
FINAL ENVIRONMENTAL IMPACT REPORT

1640 BROADWAY MIXED USE
DEVELOPMENT PROJECT
City of Oakland

ER 00-002

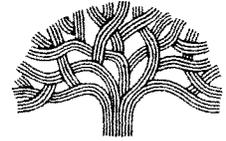
Prepared for
City of Oakland
Community and Economic Development Agency

by

Lamphier & Associates
1944 Embarcadero
Oakland, CA 94606

September 2000

CITY OF OAKLAND



250 FRANK H. OGAWA PLAZA, SUITE 2114 • OAKLAND, CALIFORNIA 94612-2031

Community and Economic Development Agency
Planning & Zoning Services Division

(510) 238-3911
FAX (510) 238-4730
TDD (510) 839-6451

NOTICE OF AVAILABILITY OF FINAL ENVIRONMENTAL IMPACT REPORT

TO: All Interested Parties

DATE: September 22, 2000

PROJECT TITLE: 1640 Broadway Mixed Use Development Project

CASE NO: ER00-02 (CMDV00-25)

PROJECT LOCATION: 1640 Broadway

PROJECT SPONSOR: 1640 Broadway Associates

BRIEF DESCRIPTION OF PROJECT: The proposed project entails the construction of 24-story, mixed-use building. The building will include of ground-floor commercial space (approximately 5,400 s.f.); 8 floors of commercial office space (approximately 177,680 s.f.); and approximately 150 residential units on the 11 uppermost floors. The project will provide a total of approximately 286 parking spaces on 5 levels of aboveground parking and 2 levels of underground parking. The ground floor parking level is located behind the commercial frontage on Broadway. The proposed building is approximately 369 feet in height. The building will essentially cover the entire 22,210 square foot site, which is approximately 150 feet in length along its two street frontages. The project site is located in the Central Business District General Plan Land Use Classification and in the C-55 Central Core Commercial/S-8 Urban Street Combining Zone. Approval of a Conditional Use Permit, Design Review and Variance is required for the proposed project.

A **Final Environmental Impact Report (FEIR)** has been prepared for the above project, under the requirements of the California Environmental Quality Act (CEQA). A limited number of copies of this document are available for distribution to interested parties at no charge on a first come, first served basis at the Community and Economic Development Agency, Planning Division, 250 Frank H. Ogawa Plaza, Suite 3330, Oakland, CA 94612, Monday through Friday, 8:30 a.m. to 5:00 p.m. When this supply is exhausted, additional copies may be ordered at the Community and Economic Development Agency, Planning Division for a fee (not to exceed the cost of copying). Copies will also be available for *review* at the Community and Economic Development Agency, Planning Division, 250 Frank H. Ogawa Plaza, Suite 3330, Oakland, California.

The Oakland City Planning Commission will consider certification of the the Final EIR and hold a public hearing on the zoning permits for the project on Wednesday, October 4, 2000, starting at 6:30 p.m. in Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza. Public comments are invited on the zoning permits.

For further information, please call Crescentia Brown, Planner IV at (510)238-6190.

LESLIE GOULD
Director of Planning and Zoning

City of Oakland
Oakland, California

File No. ER0002
Ref. No. CMDV0025

**FINAL ENVIRONMENTAL THE 1640 BROADWAY MIXED USE
DEVELOPMENT PROJECT**

(Project Title)
California Environmental Quality Act

**CERTIFICATION OF COMPLIANCE WITH THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The Director of City Planning finds that the attached Final Environmental Impact Report has been completed in compliance with the California Environmental Quality Act, the Guidelines prescribed by the Secretary for Resources, and the Provisions of the City of Oakland's Statement of Objectives, Criteria and Procedures for implementation of the California Environmental Quality Act.



Leslie Gould

September 22, 2000

ACCEPTANCE OF FINAL REPORT BY THE CITY PLANNING COMMISSION

The attached Final Environmental Impact Report was accepted by the Oakland City Planning Commission at its meeting of _____.

City Planning Commission

FINAL ENVIRONMENTAL IMPACT REPORT

1640 BROADWAY MIXED USE
DEVELOPMENT PROJECT
City of Oakland

ER 00-002

Prepared for
City of Oakland
Community and Economic Development Agency

by

Lamphier & Associates
1944 Embarcadero
Oakland, CA 94606

September 2000

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INTRODUCTION

A. CEQA PROCESS

On August 1, 2000, the City of Oakland (Lead agency) released for public review a Draft Environmental Impact Report (Draft EIR or DEIR) on the proposed 1640 Broadway Mixed Use Development Project (ER 00-002). The 30-day public review and comment period on the Draft EIR began on August 1, 2000, and closed on September 1, 2000. The Planning Commission held a public hearing on the Draft EIR on August 16, 2000.

The Draft EIR for the 1640 Broadway Mixed Use Development Project, together with this Response to Comments, constitute the Final EIR for the proposed project. The Final EIR is an informational document prepared by the Lead Agency that must be considered by decision makers (including the Oakland City Planning Commission) before approving or denying the proposed project. California Environmental Quality Act (CEQA) Guidelines (Section 15132) specify the following:

"The Final EIR shall consist of:

- (a) The Draft EIR or a revision of the draft.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (d) The response of the Lead Agency to significant environmental points raised in review and consultation process.
- (e) Any other information added by the Lead Agency."

I. INTRODUCTION

This document has been prepared pursuant to the CEQA Guidelines. This Final EIR incorporates comments from public agencies and the general public, and contains appropriate responses by the Lead Agency to those comments.

B. METHOD OF ORGANIZATION

The Final EIR for the proposed 1640 Broadway Mixed Use Development Project contains information in response to concerns raised during the public comment period.

Following this introductory Chapter I, Chapter II of this document contains text changes (initiated by the Oakland Community and Economic Development Department staff and those resulting from comments on the Draft EIR) and errata to the Draft EIR.

Chapter III contains a list of all persons and organizations that submitted written comments on the Draft EIR and that testified at the public hearing held on August 16, 2000.

Chapter IV contains comment letters received during the comment period and the responses to each comment. Each comment is labeled with a number in the margin and the response to each comment is presented immediately after the comment letter.

Chapter V contains a summary of the public comments received during the public hearing held on August 16, 2000, and the responses to the comments received during the public hearing.

II

REVISIONS TO THE DRAFT EIR

REVISIONS TO THE DRAFT EIR

On Draft EIR page ii, under APPENDICES, entry "C." has been modified as follows:

"C. Traffic Impact Analysis - Dowling Associates C-1
(including Congestion Management Program Analysis)"

On Draft EIR page IV-25, the text of the second paragraph has been modified to read as follows:

"In the ACCMA Analysis, project-related roadway impacts were considered significant if the addition of project traffic would result in a level of service (LOS) value worse than LOS E, except where the roadway link was already at LOS F under no project conditions. For those locations where this Baseline condition is LOS F, the project impacts were considered significant if the contribution of project traffic is at least 3 percent of the total traffic. This criterion has been included to address impacts along roadway segments currently operating under unacceptable levels. A change of vehicle/capacity ratio of 3 percent has been found to be the threshold for which a perceived change in congestion is observed. This change is equivalent to about one-half of the change from one level of service to the next."

On Draft EIR page IV-29, following the second complete non-bulleted paragraph under **Mitigation Measure B.3**, the following text has been added:

"In an effort to further increase transit ridership, the following mitigation measures shall be implemented:

II. REVISIONS TO THE DRAFT EIR

- Hold or participate in a transit faire annually at the complex in which AC Transit would participate.
- Encourage the businesses in the complex to use the tax deductible transit commuter check program to reduce single occupancy vehicle use by advertising the availability of the program and other means, such as including information as part of the packet received at the time of initial occupancy."

On Draft EIR page IV-51, the text of Mitigation Measure D.1.b has been modified to read as follows:

"Mitigation Measure D.1.b: Prior to pile driving, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified noise consultant. These measures may include attenuation shields or blankets around the site, pre-drilling of piles, the use of more than one pile driver, if feasible to lessen the total time required for driving piles, and other measures. A specific schedule shall also be confirmed with the Building Division and all property owners, businesses and residents within a minimum radius of 300 feet shall be notified in writing at least 72 hours prior to pile driving activities."

In Draft EIR **APPENDIX C**, page 18, the paragraph under **Significance Criteria** has been modified to read as follows:

"The project roadway impacts were considered significant if the addition of project traffic would result in a level of service (LOS) value worse than LOS E, except where the roadway link was already at LOS F under no project conditions. For those locations where this Baseline condition is LOS F, the project impacts were considered significant if the contribution of project traffic is at least 3 percent of the total traffic. This criterion has been included to address impacts along roadway segments currently operating under unacceptable levels. A change of vehicle/capacity ratio of 3 percent has been found to be the threshold for which a perceived change in congestion is observed. This change is equivalent to about one-half of the change from one level of service to the next."

III

PERSONS AND ORGANIZATIONS COMMENTING ON THE DRAFT EIR

A. PERSONS AND ORGANIZATIONS COMMENTING IN WRITING

- | | |
|--|-------------------|
| A. East Bay Municipal Utility District
William R. Kirkpatrick, Manager of Water Distribution Planning | August 25, 2000 |
| B. Alameda County Congestion Management Agency
Beth Walukas, Senior Transportation Planner | August 31, 2000 |
| C. City of Alameda
Kevin Bryant, Planner II | August 31, 2000 |
| D. Alameda-Contra Costa Transit District
Kenneth C. Schedig, General Counsel | September 1, 2000 |
| E. Oakland Heritage Alliance
Jane Powell, President | September 1, 2000 |
| F. Christopher Pederson | September 1, 2000 |

B. PERSONS COMMENTING AT THE PUBLIC HEARING

The following persons provided public testimony at the Oakland City Planning Commission Public Hearing on the Draft EIR held at City Hall on Wednesday August 16, 2000.

III. PERSONS AND ORGANIZATIONS COMMENTING ON THE DRAFT EIR

- Margaret Cafarelli, 1640 Broadway Associates, Project Sponsor
- Scott Lee, Sandy & Babcock, Project Architect
- Steve Low
- Planning Commissioners Clark and Lighty

A summary of the comments made at the public hearing is included in Chapter V of this document. A response is provided following the summary of each comment.

IV

RESPONSES TO WRITTEN COMMENTS ON THE DRAFT EIR

This chapter includes copies of the comment letters received during the public review period on the Draft EIR and responses to those comments. Where responses have resulted in changes to the text of the Draft EIR, these changes also appear in Chapter II of this Final EIR.

August 25, 2000

Ms. Crescentia Brown, Planner IV
City of Oakland
Community and Economic Development Agency
Planning Division
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612-2010

Dear Ms. Brown:

Re: Draft Environmental Impact Report - 1640 Broadway Mixed Use
Development Project (Case File ER99-15)

Thank you for the opportunity to comment on the subject environmental document. East Bay Municipal Utility District (District) has the following comments regarding service to the project site.

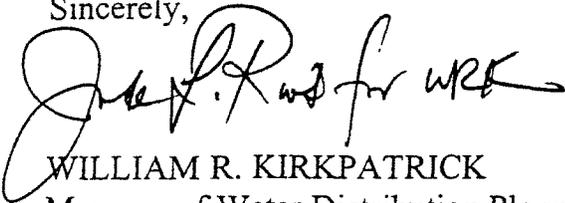
Please note the Draft Environmental Impact Report (EIR) did not address issues raised in the District's letter of April 4, 2000, regarding wastewater service (see copy attached). In particular the Draft EIR does not address wastewater quality compliance or recognize potential financial impacts specified in the District's Wastewater Control Ordinance Number 311. If you have any questions, please contact the District's Source Control Division at (510) 287-1622. 1

The District's Policy 73 and Section 30 of the Regulations Governing Water Service requires that customers use nonpotable water for nondomestic purposes when it is available at a reasonable cost, not detrimental to public health and not injurious to plant life, fish and wildlife. Since the 1640 Broadway Project meets this criteria and is located in the Oakland/Berkeley Reuse Zone, the District recommends that the developer provide dual plumbing for the commercial portion of the building (8 floors) for toilet flushing, landscaped areas, and other non-consumptive uses such as decorative fountains. If you have any questions, please contact the District's Office of Water Recycling at (510) 287-2063. 2

Ms. Crescentia Brown, Planner IV
August 25, 2000
Page 2

If you have any questions regarding water service or if the District can be of further assistance, please contact Marie A. Valmores, Senior Civil Engineer, Water Service Planning at (510) 287-1084.

