

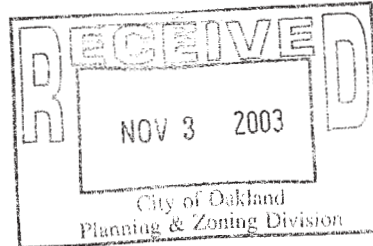


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Kathleen Kelly
Deputy General Manager - Service Development

November 3, 2003

Lynn Warner
Planner IV
City of Oakland Planning Division
250 Frank Ogawa Plaza, Suite 3330
Oakland, Ca. 94612



Re: Draft Environmental Impact Report (EIR), Uptown Mixed Use Project

Dear Ms. Warner:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Uptown Mixed Use Project.

The project is located within the blocks bounded by 18th Street on the south, 21st Street on the north, Telegraph Avenue on the east and San Pablo Avenue on the west. The Fox Theatre is not part of the project, which consists of approximately 1,000 apartments, 270 condominiums, 1,050 beds of student/faculty housing, 43,000 square feet of commercial space, a 25,000 square foot public park, and 1,959 parking spaces.

Overall Comments

Uptown presents as strong an opportunity as exists in Oakland to do transit-oriented development. The site is at the center of the East Bay transit network and adjacent to the core of Downtown Oakland. Because the proposed project is primarily housing, it would result in customers for Downtown businesses, pedestrian life on evenings and weekends, and "reverse commute" transit riders. We are also pleased that the project would develop the site intensely--it is a textbook location for high-density housing. This is particularly beneficial for a site that is now primarily used for parking. The Uptown project is only four blocks from AC Transit's General Office, so this would very much be development in our own neighborhood.

Our comments relate to existing and planned transit--especially the Bus Rapid Transit (BRT) project and Rapid Bus service, which is proposed for Telegraph Avenue immediately adjacent to the project. The expected presence of the BRT has implications for siting of uses--especially the Sears Auto Center--and for the design of the project.

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Given these issues, we are also concerned about the inappropriately large amount of parking that is proposed for the project. As a result, we have suggested a new mitigation, as well as modifications to existing mitigations, which are represented through *italics*.

1

Transit Capacity

We note that the EIR estimates that peak period loads on AC Transit buses in Downtown Oakland will rise less than 3% as a result of this project. We accept that this impact is deemed not to be significant.

2

Current Transit Service

As the discussion on pp. 91-93 indicates, the Uptown site is served by numerous bus lines. The site is within a few blocks of the best served area of the AC Transit district.

Figure IV.D-3 does not illustrate all of the most recent changes:

- Line 19 operates through the Alameda tubes, via 7th/8th, Broadway and 11th/12th to West Oakland, Emeryville, and West Berkeley;
- Line 50 operates through the Alameda tubes and on the same route as the 19, but terminates at 11th & Martin Luther King. This route segment will be re-designated the 63 in December.
- Line 88 operates from Lake Merritt BART to North Berkeley BART via. 11th/12th, Market St., and Sacramento St.;
- Line 14 does not operate on 11th/12th, but on 14th St., where it also shown.
- Line 82/82L no longer operates on 14th St., but on 11th/12th St., where it also shown

Transit Service as of December, 2003

AC Transit will modify its service to Downtown Oakland as of December, 2003. The most important change will be elimination of line 58/58X. Alternative service from MacArthur Boulevard to Downtown Oakland will be provided by Line NL, which will operate along 20th Street between Harrison and San Pablo. Late night owl service to San Francisco currently provided by the A line will be provided by line NL in December. Service will remain along all other routes now being served, although in some instances, route numbers will change.

3

Bus Rapid Transit and Longer Range Plans

AC Transit is planning to develop a Bus Rapid Transit (BRT) line and Rapid Bus service from Berkeley to San Leandro that will operate adjacent to the project along Telegraph Avenue between 20th and 21st Streets. Coming from the north, the line is planned to operate along Telegraph Avenue, turn left at 20th Street, and right at Broadway. The BRT is designed to provide high speed, high frequency, high capacity service on key East Bay transit corridors. The project is currently undergoing environmental review.

We are working closely with the City of Oakland to design a station on 20th Street between Broadway and Telegraph. We hope that this station will not only allow for

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pleasant, efficient bus operations and passenger comfort, but will also serve as an attractive public amenity for the Uptown area. We also appreciate the fact that no garage entrances are planned along the BRT route.

3
cont.

Sears Auto Center Site

Because of the planned BRT station on 20th Street, we strongly recommend that the Sears Auto Center be relocated to the preferred site of 22nd & Telegraph. The alternate site at 20th & Telegraph would be adjacent to this station. The two uses would be incompatible, with the Auto Center generating a high volume of vehicles that could conflict with the high volume of AC Transit buses using 20th Street. In addition, an auto repair center does not represent a transit-friendly use for passengers waiting at 20th Street. Placing an auto repair use on such a prominent corner would be inappropriate urban design.

