



## Legislation Details (With Text)

<b>File #:</b>	ID-2019-497	<b>Version:</b>	1	<b>Name:</b>	Marketplace Parcel B appeal - direction requested
<b>Type:</b>	Other Item	<b>Status:</b>		<b>Status:</b>	Public Hearing
<b>File created:</b>	10/10/2019	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	11/5/2019	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Appeal By Wareham Development Of Resolution No. FDP18-001R, "A Resolution Of The Planning Commission Of The City Of Emeryville Approving A Final Development Plan (FDP) For APN 49-1556-16 ("Parcel B") Of The Marketplace Redevelopment Project Planned Unit Development (PUD04-02) For An Eight-Story Building With Approximately 15,800 Square Feet Of Rentable Retail Space, 150,000 Square Feet Of Rentable Office/Lab Space, And 560 Parking Spaces And Rescinding Resolution No. FDP15-001 Previously Adopted By The Planning Commission On June 23, 2016" (Charles S. Bryant / Miroo Desai)				

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### Code sections:

**Attachments:** 1. Staff Report, 2. Link to Administrative Record

Date	Ver.	Action By	Action	Result
11/5/2019	1	City Council	continue	Pass

Appeal By Wareham Development Of Resolution No. FDP18-001R, "A Resolution Of The Planning Commission Of The City Of Emeryville Approving A Final Development Plan (FDP) For APN 49-1556-16 ("Parcel B") Of The Marketplace Redevelopment Project Planned Unit Development (PUD04-02) For An Eight-Story Building With Approximately 15,800 Square Feet Of Rentable Retail Space, 150,000 Square Feet Of Rentable Office/Lab Space, And 560 Parking Spaces And Rescinding Resolution No. FDP15-001 Previously Adopted By The Planning Commission On June 23, 2016" (Charles S. Bryant / Miroo Desai)

This public hearing item relates to the appeal by Wareham Development ("**Appellant**") of the Planning Commission's adoption of Resolution No. FDP18-001R on May 14, 2019, which approved a Final Development Plan for the property commonly referred to as "Parcel B", and that is encompassed by the Marketplace Redevelopment Project Planned Unit Development/Preliminary Development Plan, approved by the City Council by Ordinance No. 08-004 on August 5, 2008. Staff recommends that the City Council open the public hearing, take testimony, close the public hearing, and then provide direction to staff to prepare a resolution, pursuant to Section 9-7.1405(d) of the Planning Regulations, to either:

- "(1) approve the Commission's action upon finding that all applicable findings have been correctly made and all provisions of [the Planning Regulations] have been complied with;
- (2) approve the Commission's action but impose additional conditions and/or guarantees as it deems necessary to fulfill the purposes of [the Planning Regulations]; or
- (3) disapprove the Commission's action upon finding that all applicable findings have not been made or all provisions of [the Planning Regulations] have not been complied with."

Pursuant to Planning Regulations Section 9-7.1405(d), the Council may also continue the hearing

and request a supplemental report from the Planning Commission.