



BY GOLDEN STATE OVERNIGHT

November 2, 2016

Mr. Charles Bryant
Planning Director
City of Emeryville
1333 Park Avenue
Emeryville, CA 94608

Re: EmeryStation West Permit Fees

Dear Charlie:

Enclosed please find a check in the amount of \$4,338,014.30 (equal to "Fees to be Paid at Permit Issuance" less the existing credit from "Fees to be Paid at Plan Check Submittal") from the Fee summary you sent to us by e-mail November 1 which we had seen from Giyan the previous week. This check includes a \$728,633.13 portion attributable to "Transportation Facility" which we are paying in protest for convenience. As you and Carolyn Lehr offered, we wish you to pursue reimbursement of this amount, which you indicate requires City Council action, such reimbursement justified by the various public benefits provided by our project which were not already applied to the single height bonus we received.

As we have shared earlier with Giyan, our contractor, DPR, expects to call Thursday for a first inspection they desire Friday. We understand from you that payment of this fee was all that was required to issue the permit. If there are any questions or concerns, please let us know right away.

Sincerely,

A handwritten signature in black ink that reads "Geoffrey B. Sears".

Geoffrey B. Sears
WAREHAM PROPERTY GROUP
On behalf of ES West Associates, LLC

Enclosure

cc: Rich Robbins
Carolyn Lehr

RESOLUTION NO. 10- 33

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EMERYVILLE
GRANTING THE APPEAL OF THE PLANNING COMMISSION DECISION
AND APPROVING A CONDITIONAL USE PERMIT AND DESIGN
REVIEW FOR AN OFFICE/LABORATORY BUILDING, EMERY STATION
WEST AND A PARKING GARAGE, HERITAGE SQUARE GARAGE
LOCATED IN THE 5900 AND 6100 BLOCKS OF HORTON STREET (APN:
49-1489-15; -13-3; 49-1325-1-2; -2; -4).**

WHEREAS, on June 6, 2009 Wareham Development submitted an application for a Conditional Use Permit and Design Review for a proposal to remove two surface parking lots in the 5900 and 6100 blocks of Horton Street and construct two separate buildings: an office/laboratory building and a parking garage. The Emery Station West building, adjacent to the Amtrak Station, is a seven story, 165 foot tall office building accommodating approximately 248,300 gross square feet of office/lab space, 148 car parking spaces (two levels), 4 bus bays and ground level active space accommodating retail and transit (Amtrak) oriented functions and the Heritage Square Garage on the east side of Horton Street, is a seven story, 73 foot tall building accommodating 675 parking stalls; and

WHEREAS, the Emeryville Planning Commission reviewed the proposal at study session August 27, 2009; and

WHEREAS, on January 28, 2010, the Planning Commission held a duly and properly noticed public hearing to solicit public comments and consider the proposal, and then failed to pass a motion approving the Project; and

WHEREAS, on February 2, 2010, the City Council passed a motion ordering that the Planning Commission's action on the Project stand appealed; and

WHEREAS, on February 16, 2010, the City Council held a duly and properly noticed public hearing on the proposed Project approvals; and

WHEREAS, the City of Emeryville City Council has reviewed the following environmental documentation for the Project: Mitigated Negative Declaration; Response to Comments (RTC), Draft Initial Study and the staff report prepared for the proposed Project (collectively, the "CEQA Documentation"); and

WHEREAS, the Emeryville City Council has reviewed and considered the staff report and attachments thereto, the plans, all public comments, the CEQA documentation and the proposal to construct two buildings on lots in the 5900 and 6100 blocks of Horton Street as described above and subject to the conditions and requirements set forth in Exhibit A attached to this Resolution and the applicable standards of the Emeryville Zoning Ordinance ("the Record"); now, therefore, be it

RESOLVED, that the City Council finds that, based on the Record, no further environmental review under CEQA is required, and the Council hereby directs the Planning Director to file a Notice of Determination with the Alameda County Clerk accordingly; and be it further

RESOLVED, that the City Council approves removal of approximately thirteen street trees along 59th and 62nd and Horton Streets as part of the project and subject to the conditions of approval attached hereto; and be it further

RESOLVED, that in granting the appeal of the Planning Commission decision and approving **UP09-03/DR09-18**, the City Council makes the following findings required by Emeryville Municipal Code Sections 9-4.82.13, 9-4.84.4(b), 9-6.503(a) and 9-6.509(c):

Section 1. Use Permit Findings Pursuant to Section 9-4.82.13:

- a) That the location, size, design and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to: neighborhood character with consideration given to harmony in scale, bulk, coverage, and density of nearby uses, buildings and structures; the availability of civic facilities and utilities; the capacity and physical character of surrounding streets; the physical safety of the immediate area; and the amount of light falling on adjacent buildings and open spaces;

The location, size, design, and operating characteristics of the project will be compatible with the surrounding neighborhood. The scale, bulk and coverage of the project are similar to other mixed use projects that have been approved in the area. The project will not result in any significant impacts on the neighborhood.