Sincerely,

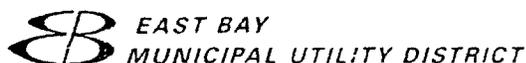
A handwritten signature in black ink, appearing to read "William R. Kirkpatrick for WRK". The signature is stylized and cursive.

WILLIAM R. KIRKPATRICK
Manager of Water Distribution Planning

WRK:MAV:sb
sb00_242.doc

Attachment

cc: John Courtney
Lamphier & Associates
1944 Embarcadero
Oakland, CA 94606



April 4, 2000

Crescentia Brown, Planner III
City of Oakland
Community and Economic Development Agency
Planning Division
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612

Dear Ms. Brown:

Subject: Notice of Preparation - Draft Environmental Impact Report
1640 Broadway Project (Case File No. ER00-02)

Thank you for the opportunity to comment on the subject project. East Bay Municipal Utility District (District) has the following comments regarding water and wastewater service to the project site.

WATER SERVICE

Property currently has water service. If additional water service is required, it can be provided from the existing water mains in 17th Street and Broadway (see attached map). However, some of the pipelines may need to be replaced, depending on the fire flow requirements set by the local fire agency and the project's new water service requirements. The project sponsor should contact the District's New Business Office at (510) 287-1008 and request a water service estimate to determine costs and conditions for providing water service to the proposed development. Engineering and installation of water mains often require substantial lead-time, which should be provided for in the project sponsor's development schedule.

Regarding Item VII a-d on page 11, the District is concerned about the potential for contaminated soil in this area. The District will not install services or pipelines in contaminated soil or hazardous soil conditions. When the applicant applies for water service, any environmental assessment information and analytical data, if available, should be submitted. The District will review the information and may require additional sampling and testing at the applicant's expense.

To help mitigate the impacts of additional water demands on the District's finite water supply, the District recommends that water conservation measures for both internal and external use be incorporated in the design and construction of the proposed project. The District encourages the use of equipment, devices and methodology that furthers water conservation and provides for long term efficient water use. The District also

recommends the use of drought resistant plants, use of inert materials, and minimal use of turf areas. The project sponsor should contact the District's Manager of Water Conservation at (510) 287-0591 for more information.

WASTEWATER SERVICE

Wastewater discharges from the project must comply with the requirements specified in the District's Wastewater Control Ordinance Number 311. In addition, the Ordinance requires appropriate charges and fees to be paid for use of the wastewater treatment facility, including the Wastewater Capacity Fees. The District will provide credit for prior capacity use. The Environmental Impact Report (EIR) should address such wastewater quality and financial impacts of the project.

On page 21 of 22, the reference cited from the Community Services Analysis prepared for the Land Use and Transportation Element of the General Plan, "that future in-fill development through the General Plan horizon year of 2015 would not be likely to impose a burden on existing utilities," is not conclusive that there is available wastewater flow allocation within the affected subbasin for this project.

The District's Main Wastewater Treatment Plant has adequate dry weather capacity to treat the proposed wastewater flow increase for this project, provided this wastewater meets the standards of the District's Source Control Division. However, as stated in past requests for information regarding new developments, the City of Oakland's Infiltration/Inflow (I/I) Correction Program set a maximum allowable peak wastewater flow from each subbasin and the District agreed to design and construct wet weather conveyance and treatment facilities to accommodate these flows. The projected flow increase for this development must not increase the peak flow of the subbasin that this project would be tributary to above the agreed flow allocation. Conveyance and treatment capacity for wet weather flows may be adversely impacted by flows above the agreed limit. The District prohibits discharge of wastewater flows above the allocated peak flow for a subbasin. The developer for this project should confirm with the City of Oakland Public Works Department that there is available capacity within the subbasin flow allocation and that it has not been allocated to other developments. Information should be provided on the projected average daily and peak wet weather wastewater flows from this project.

In general, all major developments should address the replacement or rehabilitation of the existing sanitary sewer collection system to prevent an increase in I/I. A provision to control or reduce the amount of I/I should be addressed in the environmental documentation for this project. As the collection system ages and I/I increases, replacement/rehabilitation is necessary to control I/I.

The District's Office of Reclamation is currently working on the East Bayshore Recycled Water Project. This project will provide recycled water to the Oakland area for non-

Ms. Crescential Brown, Planner III

April 4, 2000

Page 3

potable purposes, such as landscape irrigation and toilet water. The District's Policy 73 mandates that customers use non-potable water for non-domestic purposes when it is available at reasonable cost, not detrimental to public health and not injurious to plant life, fish and wildlife.

If there is significant landscaping or other non-consumptive uses as part of the 1640 Broadway Project, the District suggests that the Oakland Community and Economic Development Agency look at providing dual plumbing for these uses. If you have any questions, please contact Laura Johnson in the Office of Reclamation at (510)-287-2063.

If you have any questions or if the District can be of further assistance, please contact Ana R. Ulloa, Assistant Civil Engineer, Water Service Planning at (510) 287-1258.

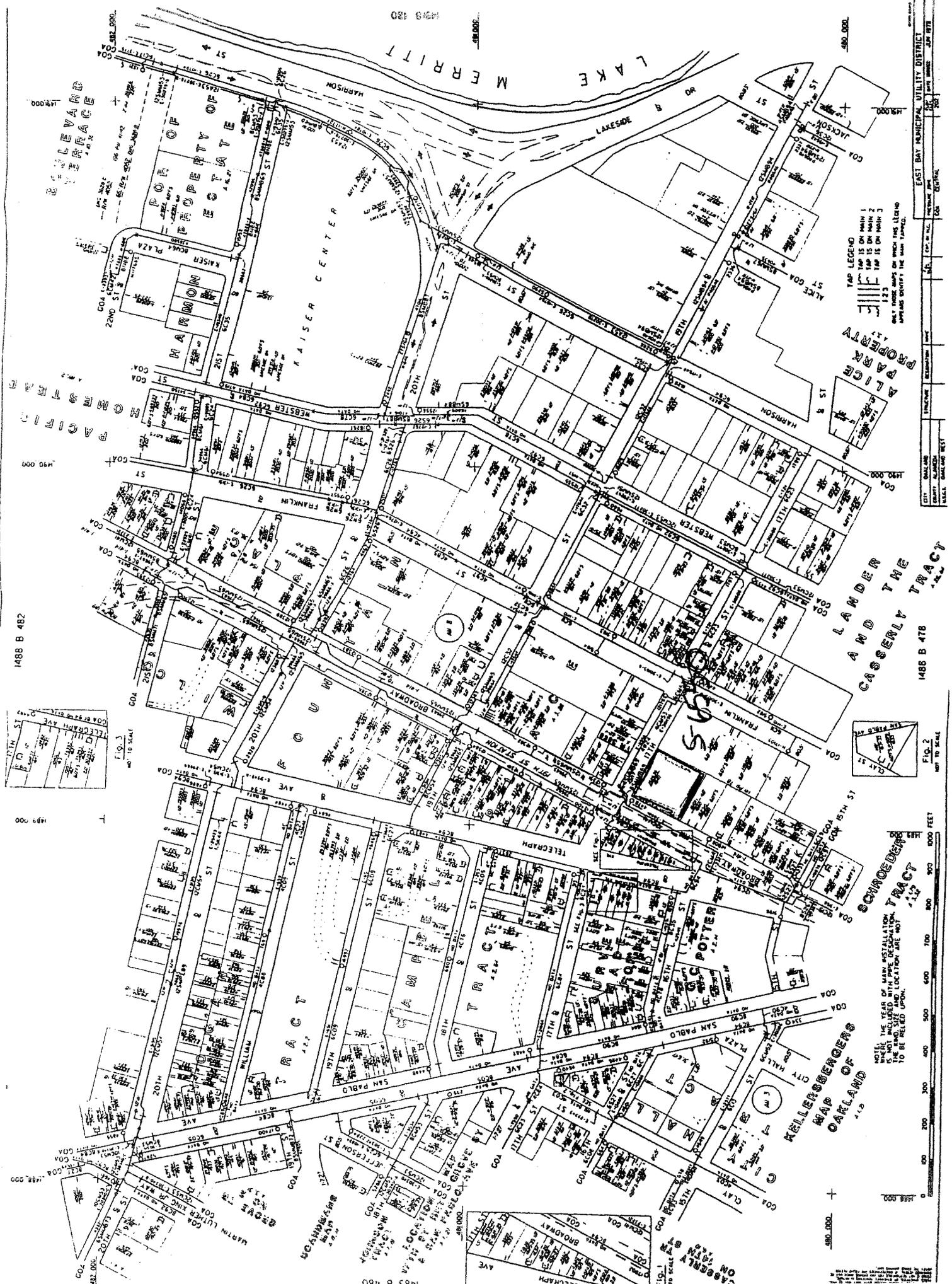
Sincerely,



WILLIAM R. KIRKPATRICK
Manager of Water Distribution Planning

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Attachment



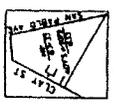
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NOTE: THE YEAR OF MAIN INSTALLATION IS INDICATED IN THE CIRCLES. THE LOCATION IS NOT TO BE RELED UPON.

EAST BAY MUNICIPAL UTILITY DISTRICT
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RESPONSES TO LETTER A - EAST BAY MUNICIPAL UTILITY DISTRICT

A-1 Comment noted. As indicated in the Memorandum from Trang Tran, City of Oakland Public Works Agency - Design and Construction Services (May 2, 2000) which followed the East Bay Municipal Utility District's letter in response to the Notice of Preparation (see Draft EIR **Appendix A**), the City has determined that the proposed project would be within the anticipated growth allowance for sub-basin 52-05, and has indicated that the project developer will be required to fund the proportional cost (based on the anticipated sewer flow) for the relief sanitary sewer scheduled to be constructed in this basin as a condition of project approval.

The issues pertaining to wastewater service and the potential financial impacts and compliance with Wastewater Control Ordinance No. 311 were generally addressed in the Initial Study for the project, dated February 25, 2000 (Draft EIR **Appendix A**, Reference File No. ER-002/CMDV00-25.) In Initial Study Section XVI-Utilities and Service Systems, the statement is made that any necessary infrastructure improvements to service the proposed project will be required, at the applicant's expense, in order to ensure adequate service provision for both water service and wastewater service. Since adequate water and wastewater treatment capacity has been verified previously by both EBMUD and the City's Public Works Department, the resulting impacts from the project were deemed less than significant if the necessary infrastructure improvements were instituted as part of the project.

Accordingly, conditions of project approval will be further specified for the project as follows:

- As part of the final utility and improvement plans, the applicant shall demonstrate compliance with all applicable provisions of the EBMUD Wastewater Control Ordinance No. 311.
- Improvement plans shall include projections pertaining to average daily and peak wet weather wastewater flows for the project and confirm that the wet weather wastewater treatment flows are within the established flow allocation for the applicable sub-basin or that an alternative means of conveyance has been incorporated into the utility and improvement plans for the project, as approved by the Public Works Department.

- A-2** Recommendation noted. The project site is located within the Oakland/Berkeley Reuse Zone, but nonpotable water for nondomestic purposes is not currently available at reasonable cost in the vicinity of 1640 Broadway. The comment pertaining to the District's Policy 73 and Section 30 of the Regulations Governing Water Service has been noted as part of the record for the project. As previously noted, EBMUD has previously confirmed that the project site has existing water service and that the proposed development can be adequately served, thereby resulting in a less than significant environmental impact. The applicant shall be requested to contact EBMUD about the potential use of nonpotable water for nondomestic purposes and to ascertain the overall feasibility of whether or not such a system would be feasible for the project. Other specific water recycling measures can also be addressed with EBMUD at that time.

ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY



LETTER B

August 31, 2000

AC Transit
Director
Alan Williams

Alameda County
Supervisor
Gail Sorete
Scott Hagerty

City of Alameda
Mayor
Ralph Appenzano

City of Albany
Mayor
Peggy Thomson

BART
Director
Peter Nuyker

City of Berkeley
Councilmember
Kris Worthington

City of Dublin
Councilmember
George A. Zika

City of Emeryville
Councilmember
Nora Davis

City of Fremont
Mayor
Cec. Morrison

City of Hayward
Chairperson
Mayor
Rufina Cooper

City of Livermore
Councilmember
Tom Vargas

City of Newark
Councilmember
Susan Boggs

City of Oakland
Councilmember
Larry Reed

City of Piedmont
Councilmember
Valerie Metzger

City of Pleasanton
Vice Chairperson
Councilmember
Tom Pitt

City of San Leandro
Mayor
Shelia Young

City of Union City
Mayor
Mark Green

Executive Director
Dennis R. Kay

Ms. Crescentia Brown
City of Oakland
Community and Economic Development Agency
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612

SUBJECT: Comments on the Notice of Preparation for a Draft Environmental Impact Report for the 1640 Broadway Project in the City of Oakland (Case Number ER00-02)

Dear Crescentia:

Thank you for the opportunity to comment on the City of Oakland's Draft Environmental Report (DEIR) on the 1640 Broadway Project. The project would consist of construction of a 24-story, mixed-use building with 5,400 square feet of commercial, 177,680 of commercial office, and 150 residential units. The project is located at 1640 Broadway. The ACCMA respectfully submits the following comments:

- The Congestion Management Program analysis must be referenced and clearly identified in the Table of Contents. 1
- 1st page of Appendix C that deals with the CMP Land Use Analysis Program: The CMP does not establish service level standards on the MTS network and reference to this in the chapter must be deleted. The LOS E standard applies to the LOS Monitoring Study and the identification of deficient existing segments and is not intended for application in the Land Use Analysis Program. The three percent threshold for significance reference should be deleted. As noted in the text, the Land Use Analysis Program does not apply thresholds of significance to determine project impacts. Whether the MTS is impacted by the project should be determined using a "reasonableness test". Three percent on regional freeways or even the major arterials would likely be significant compared to a lower volume roadway. The project impact to the MTS roadway and transit networks must be identified and documented along with measures to mitigate the impacts and costs for implementing them, where feasible. Also, references to LOS F standards must also be deleted. 2
- Based on the above comment, the analysis of project impacts on the MTS network should be re-evaluated for the following roadways and analysis years: SR 24 and Webster-Posey Tubes for 2005 conditions and 12th Street, SR 24, and Webster-Posey Tubes for 2020 conditions. 3
- The analysis of project impacts must be conducted for both directions of travel, not just the peak direction. 4

Ms. Crescentia Brown
August 31, 2000
Page 2

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

Sincerely,



Beth Walukas
Senior Transportation Planner

cc: Jean Hart, Deputy Director
file: CMP - Environmental Review Opinions - Responses - 2000

**RESPONSES TO LETTER B - ALAMEDA COUNTY CONGESTION
MANAGEMENT AGENCY**

B-1 The Draft EIR describes the results of the Alameda County Congestion Management Agency Countywide Travel Demand Model analysis on pages IV-24 and IV-25, and presents a detailed summary of the modeling approach and results in **Appendix C** of the Draft EIR. On Draft EIR page ii, under APPENDICES, entry "C." has been modified as follows:

"C. Traffic Impact Analysis - Dowling Associates C-1
(including Congestion Management Program Analysis)"

B-2 One of ACCMA's comments in response to the Notice of Preparation stated that "it is expected that professional judgment will be applied to determine project level impacts." (see Draft EIR **Appendix A**) Based on this direction, the significance criteria described in the Draft EIR were developed (as a "reasonableness test" as recommended in this comment), but incorrectly identified as ACCMA's criteria. The criteria (changes in LOS to worse than LOS E; if already LOS F without project, increase in volume of 3 percent or more) are based on Dowling Associates' other work in the region, including work related to the Congestion Management Program (CMP), and do represent a professional judgment of what constitutes potentially significant impacts. Specifically, it was felt that, for a facility operating at LOS F without the project, an addition of project trips less than the normal day-to-day fluctuation of traffic on high-volume roadways would not constitute a significant project impact. The 3 percent number was, based on professional judgment, an amount that would lie within the normal day-to-day fluctuation of traffic on high-volume facilities, like freeways. In response to this comment, Dowling Associates has recently reviewed traffic counts on area freeways (I-580, I-680, and I-880) that Dowling Associates have received from Caltrans over the past few years (1996-1999). Analysis of these counts shows that the typical standard deviation of peak hour volumes (for Tuesday through Thursday) is about 2½ to 3 percent of the peak volume, which is consistent with Dowling Associate's initial judgment that 3 percent represents an appropriate value.

For lower volume facilities at LOS F under baseline conditions, the 3 percent value represents a somewhat conservative analysis of impacts, and Dowling Associates believes it is appropriate. On Draft EIR page IV-25, the text of the second paragraph has been modified to read as follows:

IV. RESPONSES TO WRITTEN COMMENTS ON THE DRAFT EIR

"In the ACCMA Analysis, project-related roadway impacts were considered significant if the addition of project traffic would result in a level of service (LOS) value worse than LOS E, except where the roadway link was already at LOS F under no project conditions. For those locations where this Baseline condition is LOS F, the project impacts were considered significant if the contribution of project traffic is at least 3 percent of the total traffic. This criterion has been included to address impacts along roadway segments currently operating under unacceptable levels. A change of vehicle/capacity ratio of 3 percent has been found to be the threshold for which a perceived change in congestion is observed. This change is equivalent to about one-half of the change from one level of service to the next."

In Draft EIR **APPENDIX C**, page 18, the paragraph under **Significance Criteria** has been modified to read as follows:

"The project roadway impacts were considered significant if the addition of project traffic would result in a level of service (LOS) value worse than LOS E, except where the roadway link was already at LOS F under no project conditions. For those locations where this Baseline condition is LOS F, the project impacts were considered significant if the contribution of project traffic is at least 3 percent of the total traffic. This criterion has been included to address impacts along roadway segments currently operating under unacceptable levels. A change of vehicle/capacity ratio of 3 percent has been found to be the threshold for which a perceived change in congestion is observed. This change is equivalent to about one-half of the change from one level of service to the next."

- B-3** Based on **Response B-2**, above, Dowling Associates believe that the significance criteria developed using the firm's professional judgment were appropriate, and that no re-evaluation is necessary, because the criteria used has not changed.
- B-4** The following tables show the details of the analysis, including the non-peak direction. Based on the significance criteria identified for this analysis, one non-peak direction roadway link meets the criteria for a significant impact (under Year 2020 conditions). This link is the Posey Tube (heading toward the project) during the PM peak hour, which, according to the ACCMA model, would operate at LOS F with or without the project. Thus, it would be subject to the 3 percent criterion.

Table 2:

Project: 1640 Broadway - Segment Comparison

Link Location	PM		NB/EB		SB/WB		PM		SB/WB		PM		SB/WB	
	No-Project 2005 AM Vol	Project 2005 AM Vol	% Vol Diff	Vol Diff	No-Project 2005 AM LOS	Project 2005 AM LOS	Change in V/C > 3%	Change in LOS	No-Project 2005 AM Vol	Project 2005 AM Vol	% Vol Diff	Vol Diff	No-Project 2005 AM LOS	Project 2005 AM LOS
State Highways														
I-880 - west of I-980	4,749	4,800	1.1%	51	D	D	no change	4,437	4,488	1.1%	51	C	C	no change
I-880 - east of Oak Street	8,077	8,100	0.3%	23	E	E	no change	6,547	6,538	-0.1%	-9	D	D	no change
I-980 - north of I-880	3,224	3,157	-2.1%	-67	C	C	no change	3,040	3,270	7.0%	230	B	C	change
I-980 - south of I-580	5,266	5,268	0.0%	2	D	D	no change	2,987	3,034	1.5%	47	B	B	no change
I-580 - west of I-980	9,742	9,750	0.1%	8	E	E	no change	7,406	7,369	-0.5%	-37	C	C	no change
I-580 - east of 14th Avenue	8,680	8,688	0.1%	8	E	E	no change	6,008	6,011	0.0%	3	C	C	no change
SR 24 - west of Caldecott Tunnel	9,432	9,411	-0.2%	-21	F	F	no change	6,033	6,032	0.0%	-1	F	F	no change
SR 260 (Webster Tubes) - south of I-880	2,592	2,593	0.0%	1	F	F	no change	3,120	3,109	-0.4%	-11	F	F	no change
Arterials														
Broadway - north of 20th Street	256	257	0.4%	1	D	D	no change	240	249	3.6%	9	D	D	no change
Broadway - south of 12th Street	77	84	8.3%	7	D	D	no change	152	154	1.3%	2	D	D	no change
Harrison St - south of 11th Street	1,122	1,131	0.8%	9	D	D	no change	0	0	0.0%	0	A	A	no change
Franklin St - south of 12th Street	203	212	4.2%	9	D	D	no change	0	0	0.0%	0	A	A	no change
Webster St - south of 12th Street	0	0	0.0%	0	A	A	no change	1,378	1,401	1.6%	23	D	D	no change
7th Street - west of Clay Street	510	506	-0.8%	-4	D	D	no change	0	0	0.0%	0	A	A	no change
8th Street - east of Broadway	0	0	0.0%	0	A	A	no change	298	298	0.0%	0	D	D	no change
11th Street - west of MLK	648	645	-0.5%	-3	D	D	no change	0	0	0.0%	0	A	A	no change
12th Street - east of Broadway	0	0	0.0%	0	A	A	no change	448	448	0.0%	0	D	D	no change
12th Street - west of MLK	0	0	0.0%	0	A	A	no change	1,958	1,959	0.1%	1	D	D	no change
14th Street - east of Oak Street	394	402	2.0%	8	D	D	no change	82	82	0.0%	0	D	D	no change
14th Street - east of Broadway	86	86	0.0%	0	D	D	no change	110	115	4.3%	5	D	D	no change
Castro Street - south of 12th Street	648	647	-0.2%	-1	D	D	no change	0	0	0.0%	0	A	A	no change
Brush Street - south of 12th Street	0	0	0.0%	0	A	A	no change	1,196	1,200	0.3%	4	D	D	no change
Clay Street - south of 12th Street	763	760	-0.4%	-3	D	D	no change	38	38	0.0%	0	D	D	no change
San Pablo Ave - north of 20th Street	155	157	1.3%	2	D	D	no change	346	376	8.0%	30	D	D	no change
Telegraph Avenue - north of 17th Street	51	50	-2.0%	-1	D	D	no change	355	367	3.3%	12	D	D	no change
	56,675	56,704		29				46,179	46,538		359			

Note: All volumes are in vehicles per hour (vph)
 Note: Impact is indicated by change in LOS with the addition of project traffic

