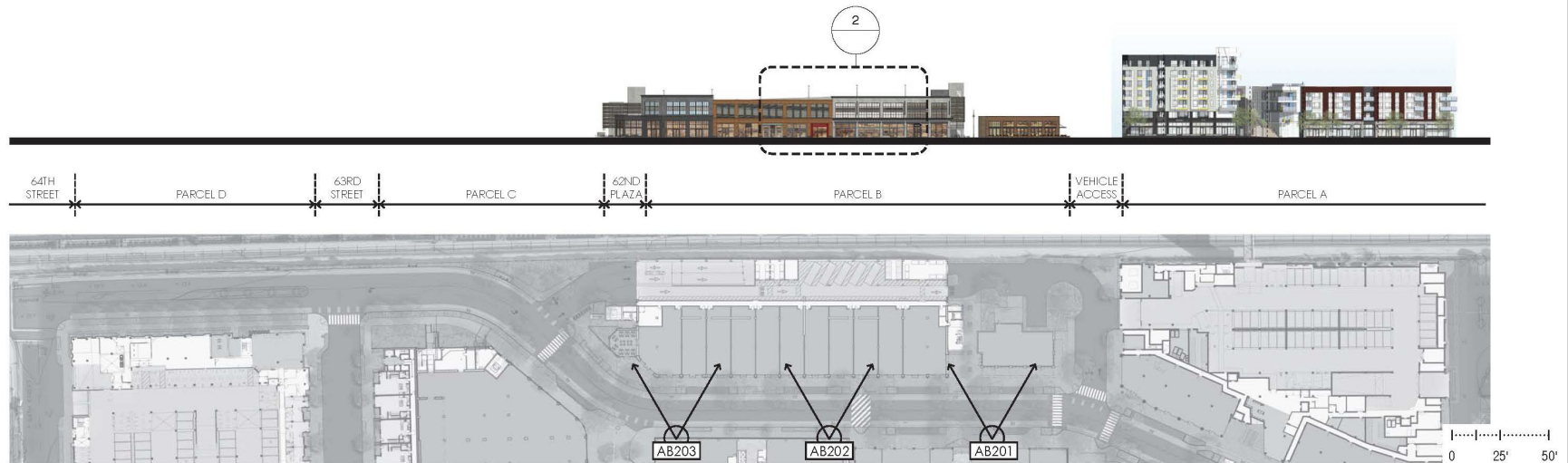


# APPROVED SHELLMOUND ELEVATION



2. WEST ELEVATION - FACING SHELLMOUND- MIDDLE PORTION

SCALE: 1/8" = 1'-0"















PARADITA  
EATERY

PUBLIC  
MARKET

HOT ITALIAN









AR2050