In addition, the proposed project can adequately be served by the capacity and physical character of surrounding streets. The proposed heights and design features break up the massing and are compatible with varied heights of buildings along Hollis and Horton Streets. The project as designed will not adversely affect safety in the immediate area; light which falls on adjacent buildings and open spaces will also not be impacted. The project can be served by existing public services and utilities.

- b) That the proposed use is consistent with the capability of the circulation, water supply, wastewater disposal, fire, police and school systems to operate adequately and cost effectively;

The proposed project can be adequately served by all required utilities and public services, and it is not foreseen that there will be an increased demand for such services with the new use.

Demand for public safety services may be slightly increased with the new uses but no deficiencies have been identified by the Police and Fire Departments.

- c) That the proposed use with its impacts and at its proposed location is consistent with the General Plan;

The General Plan Land Use Classification for the property is Mixed Use with Non Residential (MUN) and Office/Technology (O/T). The proposal is consistent with the General Plan's goals and policies in the following way:

The project fulfills goals LUG-2 and LU-G-11 by adding laboratory, research space and ground level commercial, and transit related uses help to create a mix of uses and a wide range of economic activity that will strengthen the city's economic base. Additionally, the project meets policy LU-P-15 by widening the rail platform, providing bus bays next to the platform, creating a protected pedestrian waiting area as well as providing public parking. This assists in developing the Amtrak Station area with pedestrian amenities and transit-supporting uses as outlined in policy LU-P-15.

- d) That the proposed use at its proposed location will provide a facility which will contribute to the general well-being of the surrounding neighborhood or community;

The proposed project will enhance the surrounding area by replacing surface parking lots with buildings that will accommodate public parking and transit related commercial uses, a laboratory space and covered parking. In addition, the project includes a public plaza between the Amtrak Station and the proposed building that will improve the circulation of all modes of traffic. The project also includes a podium level landscaped area that will be open to the public and that will connect with the pedestrian bridge over the railroad tracks. These project components will add to the general well-being of the surrounding neighborhood.

- e) That the proposed use complies with all applicable standards and requirements of the Zoning Ordinance;

The project as proposed meets the standards and requirements of the Mixed Use with Non Residential and Office/Technology Zones.

- f) That an environmental determination has been prepared in accordance with CEQA.

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the project under the requirements of the California Environmental Quality Act (CEQA), and a Notice of Intent to Adopt a Mitigated Negative Declaration was circulated for public review between November 7, 2009 and December 9, 2009.

Section 2. Design Review Findings Pursuant to Section 9-4.84.4(b):

- 1) The site subject to design review shall be graded and developed with due regard for the natural terrain, aesthetic quality and landscaping so as not to impair the environmental quality, value or stability of the site or the environmental quality or value of improved or unimproved property in the area;

The project site is a flat urban infill site. The proposed building will require minimal grading which will consider site terrain, aesthetic quality, and landscaping in such a manner so as not to impair environmental quality, value of adjacent property or site stability.

- 2) A building, structure, or sign shall (a) Relate congruously to its site and property in the immediate and adjacent areas; and (b) Not be of such poor quality of design as to adversely affect the environmental quality or desirability of the immediate areas or neighboring areas; and (c) Not impede the benefits or occupancy of existing property or environmental quality thereof in such areas or the stability or value of improved or unimproved real property in such areas, or produce degeneration of property in such areas with attendant deterioration of conditions affecting the health, safety, and general welfare of the community;

The project site is located in an area with a mix of building types, uses, and architectural styles. The surrounding buildings include Emery Station offices and other commercial buildings such the Post Office. The proposed project will visually upgrade the site by removing two surface parking lots and constructing buildings whose design, intensity and scale are appropriate to the site as well as compatible with the surrounding development.

- 3) A site shall be developed to achieve a harmonious relationship with the area in which it is located and adjacent areas, allowing originality which does not impair the environmental quality or value of the improved or unimproved property or prevent appropriate development and use of such areas or produce degeneration of such Area with attendant deterioration of conditions affecting the health, safety, and general welfare of the City;

This project will result in visually attractive buildings and will provide an active presence along Horton 59th and 62nd Streets.