Table 3:
Project: 1640 Broadway - Segment Comparison

Link Location	AM		NB/EB		SB/WB		AM		Project		No-Project		Project		No-Project		Project							
	No-Project 2020 AM Vol	Project 2020 AM Vol	% Vol Diff	Vol Diff	No-Project 2020 AM LOS	Project 2020 AM LOS	Change in V/C > 3%	Change in LOS	No-Project 2020 AM Vol	Project 2020 AM Vol	% Vol Diff	Vol Diff	No-Project 2020 AM LOS	Project 2020 AM LOS	Change in V/C > 3%	Change in LOS	No-Project 2020 AM Vol	Project 2020 AM Vol	% Vol Diff	Vol Diff	No-Project 2020 AM LOS	Project 2020 AM LOS	Change in V/C > 3%	Change in LOS
State Highways																								
I-880 - west of I-980	3,215	3,197	-0.6%	-18	C	C	no change	4,567	4,574	0.2%	7	D	D	no change	7	D	no change	4,567	4,574	0.2%	7	D	D	no change
I-880 - east of Oak Street	5,877	5,837	-0.7%	-40	C	C	no change	8,027	7,977	-0.6%	-50	E	E	no change	-50	E	no change	8,027	7,977	-0.6%	-50	E	E	no change
I-980 - north of I-880	2,841	2,868	0.9%	27	B	B	no change	4,875	4,993	2.4%	118	D	D	no change	118	D	no change	4,875	4,993	2.4%	118	D	D	no change
I-980 - south of I-580	2,600	2,617	0.6%	17	B	B	no change	6,379	6,453	1.1%	74	E	E	no change	74	E	no change	6,379	6,453	1.1%	74	E	E	no change
I-580 - west of I-980	6,871	6,882	0.2%	11	C	C	no change	8,436	8,419	-0.2%	-17	D	D	no change	-17	D	no change	8,436	8,419	-0.2%	-17	D	D	no change
I-580 - east of 14th Avenue	5,502	5,484	-0.3%	-18	C	C	no change	8,595	8,565	-0.5%	-40	E	E	no change	-40	E	no change	8,595	8,565	-0.5%	-40	E	E	no change
SR 24 - west of Caldecott Tunnel	4,168	4,209	1.0%	41	E	E	no change	11,092	11,160	0.6%	68	F	F	no change	68	F	no change	11,092	11,160	0.6%	68	F	F	no change
SR 260 (Webster Tubes) - south of I-880	2,923	2,997	2.5%	74	F	F	no change	3,292	3,373	2.4%	81	F	F	no change	81	F	no change	3,292	3,373	2.4%	81	F	F	no change
Arterials																								
Broadway - north of 20th Street	71	71	0.0%	0	D	D	no change	508	523	3.3%	17	D	D	no change	17	D	no change	508	523	3.3%	17	D	D	no change
Broadway - south of 12th Street	17	17	0.0%	0	D	D	no change	260	264	1.5%	4	D	D	no change	4	D	no change	260	264	1.5%	4	D	D	no change
Hammon St - south of 11th Street	1,066	1,091	2.3%	25	D	D	no change	0	0	0.0%	0	A	A	no change	0	A	no change	0	0	0.0%	0	A	A	no change
Franklin St - south of 12th Street	204	220	7.3%	16	D	D	no change	0	0	0.0%	0	A	A	no change	0	A	no change	0	0	0.0%	0	A	A	no change
Webster St - south of 12th Street	0	0	0.0%	0	A	A	no change	614	627	2.1%	13	D	D	no change	13	D	no change	614	627	2.1%	13	D	D	no change
7th Street - west of Clay Street	105	116	9.5%	11	D	D	no change	0	0	0.0%	0	A	A	no change	0	A	no change	0	0	0.0%	0	A	A	no change
8th Street - east of Broadway	0	0	0.0%	0	A	A	no change	713	716	0.4%	3	D	D	no change	3	D	no change	713	716	0.4%	3	D	D	no change
11th Street - west of MLK	1,426	1,417	-0.6%	-9	D	D	no change	0	0	0.0%	0	A	A	no change	0	A	no change	0	0	0.0%	0	A	A	no change
12th Street - east of Broadway	0	0	0.0%	0	A	A	no change	324	320	-1.3%	-4	D	D	no change	-4	D	no change	324	320	-1.3%	-4	D	D	no change
14th Street - east of Oak Street	74	74	0.0%	0	A	A	no change	520	507	-2.6%	-13	D	D	no change	-13	D	no change	520	507	-2.6%	-13	D	D	no change
14th Street - east of Broadway	117	117	0.0%	0	D	D	no change	459	469	2.1%	10	D	D	no change	10	D	no change	459	469	2.1%	10	D	D	no change
Castro Street - south of 12th Street	242	240	-0.8%	-2	D	D	no change	35	35	0.0%	0	D	D	no change	0	D	no change	35	35	0.0%	0	D	D	no change
Brush Street - south of 12th Street	0	0	0.0%	0	A	A	no change	1,281	1,274	-0.5%	-7	D	D	no change	-7	D	no change	1,281	1,274	-0.5%	-7	D	D	no change
Clay Street - south of 12th Street	509	498	-2.2%	-11	D	D	no change	22	23	4.3%	1	D	D	no change	1	D	no change	22	23	4.3%	1	D	D	no change
San Pablo Ave - north of 20th Street	30	30	0.0%	0	D	D	no change	306	310	1.3%	4	D	D	no change	4	D	no change	306	310	1.3%	4	D	D	no change
Telegraph Avenue - north of 17th Street	42	43	2.3%	1	D	D	no change	232	253	8.3%	21	D	D	no change	21	D	no change	232	253	8.3%	21	D	D	no change
	37,900	38,025		125				60,535	60,825		280							60,535	60,825		280			

Note: All volumes are in vehicles per hour (vph)
Note: Impact is indicated by change in LOS with the addition of project traffic

Table 4:

Project: 1640 Broadway - Segment Comparison

2020 PM Peak Hour - Both Directions

Comparison of No-Project vs Project

Link Location	PM		NB/EB		PM		SB/WB		No-Project 2020 PM LOS	Project 2020 PM LOS	Change in V/C In V/C > 3%	Change in LOS
	No-Project 2020 PM Vol	Project 2020 PM Vol	No-Project 2020 PM Vol	Project 2020 PM Vol	No-Project 2020 PM Vol	Project 2020 PM Vol	No-Project 2020 PM Vol	Project 2020 PM Vol				
State Highways												
I-880 - west of I-980	4,677	4,707	0.6%	30	D	D	4,490	4,530	C	C	40	no change
I-880 - east of Oak Street	8,659	8,663	0.0%	4	E	E	6,932	6,898	D	D	-34	no change
I-980 - north of I-880	3,345	3,296	-1.5%	-49	C	C	4,446	4,526	D	D	80	no change
I-980 - south of I-880	5,873	5,908	0.6%	35	E	E	3,463	3,548	C	C	85	no change
I-580 - west of I-980	9,793	9,770	-0.2%	-23	E	E	7,454	7,320	C	C	-134	no change
I-580 - east of 14th Avenue	8,968	8,978	0.1%	10	E	E	6,230	6,221	D	D	-9	no change
SR 24 - west of Caldecott Tunnel	10,315	10,428	1.1%	113	F	F	5,773	5,794	F	F	21	no change
SR 260 (Webster Tubes) - south of I-880	3,209	3,340	3.9%	131	F	F	3,426	3,512	F	F	86	no change
Arterials												
Broadway - north of 20th Street	290	292	0.7%	2	D	D	259	268	D	D	9	no change
Broadway - south of 12th Street	77	78	1.3%	1	D	D	154	156	D	D	2	no change
Harrison St - south of 11th Street	1,415	1,515	6.6%	100	D	D	0	0	A	A	0	no change
Franklin St - south of 12th Street	225	245	8.2%	20	D	D	0	0	A	A	0	no change
Webster St - south of 12th Street	0	0	0.0%	0	A	A	990	995	D	D	5	no change
7th Street - west of Clay Street	88	88	0.0%	0	D	D	0	0	A	A	0	no change
8th Street - east of Broadway	0	0	0.0%	0	A	A	452	460	D	D	8	no change
11th Street - west of MLK	611	608	-0.5%	-3	D	D	0	0	A	A	0	no change
12th Street - east of Broadway	0	0	0.0%	0	A	A	539	599	D	D	60	no change
12th Street - west of MLK	0	0	0.0%	0	A	A	2,129	2,173	D	D	44	no change
14th Street - east of Oak Street	436	428	-1.9%	-8	D	D	85	86	D	D	1	no change
14th Street - east of Broadway	87	86	-1.2%	-1	D	D	173	208	D	D	35	no change
Castro Street - south of 12th Street	471	471	0.0%	0	D	D	0	0	A	A	0	no change
Brush Street - south of 12th Street	0	0	0.0%	0	A	A	807	792	D	D	-15	no change
Clay Street - south of 12th Street	835	817	-2.2%	-18	D	D	38	39	D	D	1	no change
San Pablo Ave - north of 20th Street	220	254	13.4%	34	D	D	447	462	D	D	15	no change
Telegraph Avenue - north of 17th Street	61	62	1.6%	1	D	D	195	211	D	D	16	no change
	59,655	60,034		379			48,482	48,798			316	

Note: All volumes are in vehicles per hour (vph)
 Note: Impact is indicated by change in LOS with the addition of project traffic

Table 5:
Project: 1640 Broadway EIR - MTS Segment Evaluation for CMP Analysis
2005 AM Peak Hour
No-Project

Link Location	NB/EB Volume	Cap.	V/C	Lanes	LOS	SBWB Volume	Cap.	V/C	Lanes	LOS	Facility Type	
<i>State Highways</i>												
I-880 - west of I-980	6,331	6760	0.49	3	C	4,322	6760	0.64	3	C	FWY	
I-880 - east of Oak Street	6,045	9020	0.67	4	C	7,553	9020	0.85	4	E	FWY	
I-980 - north of I-880	2,903	6760	0.43	3	B	3,416	6760	0.50	3	C	FWY	
I-980 - south of I-580	2,810	6760	0.37	3	B	6,763	6760	0.85	3	E	FWY	
I-580 - west of I-980	7,137	11270	0.63	5	C	6,241	11270	0.73	5	D	FWY	
I-580 - east of 14th Avenue	5,749	9020	0.64	4	C	5,319	9020	0.82	4	E	FWY	
SR 24 - west of Caldecott Tunnel	3,027	4510	0.89	2	E	10,408	9020	1.15	4	F	FWY	
SR 260 (Webster Tubes) - south of I-880	2,785	3200	0.87	2	F	2,396	3200	0.78	2	F	Class 1	
<i>Arterials</i>												
Broadway - north of 20th Street	165	1740	0.04	2	D	447	1740	0.26	2	D	Class 2	
Broadway - south of 12th Street	17	1700	0.01	2	D	227	1700	0.13	2	D	Class 3	
Harrison St - south of 11th Street	1,055	2570	0.41	3	D	0	#N/A	#N/A	0	FALSE	Class 3	
Franklin St - south of 12th Street	188	3140	0.06	4	D	0	#N/A	#N/A	0	FALSE	Class 3	
Webster St - south of 12th Street	0	#N/A	#N/A	0	FALSE	693	3140	0.30	4	D	Class 3	
7th Street - west of Clay Street	185	3230	0.15	4	D	0	#N/A	#N/A	0	FALSE	Class 2	
8th Street - east of Broadway	0	#N/A	#N/A	0	FALSE	590	3140	0.19	4	D	Class 3	
11th Street - west of MLK	1,550	3230	0.46	4	D	0	#N/A	#N/A	0	FALSE	Class 2	
12th Street - east of Broadway	0	#N/A	#N/A	0	FALSE	285	2570	0.11	3	D	Class 3	
12th Street - west of MLK	0	#N/A	#N/A	0	FALSE	460	2640	0.17	3	D	Class 2	
14th Street - east of Oak Street	75	1740	0.04	2	D	313	1740	0.18	2	D	Class 2	
14th Street - east of Broadway	115	1700	0.07	2	D	231	1700	0.02	2	D	Class 3	
Castro Street - south of 12th Street	236	2640	0.09	3	D	0	#N/A	#N/A	0	FALSE	Class 2	
Brush Street - south of 12th Street	0	#N/A	#N/A	0	FALSE	1,635	2640	0.70	3	D	Class 2	
Clay Street - south of 12th Street	188	1740	0.29	2	D	23	1740	0.01	2	D	Class 2	
San Pablo Ave - north of 20th Street	24	1740	0.01	2	D	219	1740	0.14	2	D	Class 2	
Telegraph Avenue - north of 17th Street	8	1740	0.02	2	D	310	1740	0.18	2	D	Class 2	
	38,835					56,298						

Table 6:
 Project: 1640 Broadway EIR - MTS Segment Evaluation for CMP Analysis
 2005 PM Peak Hour
 No-Project

