

September 1, 2016

TO: City of Emeryville, City Council
Mayor Diane Martinez
Vice Mayor Scott Donahue
Council Member Jac Asher
Council Member Ruth Atkin
Council Member Nora Davis

FROM: Tim Curran
4250 Horton St.
Emeryville

RE: Sherwin Williams FEIR Certification
Land Use Mix

The reduction of the commercial component of the Sherwin Williams development proposal, **after the preparation of the FEIR**, from 20,600 sq.ft. to 2,000 - 8,000 sq.ft., significantly changes the Land Use Mix of the proposed PUD and raises concerns about the vehicle trip generation calculations which underlie the findings of the Traffic Impact Analysis (TIA).

The TIA's vehicle trip generation model (MXD+) uses specific data from the development proposal and the local environment to accurately predict vehicle trips resulting from the development. The MXD+ model has calculated internal trip capture, transit trips, and biking / walking to account for a 10%, 15% and 15% reduction in vehicle trips respectively, resulting in a reduction of 1,940 vehicle trips per day. The change of the PUD's commercial component to the now possible 2,000 sq. ft. - which may include retail, restaurant, office, professional service, and other commercial uses allowed by the Planning Regulations - nearly eliminates those services and amenities which were used in the vehicle trip reduction calculations.

The change in the Land Use Mix of the project needs to be reflected in the TIA and FEIR so that traffic impacts from the latest PUD proposal can be calculated. Without recalculation and recirculation, or without a written explanation included in the FEIR, the FEIR will not clearly reflect the PUD proposal at the time of certification.

The PUD proposal's reduction of the commercial component also brings into question the suitability of the MXD+ methodology as it is described in the Frehr and Peers Memorandum, June 9, 2016, (pg. 11), which is available in the Response to Comments:

Prior to the application of the trip generation model to estimate trip generation for the proposed Sherwin-Williams project, the project parameters were (sic) reviewed against the characteristic of the sites that were used to develop and validate the MXD model. The factors that were specifically reviewed include project size, mixture of residential land uses, and mixture of non-residential land uses. If the project uses and size fall outside the range of data collected at other sites used to develop the model, the user is cautioned against using the MXD model.

The commercial component is now reduced 40% - 90% from the PUD proposal used in the TIA. The newly proposed project, when placed among MXD Model Validation Sites, now includes the smallest commercial / retail component of all sites with a non-zero value, and begins to place the Sherwin Williams project outside the range of the collected data. See attachment A

The City Council and the public require a clear EIR that has used a stable development proposal and a TIA with a vehicle trip generation methodology that is appropriately applied.

Please require that these questions are answered to your satisfaction before you vote to approve certification of the FEIR.

Thank you,

Tim Curran

MXD MODEL VALIDATION SITES

From Fehr and Peers Memorandum, June 9,2016 - Sherwin Williams TIA

Validation sites listed in descending order of Site Size and Retail Component

Sherwin Williams project added to list to show relationship to validation sites

SITE SIZE (acres)		RETAIL COMPONENT (sq. ft.)	
Celebration	3,500	Galleria	1,020,000
Moraga	2,444	Atlantic Station	480,000
Redwood Shores	2,000	South Davis	460,000
South Davis	791	Redwood Shores	400,000
Boca Del Mar	253	Bay St. Emeryville	380,000
Southern Village	250	Moraga	270,000
Gateway Oaks	227	Legacy Town Center	270,000
Galleria	165	Hazard Center	260,000
Atlantic Station	138	Boca del Mar	200,000
Park Place	109	Mockingbird Station	170,000
Quarry Bend	100	Uptown Center	130,000
Legacy Town Center	75	Hillcrest	130,000
Larkspur Landing	65	Larkspur Landing	140,000
Country Isles	61	Jamboree	140,000
Redstone	52	Mizner Park	120,000
The Villages	32	Park Place	90,000
Mizner Park	30	Crocker Center	80,000
Crocker Center	29	Celebration	60,000
Bay St. Emeryville	22	Country Isles	60,000
Otay Ranch	16	Redstone	52,000
Hazard Center	16	Otay Ranch	40,000
Rio Vista Station	16	Morena Linda Vista	30,000
Uptown Center	14	La Mesa Village	30,000
Mockingbird Station	9	Rio Vista Station	20,000
Sherwin Williams	8	Gateway	10,000
Morena Linda Vista	7	Sherwin Williams	2-8,000
La Mesa Village	6	The Villages	0