- 4) Open space, parking areas, pedestrian walks, signs, illumination, and landscaping (including irrigation) shall be designed and developed to enhance the environmental quality of the site and achieve a safe, efficient and harmonious development, and accomplish the objectives set forth in the precise plan of design and design criteria;

The design provides for a publicly accessible landscaped terrace on the podium level of the Emery Station West (ESW) building, a landscaped public plaza between the Amtrak Station and the ESW building and new street trees and landscaping along Horton Street.

- 5) Electrical and mechanical equipment or works and fixtures and trash storage areas shall be designed and constructed so as not to detract from the environmental quality of the site. Electrical and mechanical equipment or works shall be concealed by an appropriate architectural structure which uses colors and materials harmonious with the principal structure, placed underground if appropriate, or some other reasonable alternative;

All mechanical equipment are screened by their location in the penthouse level of the ESW building. Trash collection and storage is sited on the northern side of the ESW building such that it faces the storage area of the post office. In addition, conditions of approval ensure that all electrical and mechanical equipment or works and fixtures and trash storage areas are designed and constructed such that they are well screened and functional.

- 6) For the purpose of determining a reasonable implementation of said design and the effect on environmental quality of the area, the components considered in design review shall include but not be limited to exterior design, materials, textures, colors, means of illumination, landscaping, irrigation, height, shadow patterns, parking, access, security, safety, and other usual on-site development elements. Recommendations as to site coverage, and the intensity of proposed development may also be made;

Design review consideration of this project has included the overall massing, bulk, building form, height, exterior materials, colors, and landscaping. These elements, taken together, have been reviewed and have been found to be well-designed and compatible with the surrounding development in the area.

Section 3. Findings for Retail Uses in Office/Technology Zone Pursuant to Section 9-6.503(a)

1. That the use is secondary to other uses that are permitted or conditionally permitted in the OT Office/Technology zone.

The ground level commercial space in the Heritage Square Garage building constitutes only about 3,620 square feet of a 211,000 square foot structure. Any retail use in this space would be intended to serve, and would clearly be secondary to, other surrounding uses that are permitted or conditionally permitted in the OT zone.

Section 4. Findings for Bonus Height over 100 feet Pursuant to Section 9-6.509 (c)

1. That the proposed project is of excellent design quality;

The Emery Station West building with its metal and glass skin provides a podium level roof terrace with upper floors that are set back and provide visually interesting lines. Overall, the building removes a surface parking lot to provide a well-designed project.

2. That the proposed project will provide significant public benefits substantially beyond normal requirements in three or more of the areas listed in Section 9-4.407(b);

The project provides public benefits in the categories of “public open space”, “public parking”, “public-right-of-way improvements”, “alternative energy” and “transportation demand management” as described below. The open space/terrace on the third level is approximately 15,600 square feet and the public plaza between Emery Station West and the Amtrak Station is approximately 20,600 square feet. The proposed public open space constitutes about 31 per cent of total site area (36,200 divided by 116,741) which is above the 10 per cent threshold needed to qualify for bonus in this category. In addition, the project will provide a minimum of 125 public parking spaces and will include widening of the railroad platform as well as sidewalks along Horton Street. The project will provide on-site generation of one of the following: wind power, solar power or cogeneration facilities (See Condition of Approval Number VII.A.11). In the “transportation demand management” category, the project will provide electric vehicle charging stations, car pod and campus wide showers and locker facilities. (See Condition of Approval Numbers VI.A.1(g), VI.B.4, VIB.6 respectively).

3. That the proposed project will minimize impacts on public views, wind and shadows at the street level.

The building has minimal impacts on public views, wind and shadow as analyzed in the Aesthetics section of the Mitigated Negative Declaration.

4. That the proposed project will be separated by an adequate distance from any other building with a height greater than 100 feet.

There are no other buildings with a height greater than 100 feet in the immediate vicinity of the project site.

and be it further

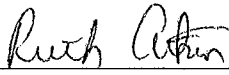
RESOLVED, that the City Council hereby approves **UP09-03/DR09-18** for the Emery Station West @ Emeryville Transit Center project on the 5900 and 6100 blocks of Horton Street subject to the Conditions of Approval attached hereto and the applicable standards of the City of Emeryville Municipal Code.

ADOPTED by the City Council of the City of Emeryville at a regular meeting held on Tuesday, February 16, 2010 by the following votes:

AYES: (4) Mayor Atkin, Vice Mayor Brinkman and Councilmembers Bukowski and Davis

NOES: (1) Councilmember West **ABSENT: (0) None**

EXCUSED: (0) None **ABSTAINED: None**



MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY







9-5.1911 Application For Potential Credit.