Link Location	NB/EB Volume	Cap.	V/C	Lanes	LOS	SB/WB Volume	Cap.	V/C	Lanes	LOS	
State Highways											
I-880 - west of I-980	4,749	6760	0.70	3	D	4,437	6760	0.66	3	C	FWY
I-880 - east of Oak Street	6,077	9020	0.90	4	E	6,547	9020	0.73	4	D	FWY
I-980 - north of I-880	3,224	6760	0.48	3	C	3,040	6760	0.45	3	B	FWY
I-980 - south of I-580	6,266	6760	0.78	3	D	2,987	6760	0.44	3	B	FWY
I-580 - west of I-980	9,742	11270	0.86	5	E	7,408	11270	0.66	5	C	FWY
I-580 - east of 14th Avenue	8,880	9020	0.96	4	E	8,008	9020	0.67	4	C	FWY
SR 24 - west of Caldecott Tunnel	9,432	9020	1.05	4	F	8,934	4510	1.34	2	F	FWY
SR 260 (Webster Tubes) - south of I-880	2,592	3200	0.81	2	F	3,120	3200	0.98	2	F	Class 1
Arterials											
Broadway - north of 20th Street	256	1740	0.15	2	D	240	1740	0.14	2	D	Class 2
Broadway - south of 12th Street	77	1700	0.05	2	D	182	1700	0.09	2	D	Class 3
Harrison St - south of 11th Street	1,122	2570	0.44	3	D	0	#/N/A	#/N/A	0	FALSE	Class 3
Franklin St - south of 12th Street	203	3140	0.06	4	D	0	#/N/A	#/N/A	0	FALSE	Class 3
Webster St - south of 12th Street	0	#/N/A	#/N/A	0	FALSE	1,378	3140	0.44	4	D	Class 3
7th Street - west of Clay Street	510	3230	0.16	4	D	0	#/N/A	#/N/A	0	FALSE	Class 2
8th Street - east of Broadway	0	#/N/A	#/N/A	0	FALSE	238	3140	0.09	4	D	Class 3
11th Street - west of MLK	145	3230	0.20	4	D	0	#/N/A	#/N/A	0	FALSE	Class 2
12th Street - east of Broadway	0	#/N/A	#/N/A	0	FALSE	448	2570	0.17	3	D	Class 3
12th Street - west of MLK	0	#/N/A	#/N/A	0	FALSE	1,958	2640	0.74	3	D	Class 2
14th Street - east of Oak Street	384	1740	0.23	2	D	32	1740	0.05	2	D	Class 2
14th Street - east of Broadway	86	1700	0.05	2	D	110	1700	0.06	2	D	Class 3
Castro Street - south of 12th Street	448	2640	0.25	3	D	0	#/N/A	#/N/A	0	FALSE	Class 2
Brush Street - south of 12th Street	0	#/N/A	#/N/A	0	FALSE	1196	2640	0.45	3	D	Class 2
Clay Street - south of 12th Street	763	1740	0.44	2	D	36	1740	0.02	2	D	Class 2
San Pablo Ave - north of 20th Street	155	1740	0.09	2	D	346	1740	0.20	2	D	Class 2
Telegraph Avenue - north of 17th Street	51	1740	0.03	2	D	385	1740	0.20	2	D	Class 2
	56,675					46,179					

Table 7:
 Project: 1640 Broadway EIR - MTS Segment Evaluation for CMP Analysis
 2005 AM Peak Hour
 With-Project

Link Location	NB/EB Volume	Cap.	V/C	Lanes	LOS	SB/WB Volume	Cap.	V/C	Lanes	LOS	Facility Type	
<i>State Highways</i>												
I-880 - west of I-980	3,189	6760	0.47	3	C	1,313	6760	0.64	3	C	FWY	
I-880 - east of Oak Street	6,042	9020	0.67	4	C	7,654	9020	0.85	4	E	FWY	
I-980 - north of I-880	2,884	6760	0.43	3	B	3,548	6760	0.52	3	C	FWY	
I-980 - south of I-580	2,956	6760	0.37	3	B	3,908	6760	0.87	3	E	FWY	
I-580 - west of I-980	7,306	11270	0.65	5	C	8,237	11270	0.73	5	D	FWY	
I-580 - east of 14th Avenue	5,745	9020	0.64	4	C	6,281	9020	0.92	4	E	FWY	
SR 24 - west of Caldecott Tunnel	4,019	4510	0.89	2	E	10,486	9020	1.16	4	F	FWY	
SR 260 (Webster Tubes) - south of I-880	2,797	3200	0.87	2	F	2,475	3200	0.77	2	F	Class1	
<i>Arterials</i>												
Broadway - north of 20th Street	65	1740	0.04	2	D	451	1740	0.27	2	D	Class 2	
Broadway - south of 12th Street	16	1700	0.01	2	D	229	1700	0.13	2	D	Class 3	
Harrison St - south of 11th Street	1,059	2570	0.41	3	D	0	#/N/A	#/N/A	0	FALSE	Class 3	
Franklin St - south of 12th Street	206	3140	0.07	4	D	0	#/N/A	#/N/A	0	FALSE	Class 3	
Webster St - south of 12th Street	0	#/N/A	#/N/A	0	FALSE	958	3140	0.30	4	D	Class 3	
7th Street - west of Clay Street	468	3230	0.14	4	D	0	#/N/A	#/N/A	0	FALSE	Class 2	
8th Street - east of Broadway	0	#/N/A	#/N/A	0	FALSE	580	3140	0.19	4	D	Class 3	
11th Street - west of MLK	1,549	3230	0.48	4	D	0	#/N/A	#/N/A	0	FALSE	Class 2	
12th Street - east of Broadway	0	#/N/A	#/N/A	0	FALSE	263	2570	0.11	3	D	Class 3	
12th Street - west of MLK	0	#/N/A	#/N/A	0	FALSE	338	2640	0.17	3	D	Class 2	
14th Street - east of Oak Street	75	1740	0.04	2	D	315	1740	0.18	2	D	Class 2	
14th Street - east of Broadway	115	1700	0.07	2	D	29	1700	0.02	2	D	Class 3	
Castro Street - south of 12th Street	240	2640	0.09	3	D	0	#/N/A	#/N/A	0	FALSE	Class 2	
Brush Street - south of 12th Street	0	#/N/A	#/N/A	0	FALSE	133	2640	0.69	3	D	Class 2	
Clay Street - south of 12th Street	47	1740	0.29	2	D	22	1740	0.01	2	D	Class 2	
San Pablo Ave - north of 20th Street	24	1740	0.01	2	D	249	1740	0.14	2	D	Class 2	
Telegraph Avenue - north of 17th Street	36	1740	0.02	2	D	231	1740	0.18	2	D	Class 2	
	38,821					56,624						

Table 8:
 Project: 1640 Broadway EIR - MTS Segment Evaluation for CMP Analysis
 2005 PM Peak Hour
 With-Project

Link Location	NB/EB Volume	Cap.	V/C	Lanes	LOS	SBWB Volume	Cap.	V/C	Lanes	LOS	Facility Type
State Highways											
I-880 - west of I-980	4,800	6760	0.71	3	D	4,488	6760	0.66	3	C	FWY
I-880 - east of Oak Street	8,100	9020	0.90	4	E	6,538	9020	0.72	4	D	FWY
I-980 - north of I-880	3,157	6760	0.47	3	C	3,270	6760	0.48	3	C	FWY
I-980 - south of I-580	5,268	6760	0.78	3	D	3,034	6760	0.45	3	B	FWY
I-580 - west of I-980	9,750	11270	0.87	5	E	7,389	11270	0.65	5	C	FWY
I-580 - east of 14th Avenue	8,638	9020	0.96	4	E	8,011	9020	0.67	4	C	FWY
SR 24 - west of Caldecott Tunnel	8,411	9020	1.04	4	F	6,032	4510	1.34	2	F	FWY
SR 260 (Webster Tubes) - south of I-880	2,583	3200	0.81	2	F	3,109	3200	0.97	2	F	Class 1
Arterials											
Broadway - north of 20th Street	2,257	1740	0.15	2	D	2,491	1740	0.14	2	D	Class 2
Broadway - south of 12th Street	64	1700	0.05	2	D	154	1700	0.09	2	D	Class 3
Harrison St - south of 11th Street	1,181	2570	0.44	3	D	0	#/N/A	#/N/A	0	FALSE	Class 3
Franklin St - south of 12th Street	212	3140	0.07	4	D	0	#/N/A	#/N/A	0	FALSE	Class 3
Webster St - south of 12th Street	0	#/N/A	#/N/A	0	FALSE	1,401	3140	0.45	4	D	Class 3
7th Street - west of Clay Street	2,308	3230	0.16	4	D	0	#/N/A	#/N/A	0	FALSE	Class 2
8th Street - east of Broadway	0	#/N/A	#/N/A	0	FALSE	238	3140	0.09	4	D	Class 3
11th Street - west of MLK	645	3230	0.20	4	D	0	#/N/A	#/N/A	0	FALSE	Class 2
12th Street - east of Broadway	0	#/N/A	#/N/A	0	FALSE	49	2570	0.17	3	D	Class 3
12th Street - west of MLK	402	1740	0.23	2	D	1,559	2640	0.74	3	D	Class 2
14th Street - east of Oak Street	86	1700	0.05	2	D	327	1740	0.05	2	D	Class 2
14th Street - east of Broadway	647	2640	0.25	3	D	1,115	1700	0.07	2	D	Class 3
Castro Street - south of 12th Street	0	#/N/A	#/N/A	0	FALSE	0	#/N/A	#/N/A	0	FALSE	Class 2
Brush Street - south of 12th Street	0	1740	0.44	2	D	1,200	2640	0.45	3	D	Class 2
Clay Street - south of 12th Street	760	1740	0.44	2	D	38	1740	0.02	2	D	Class 2
San Pablo Ave - north of 20th Street	157	1740	0.09	2	D	378	1740	0.22	2	D	Class 2
Telegraph Avenue - north of 17th Street	50	1740	0.03	2	D	387	1740	0.21	2	D	Class 2
	56,704					46,538					

Table 9:
 Project: 1640 Broadway EIR - MTS Segment Evaluation for CMP Analysis
 2020 AM Peak Hour
 No-Project

Link Location	NB/EB Volume	Cap.	V/C	Lanes	LOS	SB/WB Volume	Cap.	V/C	Lanes	LOS	Facility Type	
<i>State Highways</i>												
I-880 - west of I-980	3,215	6760	0.48	3	C	4,567	6760	0.68	3	D	FWY	
I-880 - east of Oak Street	5,877	9020	0.65	4	C	8,027	9020	0.89	4	E	FWY	
I-980 - north of I-880	2,841	6760	0.42	3	B	4,875	6760	0.72	3	D	FWY	
I-980 - south of I-580	2,600	6760	0.38	3	B	3,379	6760	0.94	3	E	FWY	
I-580 - west of I-980	6,871	11270	0.61	5	C	4,433	11270	0.75	5	D	FWY	
I-580 - east of 14th Avenue	5,502	9020	0.61	4	C	8,565	9020	0.95	4	E	FWY	
SR 24 - west of Caldecott Tunnel	4,168	4510	0.92	2	E	11,092	9020	1.23	4	F	FWY	
SR 260 (Webster Tubes) - south of I-880	2,923	3200	0.91	2	F	3,392	3200	1.03	2	F	Class 1	
<i>Arterials</i>												
Broadway - north of 20th Street	1740	1740	0.04	2	D	508	1740	0.29	2	D	Class 2	
Broadway - south of 12th Street	1700	1700	0.01	2	D	260	1700	0.15	2	D	Class 3	
Harrison St - south of 11th Street	1,066	2570	0.41	3	D	0	#N/A	#N/A	0	FALSE	Class 3	
Franklin St - south of 12th Street	1,204	3140	0.06	4	D	0	#N/A	#N/A	0	FALSE	Class 3	
Webster St - south of 12th Street	0	#N/A	#N/A	0	FALSE	874	3140	0.20	4	D	Class 3	
7th Street - west of Clay Street	105	3230	0.03	4	D	0	#N/A	#N/A	0	FALSE	Class 2	
8th Street - east of Broadway	0	#N/A	#N/A	0	FALSE	713	3140	0.23	4	D	Class 3	
11th Street - west of MLK	1,425	3230	0.44	4	D	107	#N/A	#N/A	0	FALSE	Class 2	
12th Street - east of Broadway	0	#N/A	#N/A	0	FALSE	324	2570	0.13	3	D	Class 3	
12th Street - west of MLK	0	#N/A	#N/A	0	FALSE	520	2640	0.20	3	D	Class 2	
14th Street - east of Oak Street	74	1740	0.04	2	D	139	1740	0.26	2	D	Class 2	
14th Street - east of Broadway	177	1700	0.07	2	D	35	1700	0.02	2	D	Class 3	
Castro Street - south of 12th Street	24	2640	0.09	3	D	0	#N/A	#N/A	0	FALSE	Class 2	
Brush Street - south of 12th Street	0	#N/A	#N/A	0	FALSE	128	2640	0.49	3	D	Class 2	
Clay Street - south of 12th Street	505	1740	0.29	2	D	22	1740	0.01	2	D	Class 2	
San Pablo Ave - north of 20th Street	30	1740	0.02	2	D	308	1740	0.18	2	D	Class 2	
Telegraph Avenue - north of 17th Street	42	1740	0.02	2	D	32	1740	0.13	2	D	Class 2	
	37,900					60,535						