4

Transit Mitigations

Mitigation Measure AIR-2 outlines a number of transit, services, and bicycle/pedestrian measures that the City *may* (emphasis added) require the Project to implement. We believe that the transit and bicycle/pedestrian measures--such as designing buildings to facilitate transit access (Transit Measure ii)--are achievable and important. The EIR should state that they *shall* be required, to assure that they are implemented.

5

We would also suggest modifying Transit Measure I to read as follows: *Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, and other needed facilities, with the review and approval of AC Transit.* AC Transit will be operating a wider range of bus types than we do now, and it is important that all transit-related facilities be fully functional for all of our vehicle types.

Bus Service and Project Design

The project should also take note of the buses that will be operating on 20th Street between Broadway and San Pablo. While the BRT line will have turned, Lines 15, 72/72M/72R, and NL are all planned to operate on this block. Together, these buses are planned to operate 17 trips per hour in each direction during weekday daytime periods. The project appears to have only one garage access driveway from this block of 20th Street, which should reduce conflicts. The developers should take note of this high level of bus activity in designing the project.

6

Parking Provided

AC Transit commends the fact that the Uptown project proposes a lower level of parking than many recent Downtown Oakland projects. However, we believe that the proposed amount of parking is too large, given the project's characteristics and its location at a primary transit hub.

7

The project proposes to provide one parking space per unit, and one parking space for every two beds in the college residence. Oakland's S-15 zoning regulations, which apply to BART stations outside of Downtown Oakland, allow as little as .5 spaces per

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unit. Uptown has more transit service and more destinations within walking distance than the S-15 BART stations, making it easier for people to live in Uptown without a car. The higher requirement on Uptown seems inconsistent. The EIR forecasts that 60% of units will be studios or one-bedroom units. These units would be occupied by small households with lower car ownership rates than the parking requirement has accommodated. We suggest that the parking ratio--particularly for apartment units--be lowered.

In addition, the provision of one parking space for every two beds in the college residence is excessive. Rates of car ownership by residents in dorms at the University of California Berkeley are substantially lower than this. Berkeley students living at the Uptown site would not normally be able to drive to campus, because the University does not provide parking spaces for students except under special circumstances. UC Berkeley students can also ride AC Transit for free by showing their student identification cards. The Bus Rapid Transit project discussed above will provide fast transit directly from Uptown to the Berkeley campus. These parking and Class pass policies, in addition to the myriad transit options that will be available, further reduce the likelihood of students owning cars. The parking ratio for these beds should be lowered substantially.

To the extent that these parking spaces are available during the daytime, they will tend to attract auto-driving commuters. As the EIR notes, the 1,620 spaces that would be built under this project are more than the existing 1,242 spaces. Commuter use is undesirable and inconsistent with Oakland's stated planning goals. However, nothing in the project as described would prevent this use from happening.

Reducing the parking requirement would reduce the cost of the project, making it more financially feasible. It could also reduce traffic to the site and reduce the requirement for traffic mitigations.

Parking Charges Mitigation

It is widely acknowledged that charging for parking helps limit parking demand. This EIR includes no mitigations requiring parking charges. Therefore we propose the following mitigation:

- *All parking created pursuant to this EIR shall be charged for at market rates, as determined by the City of Oakland. Any tenant leasing parking shall pay for that parking separately from its rent/lease payment, and no tenant shall be compelled to lease parking.*

Signal Cycle Lengths

The EIR states that increased traffic will require changes to signal timing at Telegraph & William, and Harrison & Grand. We assume that the signal cycles at these locations would be extended, although the EIR does not specify that. Since AC Transit operates at both of these locations, we should be consulted about signal cycle changes. Such changes can be helpful or harmful for bus operations. They also generally create delay

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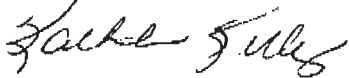
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for pedestrians--an undesirable outcome. Additionally, on Telegraph Avenue, substantial changes in signal timing are planned as part of the Bus Rapid Transit project. Therefore, any changes in signal timing on Telegraph related to the Uptown project should be coordinated with the BRT.

AC Transit looks forward to working with Oakland to facilitate the development of Uptown as a model transit-friendly area. If you have any questions about this letter, please contact Nathan Landau, Senior Transportation Planner, at 891-4792.

Sincerely,



Kathleen Kelly
Deputy General Manager
Service Development Department

Cc: AC Transit Boardmembers
Jim Gleich
Tina Spencer
Jon Twichell,
Nathan Landau