An applicant may be eligible for a credit against impact fees otherwise owed, in return for providing a specified public facility to the City, only if the applicant submits a written application to the Director which establishes compliance with all of the following requirements to the satisfaction of the City Council:

- (a) Describe the specified public facilities (or portion thereof) proposed to be provided by the applicant, with a cross-reference to the description of the specified public facilities in the relevant implementing resolution.
- (b) Identify the estimated cost of providing the specified public facilities (including construction, design, and/or land acquisition) for which the applicant is requesting credit.
- (c) Describe the project or projects to which the fee credit is requested to apply. The description shall be limited to all or a portion of the project for which specified public facilities are a condition of approval.
- (d) Document that either: (1) the applicant is required, as a condition of approval for the project, to construct the specified public facilities; or (2) the applicant requests to build one or more specified public facilities which benefit the project, and the City Council determines by resolution prior to the commencement of construction that it is in the City's best interests for the specified public facilities to be built by the applicant.

- (e) To the extent that credit for land acquisition costs are requested, document that: (1) the location of the land is advantageous to the public facility needs of the City; and (2) the amount of credit for the land acquisition is equal to a reasonable estimate of the fair market value of the land based upon either: (A) documentation provided by the applicant to the City, or (B) in the event that the City determines that the documentation provided by the applicant does not provide a reasonable basis for determining the fair market value of the land, the applicant shall pay for the costs of a property appraisal by an expert selected by the City which is qualified to express an opinion as to the value of the property (pursuant to [Cal. Civ. Proc. Code § 1255.010](#)).
- (f) Notwithstanding the foregoing, no credit shall be provided against impact fees otherwise owed if an applicant has received a development bonus in accordance with [Section 9-4.204](#) of these Planning Regulations for providing the specified public facility.

9-5.1912 Timing of Application For Potential Credit.

The application for credit shall be submitted by the applicant to the Director in accordance with the following timing requirements: (a) to the extent that the applicant requests credit for design or construction, the application shall be submitted concurrently with the submittal of improvement plans; (b) to the extent that the applicant requests credit for land dedication, the application shall be submitted prior to the recordation of a final map or parcel map for the project. The applicant may submit a late application only if the applicant establishes, to the satisfaction of the City, that, in light of new or changed circumstances, it is in the City's best interests to allow the late application.

9-5.1913 Amount of Potential Credit.

In the event that the City determines that the applicant has submitted a timely application in compliance with [Section 9-5.1912](#), and it is in the City's best interest to allow the applicant to provide the proposed specified public facility, the applicant shall be entitled to credit against fees otherwise owed in accordance with this Article; provided, that the applicant enters into a public improvement agreement with the City approved by resolution of the City Council which includes the following essential terms:

- (a) The design of the specified public facility is approved by the City.
- (b) The applicant agrees to provide the specified public facilities in return for the credit to be allocated in accordance with the terms of the public improvement agreement and this Article.
- (c) The amount of credit available to the applicant shall not exceed the lesser of: (1) the applicant's actual cost of providing the specified public facility, to be evidenced by the submittal of written documentation to the satisfaction of the City, and (2) the estimated cost of providing the specified public facility, as identified in the implementing resolution.
- (d) The amount of credit available to the applicant for land dedication shall be equal to the amount identified in [Section 9-5.1911\(e\)](#).
- (e) The land to be dedicated to the City shall not contain hazardous substances, waste or materials, as defined by state or federal law, including petroleum, crude oil or any

fraction thereof, or shall otherwise be remediated in accordance with a cleanup plan approved by the City and applicable state or federal regulatory agencies to a level suitable for the intended use. Further, the applicant shall agree to thereafter defend, indemnify, and hold the City harmless from all demands, claims, orders, costs, expenses, fees, penalties, and causes of action related to hazardous substances, waste or materials, as defined by state or federal law, including petroleum, crude oil or any fraction thereof, located on or emanating from the property.

- (f) The applicant provides improvement security in a form and amount acceptable to the City.
- (g) The applicant agrees to pay prevailing wages for all public works as defined in the California Labor Code related to the specified public facility. The requirement for payment of prevailing wages shall be limited to the construction of the specified public facility for which a fee credit is granted, unless an exception to prevailing wage requirements applies under the California Labor Code, in which case the requirement for prevailing wages shall not apply.
- (h) The applicant identifies the project to which the credit will be applied.
- (i) The credit may only be applied to fees which would otherwise be owed for the public facility category relevant to the specified public facility.