Table 10:
 Project: 1640 Broadway EIR - MTS Segment Evaluation for CMP Analysis
 2020 PM Peak Hour
 No-Project

Link Location	NB/EB Volume	Cap.	V/C	Lanes	LOS	SB/WB Volume	Cap.	V/C	Lanes	LOS	Facility Type	
State Highways												
I-880 - west of I-980	4,677	6760	0.69	3	D	4,480	6760	0.66	3	C	FWY	
I-880 - east of Oak Street	8,859	9020	0.96	4	E	6,932	9020	0.77	4	D	FWY	
I-980 - north of I-880	3,345	6760	0.49	3	C	4,446	6760	0.66	3	C	FWY	
I-980 - south of I-580	5,873	6760	0.87	3	E	3,463	6760	0.51	3	C	FWY	
I-580 - west of I-980	9,793	11270	0.87	5	E	7,454	11270	0.66	5	C	FWY	
I-580 - east of 14th Avenue	8,958	9020	0.99	4	E	6,230	9020	0.69	4	D	FWY	
SR 24 - west of Caldecott Tunnel	10,315	9020	1.14	4	F	5,713	4510	1.28	2	F	FWY	
SR 260 (Webster Tubes) - south of I-880	3,209	3200	1.00	2	F	3,426	3200	1.07	2	F	Class 1	
Arterials												
Broadway - north of 20th Street	280	1740	0.17	2	D	289	1740	0.15	2	D	Class 2	
Broadway - south of 12th Street	77	1700	0.05	2	D	154	1700	0.09	2	D	Class 3	
Harrison St - south of 11th Street	1,115	2570	0.55	3	D	0	#N/A	#N/A	0	FALSE	Class 3	
Franklin St - south of 12th Street	225	3140	0.07	4	D	0	#N/A	#N/A	0	FALSE	Class 3	
Webster St - south of 12th Street	0	#N/A	#N/A	0	FALSE	989	3140	0.32	4	D	Class 3	
7th Street - west of Clay Street	66	3230	0.03	4	D	0	#N/A	#N/A	0	FALSE	Class 2	
8th Street - east of Broadway	0	#N/A	#N/A	0	FALSE	452	3140	0.14	4	D	Class 3	
11th Street - west of MLK	511	3230	0.19	4	D	0	#N/A	#N/A	0	FALSE	Class 2	
12th Street - east of Broadway	0	#N/A	#N/A	0	FALSE	539	2570	0.21	3	D	Class 3	
12th Street - west of MLK	0	#N/A	#N/A	0	FALSE	2,121	2640	0.81	3	D	Class 2	
14th Street - east of Oak Street	130	1740	0.25	2	D	155	1740	0.05	2	D	Class 2	
14th Street - east of Broadway	17	1700	0.05	2	D	174	1700	0.10	2	D	Class 3	
Casiro Street - south of 12th Street	17	2640	0.18	3	D	0	#N/A	#N/A	0	FALSE	Class 2	
Brush Street - south of 12th Street	0	#N/A	#N/A	0	FALSE	317	2640	0.31	3	D	Class 2	
Clay Street - south of 12th Street	835	1740	0.48	2	D	0	1740	0.02	2	D	Class 2	
San Pablo Ave - north of 20th Street	220	1740	0.13	2	D	447	1740	0.26	2	D	Class 2	
Telegraph Avenue - north of 17th Street	61	1740	0.04	2	D	195	1740	0.11	2	D	Class 2	
	59,655					48,482						

Table 11:
 Project: 1640 Broadway EIR - MTS Segment Evaluation for CMP Analysis
 2020 AM Peak Hour
 Project

Link Location	NB/EB Volume	Cap.	V/C	Lanes	LOS	SBWB Volume	Cap.	V/C	Lanes	LOS	Facility Type	
State Highways												
I-880 - west of I-980	3,197	6760	0.47	3	C	4,574	6760	0.68	3	D	FWY	
I-880 - east of Oak Street	5,837	9020	0.65	4	C	7,977	9020	0.88	4	E	FWY	
I-880 - north of I-880	2,868	6760	0.42	3	B	4,993	6760	0.74	3	D	FWY	
I-980 - south of I-580	2,617	6760	0.39	3	B	6,453	6760	0.95	3	E	FWY	
I-580 - west of I-980	6,882	11270	0.61	5	C	8,419	11270	0.75	5	D	FWY	
I-580 - east of 14th Avenue	5,484	9020	0.61	4	C	8,555	9020	0.95	4	E	FWY	
SR 24 - west of Caldecott Tunnel	4,239	4510	0.93	2	E	11,560	9020	1.24	4	F	FWY	
SR 260 (Webster Tubes) - south of I-880	2,987	3200	0.94	2	F	3,379	3200	1.05	2	F	Class 1	
Arterials												
Broadway - north of 20th Street	74	1740	0.04	2	D	523	1740	0.30	2	D	Class 2	
Broadway - south of 12th Street	17	1700	0.01	2	D	264	1700	0.16	2	D	Class 3	
Harrison St - south of 11th Street	1091	2570	0.42	3	D	0	#N/A	#N/A	0	FALSE	Class 3	
Franklin St - south of 12th Street	220	3140	0.07	4	D	0	#N/A	#N/A	0	FALSE	Class 3	
Webster St - south of 12th Street	0	#N/A	#N/A	0	FALSE	0	3140	0.20	4	D	Class 3	
7th Street - west of Clay Street	116	3230	0.04	4	D	0	#N/A	#N/A	0	FALSE	Class 2	
8th Street - east of Broadway	0	#N/A	#N/A	0	FALSE	0	3140	0.23	4	D	Class 3	
11th Street - west of MLK	1417	3230	0.44	4	D	0	#N/A	#N/A	0	FALSE	Class 2	
12th Street - east of Broadway	0	#N/A	#N/A	0	FALSE	320	2570	0.12	3	D	Class 3	
12th Street - west of MLK	0	#N/A	#N/A	0	FALSE	507	2640	0.19	3	D	Class 2	
14th Street - east of Oak Street	74	1740	0.04	2	D	463	1740	0.27	2	D	Class 2	
14th Street - east of Broadway	17	1700	0.07	2	D	35	1700	0.02	2	D	Class 3	
Castro Street - south of 12th Street	220	2640	0.09	3	D	0	#N/A	#N/A	0	FALSE	Class 2	
Brush Street - south of 12th Street	15	#N/A	#N/A	0	FALSE	277	2640	0.48	3	D	Class 2	
Clay Street - south of 12th Street	30	1740	0.29	2	D	0	1740	0.01	2	D	Class 2	
San Pablo Ave - north of 20th Street	30	1740	0.02	2	D	510	1740	0.18	2	D	Class 2	
Telegraph Avenue - north of 17th Street	1	1740	0.02	2	D	25	1740	0.15	2	D	Class 2	
	38,025					60,825						

Table 12:
 Project: 1640 Broadway EIR - MTS Segment Evaluation for CMP Analysis
 2020 PM Peak Hour
 Project

Link Location	NB/EB Volume	Cap.	V/C	Lanes	LOS	SB/WB Volume	Cap.	V/C	Lanes	LOS	Facility Type
State Highways											
I-880 - west of I-980	4,707	6760	0.70	3	D	4,530	6760	0.67	3	C	FWY
I-880 - east of Oak Street	8,663	9020	0.96	4	E	6,898	9020	0.76	4	D	FWY
I-980 - north of I-880	3,296	6760	0.49	3	C	4,526	6760	0.67	3	C	FWY
I-980 - south of I-580	5,968	6760	0.87	3	E	3,548	6760	0.52	3	C	FWY
I-580 - west of I-980	9,770	11270	0.87	5	E	7,320	11270	0.65	5	C	FWY
I-580 - east of 14th Avenue	8,978	9020	1.00	4	E	6,221	9020	0.69	4	D	FWY
SR 24 - west of Caldecott Tunnel	10,428	9020	1.16	4	F	6,194	4510	1.28	2	F	FWY
SR 260 (Webster Tubes) - south of I-880	3,340	3200	1.04	2	F	3,512	3200	1.10	2	F	Class 1
Arterials											
Broadway - north of 20th Street	242	1740	0.17	2	D	288	1740	0.15	2	D	Class 2
Broadway - south of 12th Street	78	1700	0.05	2	D	156	1700	0.09	2	D	Class 3
Harrison St - south of 11th Street	1,515	2570	0.59	3	D	0	#/N/A	#/N/A	0	FALSE	Class 3
Franklin St - south of 12th Street	245	3140	0.08	4	D	0	#/N/A	#/N/A	0	FALSE	Class 3
Webster St - south of 12th Street	0	#/N/A	#/N/A	0	FALSE	965	3140	0.32	4	D	Class 3
7th Street - west of Clay Street	88	3230	0.03	4	D	0	#/N/A	#/N/A	0	FALSE	Class 2
8th Street - east of Broadway	0	#/N/A	#/N/A	0	FALSE	460	3140	0.15	4	D	Class 3
11th Street - west of MLK	608	3230	0.19	4	D	0	#/N/A	#/N/A	0	FALSE	Class 2
12th Street - east of Broadway	0	#/N/A	#/N/A	0	FALSE	599	2570	0.23	3	D	Class 3
12th Street - west of MLK	0	#/N/A	#/N/A	0	FALSE	173	2640	0.82	3	E	Class 2
14th Street - east of Oak Street	28	1740	0.25	2	D	288	1740	0.05	2	D	Class 2
14th Street - east of Broadway	35	1700	0.05	2	D	230	1700	0.12	2	D	Class 3
Castro Street - south of 12th Street	71	2640	0.18	3	D	0	#/N/A	#/N/A	0	FALSE	Class 2
Brush Street - south of 12th Street	0	#/N/A	#/N/A	0	FALSE	732	2640	0.30	3	D	Class 2
Clay Street - south of 12th Street	617	1740	0.47	2	D	39	1740	0.02	2	D	Class 2
San Pablo Ave - north of 20th Street	254	1740	0.15	2	D	182	1740	0.27	2	D	Class 2
Telegraph Avenue - north of 17th Street	84	1740	0.04	2	D	211	1740	0.12	2	D	Class 2
	60,034					48,798					

IV. RESPONSES TO WRITTEN COMMENTS ON THE DRAFT EIR

The model assigns a 131 vehicle trip increase to this link for the "with project" case. This represents 3.9 percent of the "no project" peak volume. The additional 131 trips assigned by the model are not the result of simply adding project trips. Rather, the increase is the result of variations that occur when small changes are made to regional models. Such models were not intended to accurately represent changes to individual link volumes. As a further point of comparison, if the projected inbound PM peak hour trips were calculated using ITE trip generation rates (which are higher than trip generation measures from the model inputs), an additional 92 trips (or 2.9 percent of the baseline PM peak hour volume) would result from the project. Even if every inbound PM peak hour trip came to the project from Alameda, there would be 39 fewer trips on this link than the 131 trips projected by the model. Given the variations that occur in the way that a regional model measures trip generation, there can be a range of results with individual link volumes (2.9 to 3.9 percent). This projected range of increased trips is less than significant because it falls within the three percent criterion.



