



November 3, 2003

Ms. Lynn Warner  
Planner IV  
City of Oakland  
Community and Economic Development Agency  
Planning Division  
250 Frank H. Ogawa Plaza, Suite 3330  
Oakland, CA 94612

SUBJECT: Comments on the Draft Environmental Impact Report for the Uptown Mixed Use Development Project in the City of Oakland (Case Number ER03-0007)

Dear Ms. Warner:

Thank you for the opportunity to comment on the City of Oakland's Draft Environmental Report (DEIR) on the Uptown Mixed Use Development Project. The project would consist of construction of approximately 1,000 apartments and 270 condominiums, 1,050 student beds/faculty units, 43,000 square feet of commercial space, 1,959 parking spaces and a 25,000 square foot public park. The project site is located on a nine block, 15-acre site in the Uptown District of the City of Oakland, and is bounded by Thomas L. Berkley Way (20<sup>th</sup> Street) on the north, Telegraph Avenue on the east, 18th Street on the south, and San Pablo Avenue on the west. It does not include the Fox Theater.

The ACCMA respectfully submits the following comments:

- Page 123-134, Mitigation Measures TRANS-1 2, 4, 6, 7, 8, 9, 10, 12, 13, 14: Payment of funds towards preparing and implementing a signal optimization and coordination plan for the project area:
  - What mechanism will the City use to obtain a fair share of the payment for the costs of implementing this mitigation measure?
  - When will the project sponsor make this payment? Will it be triggered to discretionary project approvals? If so, which ones? Will it be made when the entire development is approved or will it be phased over time?
  - If the City establishes a Traffic Improvement Program with a concurrent Traffic Impact Fee Ordinance and this occurs after project approval, how and when will the City collect the project proponent's fair share of the cost of traffic signalization improvements?
  - If the Redevelopment Agency decides to contribute funds to the costs of implementation of signalization improvements, how would this affect the City's determination and collection of the project proponent's fair share of these improvements?

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- Page 124, Impact TRANS-3 and Page 133, Impact TRANS-11, Need to widen intersection of Grand Avenue and Frontage Road/West to address LOS F and vehicle delay in the PM peak hour in 2010 and 2025: Both of these Impacts are identified as Significant and Unavoidable due to inability to make improvements on another agency's (Caltrans) jurisdiction.
  - Please confirm whether you have contacted Caltrans to determine whether they have any improvement plans for this area. If so, a mitigation measure should be added that the project sponsor should contribute their fair share of these improvements. This measure should include the mechanism and timing for such fund collection.
  
- Page 106, Planned Transportation Improvements considered by the City of Oakland:
  - Is the reconfiguration of Telegraph Avenue between 16<sup>th</sup> Street and Thomas L. Berkley Way (20<sup>th</sup> Street) assumed in the traffic impact analysis?
  - If it is assumed, what funding source would pay for this and what date is this project expected to be constructed?

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Once again, thank you for the opportunity to comment on this Draft EIR. Please do not hesitate to contact me at 510/836-2560 ext. 13 if you require additional information.

Sincerely,

Diane Stark  
Sr. Transportation Planner

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