PROJECT

EmeryStation West / Transit Center - 5959 Horton

FEE CALCULATIONS AT ISSUANCE

Valuation

\$ 50,906,177.85

Print Date: November 3, 2016

SUMMARY OF ALL FEES	FEES	PAYMENT DATE	AMOUNT PAID	AMOUNT DUE	NOTES
Building Permit Fee	\$ 407,249.42			\$ 407,249.42	
Plan Review Fee	\$ 264,712.12	19-Nov-15	\$ 333,589.71	\$ (68,877.59)	
Energy Review Fee	\$ 50,906.18	19-Nov-15	\$ 64,151.87	\$ (13,245.69)	
Electrical Permit Fee	\$ 81,449.88			\$ 81,449.88	
Plumbing Permit Fee	\$ 73,304.90			\$ 73,304.90	
Mechanical Permit Fee	\$ 69,232.40			\$ 69,232.40	
S.M.I.P.	\$ 14,253.73			\$ 14,253.73	
Microfiche	\$ 4,072.49			\$ 4,072.49	
Fire Department Fees	\$ 142,537.30			\$ 142,537.30	
Fire Suppression Fees	\$ -			\$ -	Under separate permit
Sewer Connection Fees	\$ 49,104.00			\$ 49,104.00	186 traps @ \$264/trap 7/19/16
Bay-Shell-Mound Contingent Fees	\$ 1,134.14			\$ 1,134.14	Cat II to VI
Transportation Facility	\$ 728,633.13			\$ 728,633.13	FY 16-17 R&D @ \$2.85/sq ft
School Fees	\$ 120,160.55			\$ 120,160.55	
Art In Public Places	\$ 509,061.78			\$ 509,061.78	1% of \$50,906,178
Technology Fee	\$ 50,906.18			\$ 50,906.18	
Building Standards Commission Fee	\$ 2,037.00			\$ 2,037.00	
General Plan Maintenance Fee	\$ 254,530.89			\$ 254,530.89	
Affordable Housing Fee	\$ 1,086,558.18			\$ 1,086,558.18	FY 16-17 R&D @ \$4.25/sq ft
Parks and Recreation Fee	\$ 682,614.20			\$ 682,614.20	FY 16-17 R&D @ \$2.67/sq ft
TOTAL:	\$ 4,592,458.48		\$ 397,741.58	\$ 4,194,716.90	4,194,716.90

FEES TO BE PAID AT PLAN CHECK SUBMITTAL:					
Plan Review Fee	\$ 264,712.12	19-Nov-15	\$ 333,589.71	\$ (68,877.59)	
Energy Review Fee	\$ 50,906.18	19-Nov-15	\$ 64,151.87	\$ (13,245.69)	
Other Fees	**				
Sub Total:	\$ 315,618.30		\$ 397,741.58	\$ (82,123.28)	

FEES TO BE PAID AT PERMIT ISSUANCE:					
Building Permit Fee	\$ 407,249.42		\$ -	\$ 407,249.42	
Electrical Permit Fee	\$ 81,449.88		\$ -	\$ 81,449.88	
Plumbing Permit Fee	\$ 73,304.90		\$ -	\$ 73,304.90	
Mechanical Permit Fee	\$ 69,232.40		\$ -	\$ 69,232.40	
S.M.I.P.	\$ 14,253.73		\$ -	\$ 14,253.73	
Microfiche	\$ 4,072.49		\$ -	\$ 4,072.49	
Fire Department Fees	\$ 142,537.30		\$ -	\$ 142,537.30	
Fire Suppression Fees	\$ -		\$ -	\$ -	
Sewer Connection Fees	\$ 49,104.00		\$ -	\$ 49,104.00	
Bay-Shell-Mound Contingent Fees	\$ 1,134.14		\$ -	\$ 1,134.14	
Transportation Facility	\$ 728,633.13		\$ -	\$ 728,633.13	
School Fees	\$ 120,160.55		\$ -	\$ 120,160.55	
Art In Public Places	\$ 509,061.78		\$ -	\$ 509,061.78	See note(s) below
Technology Fee	\$ 50,906.18		\$ -	\$ 50,906.18	
Building Standards Commission Fee	\$ 2,037.00		\$ -	\$ 2,037.00	
General Plan Maintenance Fee	\$ 254,530.89		\$ -	\$ 254,530.89	
Affordable Housing Fee	\$ 1,086,558.18		\$ -	\$ 1,086,558.18	
Parks and Recreation Fee	\$ 682,614.20		\$ -	\$ 682,614.20	
Sub Total:	\$ 4,276,840.18		\$ -	\$ 4,276,840.18	

Encroachment, Stormwater & PSL Fees See separate Fee Chart by Public Works for additional fees {Calculated By Public Works}

Notes: This is a PRELIMINARY fee calculation for estimating purposes only. Fees will be recalculated at the time of submittal, prior to permit issuance and at any time when the scope of work is revised (including: type of construction, # of stories, floor area, declared valuation, and use). Art Fee is not required if Public Art is installed.