City of Alameda • California

LETTER C

August 31, 2000

Community and Economic Development Agency
 Zoning Division
 ATTN: Crescentia Brown, Planner IV
 250 Frank H. Ogawa Plaza
 Suite 114
 Oakland, CA 94612

Re: Comments on Draft Environmental Impact Report for the 1640 Broadway Mixed Use Development Project

Ms. Brown:

Thank you for allowing the City of Alameda to comment on the above referenced document. Following are the City of Alameda's comments:

- The DEIR Traffic, Circulation, and Parking section is deficient because the traffic impact on the intersections of Broadway and 5th Street, Broadway and 6th Street, Harrison Street and 7th Street, Jackson Street and 5th Street, and Jackson Street and 7th Street have not been analyzed. 7th Street between Harrison Street and Jackson Street, identified by the Alameda County Congestion Management Agency as a deficient segment, has not been analyzed. In addition, the project's impact on the Atlantic Avenue and Webster Street (Alameda) intersection has not been analyzed. These intersections and the roadway link are important because they provide the only access to and from the Webster and Posey Tubes. 1
- The DEIR Traffic, Circulation, and Parking section fails to analyze the impact of the project on the Alameda/Oakland Ferry service. 2

If you have require clarification or have any questions regarding these comments, please contact Kevin Bryant at (510) 748-4554.

Sincerely,

Kevin Bryant
 Kevin Bryant
 Planner II

for: Cynthia Eliason, AICP
 Planning Manager

cc: Assistant City Attorney (Brandt)
 Senior Civil Engineer, Land and Transportation Development Division

GMENVIRREVCORRES1640SDWY.COM

Planning Department

2263 Santa Clara Avenue, Room 120
 Alameda, California 94501

RESPONSES TO LETTER C - CITY OF ALAMEDA

C-1 Based on the types of land uses proposed at the project site and its location, eight intersections were selected for analysis in consultation with City of Oakland staff. Intersections further from the project site, including those identified in this comment, were not expected to receive a meaningful number of trips to warrant analysis in the EIR. In its comments in response to the Notice of Preparation, the Alameda County Congestion Management Agency (cited in this comment as identifying the noted link as deficient) did submit a formal request that the MTS roadway system, including 7th Street be analyzed, but not the specific link cited in this comment (see Draft EIR **Appendix A**).

The comment expresses concern that the specific intersections and roadway link are important because of their relation to the Webster and Posey Tubes (access to and from Alameda). The project trip assignment, which was based on trip distribution patterns from the City of Oakland General Plan, resulted in a maximum of 10 project trips to either tube (Webster Tube, PM peak hour). This small number of trips is considered less than significant and illustrates that including these intersections and roadway links within the traffic analysis was not necessary.

C-2 Transit riders will generally be willing to walk approximately one-quarter mile to access transit (a rule-of-thumb estimate used by transportation planners). The ferry terminal is approximately one mile from the project site. Ferry riders would, therefore, have to walk approximately four times the rule-of-thumb distance or incorporate at least one mode transfer (car to ferry, bus to ferry, etc.). Alternatively, BART and AC Transit trans-bay service is available immediately adjacent to the project site. Therefore, it is believed that few transit riders at the project site will choose to ride the ferry. This conclusion is consistent with a response to a similar comment of the Draft EIR for the City Center Project, a project that lies closer to the ferry terminal than the 1640 Broadway project (see Response F-6 in the Oakland City Center Project Final Environmental Impact Report, April 14, 2000). Accordingly, there will be less than significant impacts on ferry service.

Office of the General Counsel

AC Transit

Alameda-Contra Costa Transit District

Office (510) 891-4827
FAX (510) 891-4724

LETTER D

September 1, 2000

**Via Facsimile to
(510) 238-4730**

Ms. Crescentia Brown
Planner IV
Community and Economic Development Agency
250 Frank H. Ogawa Plaza, Site 2114
Oakland, CA 94612

Re: DEIR 1640 Broadway Mixed Use Development Project (ER 00-002)

Dear Ms. Brown:

AC Transit appreciates the opportunity to comment on the DEIR for the above project.

In general the transportation/circulation element of the DEIR was adequate.

The District recommends the consideration of the following mitigation measures:

1

- Refurbish the bus stop(s) immediately adjacent to the station. This mitigation measure would improve passenger amenities which make the use of mass transit more attractive as an alternative to single occupancy automobiles.
- To encourage the use of AC Transit and implement Oakland's Transit First Policy, require a transit faire annually at the complex in which AC Transit would participate.
- Encourage the businesses in the complex to use the tax deductible transit commuter check program to reduce single occupancy vehicle use.

Sincerely,



Kenneth C. Scheidig
General Counsel

KCS/af

1600 Franklin Street, Oakland, California 94612

**RESPONSE TO LETTER D - ALAMEDA-CONTRA COSTA
TRANSIT DISTRICT**

D-1 The bus stop immediately adjacent to the project site currently has two benches that appear to be in good condition, and were being used by people during field visits to the project site. The relative location of the building, the bus stop, and the BART Station will provide substantial encouragement to take transit. Moreover, the City has recently issued a request for proposals for a comprehensive transit shelter program along Broadway and other major arterials.

On Draft EIR page IV-29, following the second complete non-bulleted paragraph under **Mitigation Measure B.3**, the following text has been added:

"In an effort to further increase transit ridership, the following mitigation measures shall be implemented:

- Hold or participate in a transit faire annually at the complex in which AC Transit would participate.
- Encourage the businesses in the complex to use the tax deductible transit commuter check program to reduce single occupancy vehicle use by advertising the availability of the program and other means, such as including information as part of the packet received at the time of initial occupancy."



LETTER E

September 1, 2000

City of Oakland
Community and Economic Development Agency
Planning Division
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612
Attn: Crescentia Brown, Planner IV

Re: Draft EIR for 1640 Broadway Mixed Use Development Project

Dear Ms. Brown;

Oakland Heritage Alliance would like to applaud this proposal. This mixed use project of high quality construction and design proposed for a vacant parcel can become a candidate for a Landmark of the Future without destroying a Landmark of the Past.

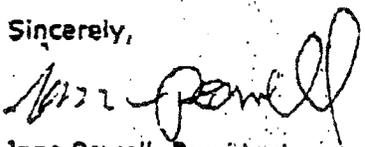
1

In fact, the spin-off revitalization resulting from a project at this location on Broadway near the proposed Theater District can make the restoration of existing Landmarks like the Fox Theater and the Floral Depot economically feasible. It will also help realize a pay off for the City's investment in the restoration of the Rotunda.

It is in perfect context with its surroundings. This is precisely where high rise construction belongs. It adds to its distinctive multi-story neighbors at Oakland's core.

This is a perfect example of the kind of project that the City of Oakland should demand for our downtown. With its high density, quality construction and design, and mixed use, it is truly an example of elegant density. Oakland should realize the potential of its downtown location near regional transit to help meet the growing regional demand for housing and office space. Space in the downtown core is valuable. Future development in this area should use this model as more appropriate to the downtown core than low-rise suburban-style development.

In summary, we see this project as having a significant environmental impact — a very positive one.

Sincerely,

Jane Powell, President

IV. RESPONSES TO WRITTEN COMMENTS ON THE DRAFT EIR

RESPONSE TO LETTER E - OAKLAND HERITAGE ALLIANCE

E-1 Opinions regarding the proposed project are noted.

Brown, Crescentia

From: Christopher Pederson [chpederson@yahoo.com]
Sent: Friday, September 01, 2000 12:21 PM
To: Brown, Crescentia
Subject: 1640 Broadway Draft EIR Comment

LETTER F

Crescentia Brown
Planner IV
250 Frank Ogawa Plaza, Ste. 2114
Oakland, CA 94612

September 1, 2000

Dear Ms. Brown,

This letter submits comments in response to the draft environmental impact report (DEIR) for the 1640 Broadway Mixed Use Development Project.

I fully support a project of this size that combines residential, commercial, and retail uses in downtown Oakland. The DEIR, however, has two deficiencies that I believe should be corrected.

I. MISIDENTIFICATION OF NO PROJECT ALTERNATIVE AS ENVIRONMENTALLY SUPERIOR ALTERNATIVE

First, it incorrectly identifies the "No Project" alternative as the environmentally superior alternative. The DEIR reached this conclusion without considering the significant adverse environmental consequences of indefinitely limiting the site of the proposed project to its current use as a parking lot. Currently, the sole use of the lot is to provide parking for commuters. As the Land Use and Transportation element of Oakland's General Plan recognizes, abundant inexpensive parking discourages transit ridership. Given that two BART stations and more than a dozen AC Transit lines (including many lines that are not identified in the DEIR) serve the immediate vicinity of the project and given that other parking lots and garages already serve the area, the parking lot that would be displaced by the proposed project serves no function other than the environmentally destructive ones of encouraging car use and discouraging transit ridership.

1

The No Project alternative would also perpetuate the blighting effects of the current parking lot, which is vacant most of the time.

Finally, the DEIR fails to consider the environmental effects of forcing the office space and residences that would be accommodated by the project to be built elsewhere. With the exception of downtown San Francisco, no location in the Bay Area is as transit oriented as downtown Oakland. Given the current legal, financial, and physical constraints on further development in downtown San Francisco, development

1

that is not allowed to occur in downtown Oakland is likely to occur in more environmentally destructive, automobile-oriented sprawling developments.

The final EIR should therefore evaluate these adverse environmental effects of the No Project alternative. If the City decides to reduce the size of the project, it must also consider the adverse environmental consequences of displacing office and residential development into more sprawling, automobile-oriented developments.

II. THE PROJECT CALLS FOR EXCESSIVE AMOUNTS OF PARKING

Second, the DEIR squanders significant opportunities to mitigate automobile-related adverse effects of the project. In particular, the DEIR calls for an excessive amount of parking, greatly exaggerates the need for additional parking, and, in violation of Oakland's General Plan, ignores opportunities to mitigate the project's alleged parking deficit by encouraging transit use and discouraging car use.

2

These problems stem from the City's apparent decision to enforce the parking requirements of outdated zoning provisions that are inconsistent with and predate the Land Use and Transportation element of Oakland's General Plan. The General Plan expressly calls for transit-oriented development downtown, recognizes the positive effects of congestion in encouraging transit use, and calls for the creation of incentives to use alternative forms of transportation. See Policies T2.1, T3.3, T4.2. The General Plan explicitly identifies reduced parking requirements as a promising incentive for transit-oriented development.

Despite these provisions of the General Plan, the DEIR assumes that the project will include enough parking to satisfy the outdated parking requirements. 146 spaces will be exclusively dedicated to residential use and 138 will be targeted for commercial use. There are many potential ways to reduce the amount of parking provided by the project and thereby lessen the environmental harm caused by excessive automobile use encouraged by easy, cheap parking. (It is also important to keep in mind that the DEIR used very conservative assumptions regarding parking and therefore probably overstates by a significant margin the amount of parking demand that would be created by the project without mitigation.) For example:

1) Shared use parking. The peak period for residential parking is when parking for commercial purposes is at its lowest, and vice versa. The number of spaces allocated for commercial use could be reduced significantly by allowing residential and commercial tenants to share parking.

3

2) Residential parking in Franklin St. garage. The Franklin St. garage is largely vacant during non-business hours when residential parking demands

4

are highest. The number of spaces allocated for residential use in the proposed project could be reduced significantly by reserving spaces in the Franklin St. garage for non-business-hour residential parking.

3) Require all users of the parking provided by the proposed project to pay market rates for the parking. This would lessen the incentive that subsidized parking provides to drivers. 5

4) Require developer fees to pay for transit enhancements in lieu of requiring the current large number of parking spaces. This would make transit a comparatively more attractive transportation option than it now is. 6

Thank you for your consideration of these comments regarding the DEIR for the 1640 Broadway project.