VALUATION CALCULATIONS:									
Type of Const.	Use	Number of Floors	Gross Floor Area	Square Foot Cost	Sprinklers + \$5.02	Air Cond. + 8.11/6.76	Modifier x 1.00	Story > 3, +5% ea.	Total Valuation
			(sq.ft.)	(\$)	\$5.02	\$8.11	1	(\$)	(\$)
I	R&D	9	255,661	\$ 206.21	\$ 211.23	\$ 211.23	\$211.23	\$ 217.57	\$ 55,623,316.48
I	Garage 2nd (open) + Bus (1st Open).	9	54,321	\$ 70.86	\$ 75.88	\$ 75.88	\$75.88	\$ 78.16	\$ 4,245,533.80
I	Garage	9	16,582	\$ 94.42	\$ 99.44	\$ 99.44	\$99.44	\$ 102.42	\$ 1,698,381.50
I	Retail	9	2,320	\$ 159.10	\$ 164.12	\$ 164.12	\$164.12	\$ 169.04	\$ 237,585.98
					\$ 5.02	\$ 13.13	\$13.13	\$ 13.52	\$ -
					\$ 5.02	\$ 13.13	\$13.13	\$ 13.52	\$ -
Totals		9	335,269						\$ 61,804,817.76
Exist. Bldg. Adjustment - 80% (No credit for existing sprinklers or HVAC)									
	W'House				\$ 2.40	\$ 2.40	\$ 2.40		\$ -
T.I. ONLY Adjustment * 20%									
I	R&D + Retail	9	257,980	\$ 41.24	\$ 42.25	\$ 42.25	\$ 42.25	\$ 43.51	\$ (10,898,639.91)
DECLARED VALUATION									\$ 49,350,000.00
TOTAL									\$ 50,906,177.85

**TABLE 6
ALLOCATION OF PROJECT COSTS TO FEE PROGRAM**

Map #	Project	Type	Total Cost	Percent of Cost to Include in Fee		Portion of Cost to include in Fee
				Existing/Other	Emeryville Growth	
1.	Citywide Transit Improvements	Transit	\$2,347,500	0%	100%	\$2,347,500
2.	Powell Street Multi-Modal Phase 1	Multi-modal	\$3,350,000	0%	100%	\$3,350,000
3.	Christie Bay Trail	Multi-modal (non-motorized)	\$480,000	0%	100%	\$480,000
4.	ECCL Path	Multi-modal (non-motorized)	\$750,000	0%	100%	\$750,000
5.	South Bayfront Bridge	Multi-modal (non-motorized)	\$14,549,000	0%	100%	\$14,549,000
6.	San Pablo Avenue Mid-block Crossing	Pedestrian	\$344,100	0%	100%	\$344,100
7.	Shorebird Park Connections	Multi-modal (non-motorized)	\$220,000	0%	100%	\$220,000
8.	Spur Alley Bicycle Treatments	Multi-modal (non-motorized)	\$900,300	0%	100%	\$900,300
9.	Railroad Quiet Zone	Multi-modal	\$4,035,000	0%	100%	\$4,035,000
10.	I-80/Powell Off Ramp Improvements	Automobile Capacity	\$450,000	0%	100%	\$450,000
11.	Christie Avenue/ Powell Street	Automobile Capacity	\$4,600,000	85%	15%	\$690,000
12.	Bicycle and Pedestrian Plan Implementation	Multi-modal (non-motorized)	\$300,000	0%	100%	\$300,000
13.	40th Street/Horton Street	Multi-Modal	\$59,500	0%	100%	\$59,500
14.	40th Street/Emery Street	Automobile Capacity	\$87,000	0%	100%	\$87,000
15.	Transit Center Plaza and Platform Extension	Pedestrian	\$1,042,100	80%	20%	\$208,420
16.	Public Parking and Bus Bays at Transit Center	Transit	\$8,431,000	50.2%	49.8%	\$4,200,048
17.	Doyle Street Bicycle Boulevard	Bicycle	\$275,000	0%	100%	\$275,000
18.	Hollis Street Sidewalk	Pedestrian	\$603,000	0%	100%	\$603,000
19.	Adeline/San Pablo/ Macarthur/Peralta "Star" Intersection	Multi-modal (non-motorized)	\$456,000	0%	100%	\$456,000
20.	Ped-Bike Bridge over I-80: 65th St to Frontage Rd	Multi-modal (non-motorized)	\$18,500,000	0%	100%	\$18,500,000
21.	Horton Street and Overland Avenue from 40th Street to 62nd Street	Bicycle	\$2,015,000	0%	100%	\$2,015,000



**TABLE 6
ALLOCATION OF PROJECT COSTS TO FEE PROGRAM**

Map #	Project	Type	Total Cost	Percent of Cost to Include in Fee		Portion of Cost to include in Fee
				Existing/Other	Emeryville Growth	
22.	Emeryville Greenway extension from Powell St south to Stanford Ave at Horton St	Multi-modal (non-motorized)	\$1,350,000	0%	100%	\$1,350,000
23.	40th Street/ Harlan Street Signalization	Multi-Modal	\$290,000	0%	100%	\$290,000
24.	Sherwin Area Improvements	Pedestrian	\$2,843,850	0%	100%	\$2,843,850
25.	Bike Sharing Program	Bicycle	\$600,000	0%	100%	\$600,000
26.	Bicycle Parking	Bicycle	\$200,000	0%	100%	\$200,000
27.	Traffic Signal Enhancements	Bicycle	\$490,000	0%	100%	\$490,000
28.	Emery-go-Round Bus Yard Acquisition	Transit	\$1,000,000	0%	100%	\$1,000,000
Total Project Costs			\$70,568,350			\$61,593,718
Contingency, Design Environmental Review and Other (40%)			\$28,227,340			\$24,637,487
Preparation of Transportation Fee Study			\$200,000			\$200,000
City Administrative Costs (2%)			\$1,979,914			\$1,728,624
Total Cost			\$100,975,604			\$88,159,829

Source: Fehr & Peers, 2014



**CITY OF EMERYVILLE
CAPITAL IMPROVEMENT PROGRAM**

New Existing Project

CIP#: CF-03

Project Category: Community Facilities

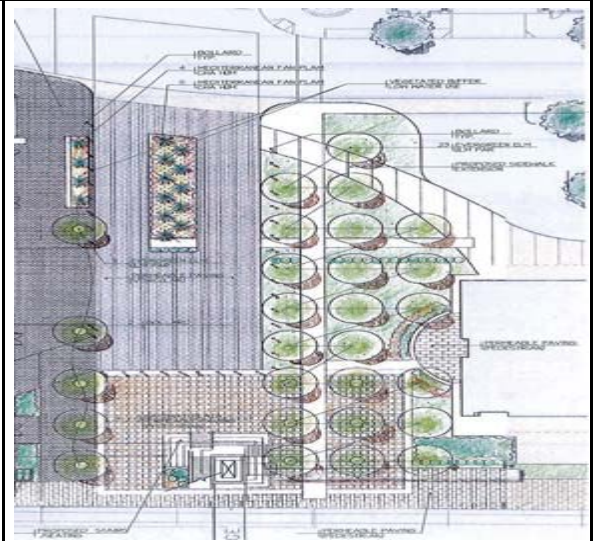
Project Number: 16254011

Title: **Transit Center Plaza and Platform Extension**

Lead Department: Economic Development and Housing

Priority Level: Restricted

Description and This project consists of a pedestrian plaza located between the Emeryville Amtrak Station and the proposed Emery Station West office building and an extension of the loading platform abutting the new bus bays in the Transit Center parking podium. The plaza will include new landscaping, hardscape, lighting, and street furniture. It will also serve as a visual terminus of 59th Street. A Federal Transportation Authority earmark will provide \$8834077 in funding with a required 20% local match to be paid for by the developer of the Transit Center/Emery Station West project. .



Justification: The plaza will significantly improve the area between the Amtrak station and Emery Station West, creating an important public space and visual terminus of 59th Street focusing on the pedestrian bridge over the tracks. The plaza will enhance pedestrian connections by providing east/west pedestrian connections across the site from Horton Street Bicycle Boulevard (a Transit Priority Street) and 59th Street to the pedestrian/bicycle bridge.

Current Status: FTA funding was allocated in 2008. The plaza will be developed after the adjacent Emery Station West is completed and will be constructed by the Developer of the Emery Station West project.

Endorsing Authority: The City, through the Alameda-Contra Costa Transit District has obtained grants from the Federal Transit Administration in the total amount of \$834,077, which have been earmarked to pay for the Plaza Improvements.