Sincerely,
Christopher Pederson
827 Warfield Ave. Apt. 2
Oakland, CA 94610

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<http://mail.yahoo.com/>

RESPONSES TO LETTER F - CHRISTOPHER PEDERSON

F-1 The commentator's opinion is noted regarding the identification of the environmentally superior alternative in the Draft EIR. In evaluating the project alternatives for the purposes of identifying the environmentally superior alternative, the major consideration was the extent to which each alternative would affect or result in potentially significant impacts compared to the existing environment. The existing environment at the project site is a paved surface parking lot, and under the "No Project" Alternative, the environmental characteristics of this parking lot would remain unchanged. No construction activity would be anticipated under this alternative, no additional vehicle trips would be generated under this alternative, and all effects associated with the operation of the parking lot in its current condition would remain the same. Since the amount of parking available at the project site would not be increased under the "No Project" Alternative, operating the site in its current condition would not be regarded as "encouraging car use and discouraging transit ridership". While this alternative would be the least environmentally disruptive of the alternatives evaluated, as noted on page V-10 of the Draft EIR, it would meet none of the project objectives.

The commentator's opinion is noted regarding the blighting effects of the existing parking lot. Under the "No Project" Alternative, the visual character of the site would remain unchanged. While opportunities to improve the visual appearance of the site would be missed under this alternative, leaving it in its current condition would not be regarded as a significant environmental effect.

The commentator's opinion is noted regarding the alternative location of office and residential development under the "No Project" Alternative. The project applicant has expressed no interest in developing a similar project in an alternative location, and assumptions regarding the ultimate location of any possible "replacement" development that might occur if the project site is not developed as currently proposed are speculative.

F-2 The commentator's opinions are noted regarding the amount of parking to be provided at the project site and the validity of current City of Oakland parking requirements. The environmental analysis of parking as presented in the Draft EIR requires a comparison of parking spaces supplied by the proposed project to estimated parking demand, as calculated using standard published parking demand rates (from the Institute of Transportation Engineering, in this case). As

indicated in the Draft EIR, the amount of parking to be provided at the project site meets the parking requirements established by the City of Oakland (284 spaces proposed, a minimum of 283 spaces required by the City). However, the proposed number of parking spaces would be insufficient to meet the maximum anticipated demand for parking generated by the office uses proposed on-site, which has been identified as a significant and unavoidable environmental impact associated with project development. The question of whether the parking to be provided at the project site is actually "excessive", "adequate" or "inadequate" to serve the project is a policy issue which will be considered when the City of Oakland Planning Commission considers the project within the context of the City's current parking requirements and the anticipated parking demand.

- F-3** The implementation of a shared parking management system is identified as a mitigation measure on Draft EIR page IV-30. Nevertheless, there are two issues related to shared parking that may make it a less desirable mitigation measure in this instance than for some other projects. First, a shared parking arrangement would not reduce the significant impact to a level of less-than-significant because of the theoretical demand associated with the proposed project. That is, there would still be a parking space deficit during some peak periods as defined by the parameters of the evaluation, even with fully shared parking. Second, there would be less of a benefit because of how the residential spaces would likely be used. Because of the availability of transit, many residents will likely choose to take transit to work, leaving their automobiles parked at the project site. This would reduce the number of spaces that office users could "share".
- F-4** As suggested in this comment, there would be little advantage to using the Franklin Street garage for residential parking, since there will likely be a fixed number of owned automobiles approximately equal to the number of residential units. With many of the residents choosing to take transit to work on a regular basis, these automobiles will remain "home". It would be less of a parking impact in the project area to keep these vehicles on the project site than to park them off-site. If off-site spaces in an existing parking garage were used, they would either (a) compete for spaces currently used by workers and shoppers; or (b) be required to be moved during the day, thus encouraging automobile usage instead of discouraging it.
- F-5** On Draft EIR page IV-30, one of the mitigation measures identified is to price parking within leases or by other means to help limit the number of tenants who drive to the site. Furthermore, with the demand for parking outpacing the supply

IV. RESPONSES TO WRITTEN COMMENTS ON THE DRAFT EIR

in the project area, even under existing conditions, residential units and office space offering some parking will garner a higher market price than comparable space that does not offer parking. Therefore, even without specific parking fees, the tenants will be paying for parking, albeit indirectly.

- F-6** The City of Oakland currently has no requirement that developers pay fees for transit enhancements in lieu of providing the minimum number of parking spaces necessary under the current land use regulations, and no formal mechanism currently exists to allow such payments as part of the development process. However, in those instances where City decision-makers may determine that the number of parking spaces proposed to support a particular project is excessive, the City may wish to consider establishing a mechanism which would enable such an in lieu payment. Here, however, the applicant's building program includes the number of parking spaces that will adequately serve the needs of occupants.

V

RESPONSES TO COMMENT AT THE PUBLIC HEARING ON THE DRAFT EIR

The City of Oakland Planning Commission conducted a public hearing on August 16, 2000, to provide the public an opportunity to comment on the Draft EIR. The following comments, presented in summary form, were received from the public and from members of the Planning Commission.

Comment 1

MARGARET CAFARELLI, project sponsor, and SCOTT LEE, project architect, presented the proposed project, using sketches and floor plans, and responded to questions from the Commission.

Response 1

The comments were not directly focused on the EIR and do not address the adequacy of the EIR. Therefore, no further response is required.

Comment 2

STEVE LOW indicated that he liked the proposed project, and believed that it looked great. However, he was worried that the proposed development was a lot different from what is proposed as part of the Uptown Project several blocks away. At the Uptown Project, building heights will be limited to five stories, since the Uptown Project proponents have indicated that demand for taller structures is not there. Mr. LOW expressed his belief that the Uptown Project structures as currently proposed would be too low, and that the Uptown Project would likely fail, while the 1640 Broadway Project would likely succeed.

V. RESPONSES TO COMMENT AT THE PUBLIC HEARING ON THE DRAFT EIR

Response 2

The opinion of the commentator is noted. Since the comments were not directly focused on the EIR and do not address the adequacy of the EIR, no further response is required.

Comment 3

PLANNING COMMISSIONER CLARK requested that the discussion in the Noise Chapter of the Draft EIR be revised to provide an expanded explanation of the notification procedures which would be associated with pile driving at the project site, and that a specific radius requirement for notification be established as a way of providing added certainty for both the project applicants and nearby residents.

Response 3

Mitigation Measure D.1.b on Draft EIR page IV-51 requires that a specific pile driving schedule be confirmed with the Building Division and that all property owners, businesses and residents be notified in writing at least 72 hours prior to pile driving activities. On Draft EIR page IV-51, the text of Mitigation Measure D.1.b has been modified to read as follows:

"Mitigation Measure D.1.b: Prior to pile driving, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified noise consultant. These measures may include attenuation shields or blankets around the site, pre-drilling of piles, the use of more than one pile driver, if feasible to lessen the total time required for driving piles, and other measures. A specific schedule shall also be confirmed with the Building Division and all property owners, businesses and residents within a minimum radius of 300 feet shall be notified in writing at least 72 hours prior to pile driving activities."

Comment 4

PLANNING COMMISSIONER CLARK stated his belief that the project was wonderful, and that it would place a structure of considerable height where it would be appropriate.

Response 4

This comment was not directly focused on the EIR and does not address the adequacy of the EIR. Therefore, no further response is required.

Comment 5

PLANNING COMMISSIONER LIGHTY stated his belief that this project was exactly what the City of Oakland needs.

Response 5

This comment was not directly focused on the EIR and does not address the adequacy of the EIR. Therefore, no further response is required.

Comment 6

PLANNING COMMISSIONER LIGHTY stated that open space issues related to the proposed project were not addressed in the Staff Report, asked if there were specific mitigation measures related to the provision of open space which would be identified, and requested that open space issues be addressed more extensively in the Final EIR.

Response 6

During the preparation of the Initial Study for the project, potential impacts to existing neighborhood and regional parks and other recreational facilities were deemed to be a less than significant impact because the project would provide a substantial portion of its on-site, group open space as well as additional private open space for some of the residential units.

The larger issue of providing adequate open space and recreational facilities for high density, central district housing and mixed use projects is a multi-faceted one. There are a range of factors to consider, including:

- Residents who live in high density, urban central districts obviously have different expectations and requirements about how their recreational and open space needs will be fulfilled. Private open space is not as likely to be as important a factor as visual buffer and relief through landscaped courtyards, public parks, plazas, bicycle and pedestrian corridors, and other public amenities such as public art projects.
- The provision of private balconies is not an ideal solution from an architectural and design viewpoint as well as a practical one. Quite often, balconies do not fit within the architectural character of a project and appear to be tacked on. Balconies often appear cluttered and unsightly if there is not adequate monitoring and control of how they are used.
- Similarly, roof decks and central courtyard areas are not the entire answer to providing open space areas from a design standpoint and practical considerations by project

V. RESPONSES TO COMMENT AT THE PUBLIC HEARING ON THE DRAFT EIR

residents with regard to hours of use, perception of how the space is to be used, and maintenance.

With these considerations in mind and in order to encourage high density housing, compliance with open space requirements should be flexible and consistent with the broader design and context issues within the downtown. The establishment of a minimum requirement per unit, with a certain percentage devoted to common recreational space is one option. The remainder of the requirement could be fulfilled through the payment of an in-lieu fee. Such fees could be devoted to specific projects for improvements to downtown parks.

Comment 7

PLANNING COMMISSIONER LIGHTY indicated that the impacts associated with pile driving at the project site need stronger mitigation measures which would address these impacts in as detailed a way as possible.

Response 7

With regard to potential pile driving impacts at the project site, Mitigation Measure D.1.b on Draft EIR page IV-51 requires that a set of site-specific measures be instituted to contain the noise from pile driving, under the direction of a qualified noise consultant. These measures may be further specified as to the degree of mitigation that would be feasible, and under what other conditions and requirements, given the physical constraints at the site and the adjacent sensitive receptors. In the absence of more detailed information and specifications about the type of foundation system, type and number of piles, and other construction staging and phasing information, calling for any more specific measures that this time would be premature and may not be as effective.

Comment 8

PLANNING COMMISSIONER LIGHTY indicated that more discussion on parking strategy should be included in the Final EIR, and that this project could serve as a catalyst for the initiation of mitigation which could address cumulative parking impacts downtown.

Response 8

Mitigation Measure B.3 identifies a variety of strategies for managing parking demand. As noted, the project will contribute to a cumulative parking impact in the downtown area given the overall increase in demand projected as the result of new development. The City faces the difficult dilemma of encouraging redevelopment and investment in the downtown area, and at the same time providing incentives to reduce the number of single occupant vehicle trips. Parking

supply is a critical element in this strategy, along with carpooling, vanpooling, parking pricing, bicycling, transit and walking. The parking supply established for individual projects must meet the needs of the developer in order for the office space and residential units to compete effectively in the market. Concurrently, it is important to not provide an incentive for single occupant vehicle trips because of excessive parking supply.

A transportation demand management approach, using a combination of the techniques identified in **Mitigation Measure B.3**, has effectively reduced the number of overall trips and parking demand within central urban districts. The City of Oakland has prepared a Request for Proposals for such a strategy (along with other transportation and circulation improvements) and will be working with developers and property owners to implement specific elements during the next few years.

In the EIR, a ten percent parking demand reduction rate was assumed for residential and a thirty percent parking demand reduction rate was assumed for the office and commercial uses. Further reductions are possible but not easily quantified without more specific information about the type of commercial tenants that will occupy the building. Further, from a review of case studies, parking pricing has been documented to be the most effective disincentive to single-occupancy vehicle use. Such a program cannot work effectively on an individual project basis; parking pricing policy must be comprehensively addressed throughout the downtown district. In addition, parking pricing can be easily defeated if on-street parking controls (timed parking, metered parking and other techniques) are not simultaneously instituted in the downtown and the immediately surrounding areas. These issues will be analyzed and addressed in the City's Transportation, Circulation and Parking Management Study. In the interim, the Planning Commission can establish a range of measures on a project by project basis through conditions of approval, and gain the applicant's commitment to participate in a downtown strategy once it is developed.