Prioritization Factors:

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Public Safety | <input type="checkbox"/> Mandated Program | <input type="checkbox"/> Hazard Elimination | <input checked="" type="checkbox"/> Affordable Housing |
| <input type="checkbox"/> Parks/Open Space | <input type="checkbox"/> Preventive Maintenance | <input checked="" type="checkbox"/> Connectivity | <input type="checkbox"/> Family Friendly |
| <input type="checkbox"/> Citywide Impact | <input checked="" type="checkbox"/> Leverages Outside Funding | <input checked="" type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Climate Action Plan |

Anticipated Costs:

Acquisition	
Design/Prof Svc	
Construction	\$ 1,043,000
Construction Admin	\$ -
Other	
Total:	\$ 1,043,000

Operating Budget Impact

FY 16-17	TBD
FY 17-18	TBD
FY 18-19	TBD

Estimated Costs and Funding Source:	Encumbrance and Carryover thru					
	June 2016	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
FTA Grant		\$ 834,077				
Developer		\$ 208,923				

**CITY OF EMERYVILLE
CAPITAL IMPROVEMENT PROGRAM**

New Project Existing Project

CIP#: CF-04

Project Category: Community Facilities

Project Number: 16254012

Title: **Transit Center - Public Parking and Bus Bays**

Lead Department: Economic Development and Housing

Priority Level: **Restricted**

Description and

The Transit Center project is a multi-modal, high density project directly adjacent to the Amtrak Station that includes both public and private components. The private use on the site will be office and laboratory space, expanding Emeryville's vital research and development cluster. The public uses promote mass transit and connect rail to bus travel modes and include 125 public parking spaces and up to six bus bays serving Amtrak. The project will also include significant improvements to public plazas and enhance the linkage across the railroad by improving the existing pedestrian/bicycle bridge. Construction of the project will require remediation of the existing parking lot site, which is highly contaminated.



Justification:

When completed, the project will remove contamination, enhance public space, improve Emeryville's mass transit, pedestrian, and bicycle connections, bring approximately 500 new high-quality jobs to Emeryville, and expand Emeryville's bio-technology presence in the region.

Current Status:

The City has secured a \$4.2 million State STIP grant and entered into an agreement with the Successor Agency. The City also entered into an agreement with the Successor Agency for another \$4.2 million in redevelopment funds to construct the public improvement, which was subject to a litigation challenge by the State and determined in the Agency's favor. The City has entered into a parking lease agreement with the developer to offset the cost of site remediation. The developer covers operating costs the first 12 years of operation

Endorsing Authority:

This project was included in the Emeryville Redevelopment Agency Implementation Plan, the Alameda County Transportation Improvement Program, the U.S. Department of Transportation, the State of California State Transportation Improvement Program, and is end

Prioritization Factors:

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Public Safety | <input type="checkbox"/> Mandated Program | <input checked="" type="checkbox"/> Hazard Elimination | <input type="checkbox"/> Affordable Housing |
| <input checked="" type="checkbox"/> Parks/Open | <input checked="" type="checkbox"/> Preventive Maintenance | <input checked="" type="checkbox"/> Connectivity | <input type="checkbox"/> Family Friendly |
| <input checked="" type="checkbox"/> Citywide Impact | <input checked="" type="checkbox"/> Leverages Outside | <input checked="" type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Climate Action Plan |

Anticipated Costs:

Remediation	\$ 4,230,952
Design/Prof Svc	
Construction	\$ 4,200,000
Construction Admin	
Other	
Total:	\$ 8,430,952

Operating Budget Impact

FY 14-15	\$0
FY 15-16	\$0
FY 16-17	\$0
FY 17-18	\$0
FY 18-19	\$0

Estimated Costs and Funding Source:	Encumbrance and Carryover thru					
	June 2016	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21
Grant-STIP		\$ 4,200,000				
General Capital Fund-RDA		\$ 4,230,952				

City of Emeryville
2017-21 Capital Improvement Program
Projects Funded By Transportation Facility Impact Fee (Fund 250)
Fund Balance Projections

Beginning Fund Balance

Projected Working Capital June 2016 **\$ 1,607,443**

Revenues

2016-17	2,389,784
2017-18	1,289,270
2018-19	100,000
2019-20	100,000
2020-21	100,000

TOTAL REVENUES **\$ 3,979,054**

Capital Improvement Projects

CF-02	South Bayfront Bridge and Horton Landing Park	1,200,000
CF-09	Emery-Go-Round Shuttle Bus Yard	1,000,000
PB-02	Emeryville Greenway - Stanford to Powell (Peladeau Park)	300,000
PB-03	Horton Street Experimental Traffic Calming	50,000
PB-06	ECCL - North-South Pedestrian Path from 47th St to 53rd St	750,000
PB-07	Frontage Road Bay Trail Upgrades	300,000
PB-08	Transit Stop Improvements	100,000
PB-11	Bike Share Stations	240,000
PB-12	Greenway Crossings Safety Enhancement	110,000
ST-09	Frontage Road Landscape Median Island	200,000
T-06	Traffic Signal - Powell/Doyle	292,000
T-08	Powell Street Bridge Widening	25,000

TOTAL EXPENDITURES **\$ 4,567,000**

Ending Fund Balance

Projection at June 2021 **\$ 1,019,497**