




Public Works Department

CONSENT CALENDAR

July 17, 2012

To: Honorable Mayor and Members of the City Council  
From:  Christine Daniel, City Manager  
Submitted by: Andrew Clough, Director, Public Works  
Subject: Mitigation Agreement with Safeway for Expansion at 6310 College Avenue, Oakland

RECOMMENDATION

Adopt a Resolution:

1. Approving the business terms in the attached letter (Exhibit A) from Safeway and authorizing the City Manager to negotiate and execute a contract between the City of Berkeley and Safeway, requiring Safeway to fund or construct mitigations in Berkeley as specified in the letter to address traffic impacts of the proposed Safeway project at 6310 College Avenue in Oakland; and
2. Directing the City Manager to request that the City of Oakland incorporate the terms of the letter as conditions of approval to mitigate the project's impacts in Berkeley.

FISCAL IMPACTS OF RECOMMENDATION

There will be no impact to City funds as the accepted funds would fully fund the proposed improvements.

PROPOSED SAFEWAY PROJECT AND IMPACTS ON BERKELEY

The proposed project consists of the expansion of the existing Safeway grocery store located at 6310 College Avenue, Oakland, at the northeast corner of Claremont Avenue. For the past 40 years the 2.1 acre site has been occupied by: a 25,000 gross square feet (gsf) Safeway store; 96 surface parking spaces serving Safeway; and a gas station, which is currently closed.

Safeway proposes to demolish the store, the parking lot, and the gas station, and construct a 2-story building of approximately 62,000 gsf that would house the following:

- 50,400 gsf Safeway store.
- 11,500 gsf ground floor retail along College Avenue (approximately 8 stores).
- Partially below-grade parking garage (approximately 173 parking spaces) with access and egress from both College and Claremont Avenues.
- Loading dock for 2 trucks on the upper level of the garage with access and egress only from Claremont Avenue.

Safeway has prepared a Draft Environmental Impact Report (DEIR) that identifies significant and unavoidable impacts at the following 4 intersections within the City of Berkeley:

1. Ashby Avenue and College Avenue
2. Ashby Avenue and Claremont Avenue
3. Alcatraz Avenue and College Avenue
4. Alcatraz Avenue and Claremont Avenue

### BACKGROUND

Staff submitted a Council report on October 11, 2011: "Safeway Project at 6310 College Avenue Comments to City of Oakland" (Attachment 3) requesting comments on the Safeway DEIR. Safeway personnel, after presenting a brief summary of their project, responded to questions from the Council. Berkeley staff had prepared a letter providing comments to Oakland and Safeway on the DEIR, and the Council provided further comments that staff then incorporated into the letter, which was sent to Oakland for their consideration.

Currently, Oakland staff, working with City of Berkeley staff and the Safeway development team, have developed a list of Conditions of Approval for the project (Attachment 1, Exhibit A). Essentially, the Conditions that affect Berkeley require that, before Oakland issues a Certificate of Occupancy (C of O) to Safeway, Safeway must place funds into an escrow account to ensure that specified improvements can be completed with no financial impact on Berkeley. Any portion of the funds not spent within either a 3 or 5-year period (starting from issuance of the C of O) would have to be released back to Safeway. These time periods allow for Berkeley staff to convene community meetings to develop specific improvements that are satisfactory to the local neighborhood, yet consistent with the Conditions of Approval.

The DEIR proposes improvements to reduce impacts on the 4 impacted intersections to a less than significant level by implementing the following measures. It is these improvements that are memorialized in the recommended Conditions of Approval.

1. **Ashby Avenue and College Avenue:** Provide funding to convert the signal operation to fully actuated operation (vehicles and pedestrians receive the green or Walk only when a vehicle or a person activates the signal) and update signal timing. Provides all costs for design and construction; Berkeley is responsible for managing, designing, and constructing the project. This work would be coordinated with projects in the already-existing Fourth Bore Agreements.
2. **Ashby Avenue and Claremont Avenue:** Reconfigure westbound lanes on Ashby to provide a dedicated left-turn only lane. Convert signal operations to fully actuated operation and update signal timing. Provides all costs for design and construction; Berkeley is responsible for managing, designing, and constructing the project. This work would be coordinated with projects in the already-existing 4<sup>th</sup> Bore Agreements

3. **Alcatraz Avenue and College Avenue:** Provide northbound and southbound left turn lanes with protected left turn signal phasing. Relocate AC Transit bus stops from near-side to far-side. Update signal timing. Coordinate signal with City of Oakland signals to the south. Safeway would be responsible for managing, designing, and constructing these improvements though Berkeley would be responsible for all oversight and approval of designs and issuance of permits. Several meetings have already been held to finalize the design and achieve consensus with the community.
4. **Alcatraz Avenue and Claremont Avenue:** Provide funding for installation of a traffic signal and signal coordination with the Safeway-proposed signal on Claremont Avenue at their new driveway. However, Berkeley staff will meet with local residents to ascertain if other improvements are preferable and, if so, the funding could be utilized for these other improvements at the sole discretion of Berkeley.

#### RATIONALE FOR RECOMMENDATION

Accepting the funds would allow the City to install intersection improvements that would mitigate impacts from the proposed Safeway expansion at their College Avenue location. These funds would fully cover costs for design, construction, and inspection. Staff time to hold several community meetings, prepare contracts for design, and to review consultant's designs would not be covered, and could be absorbed into existing staff's workloads.

#### ALTERNATIVE ACTIONS CONSIDERED

The City could decline to accept the funds or not enter into an agreement accepting the funds resulting in no installation of intersection improvements and, therefore, unmitigated impacts of the Safeway expansion would occur.

#### CONTACT PERSON

Farid Javandel, Transportation Manager, Public Works, 510-981-7061  
Michael Vecchio, Associate Transportation Engineer, Public Work, 981-6445

#### Attachments:

- 1: Resolution  
Exhibit A: Safeway Letter of Commitment and Conditions
- 2: Berkeley City Council Report: Safeway Project at 6310 College Avenue Comments to City of Oakland, October 11, 2011
- 3: City of Berkeley letter sent to City of Oakland, October 17, 2011

RESOLUTION NO.##,###-N.S.

APPROVE THE BUSINESS TERMS FROM SAFEWAY AND AUTHORIZE THE CITY MANAGER TO 1) NEGOTIATE AND EXECUTE A CONTRACT BETWEEN THE CITY OF BERKELEY AND SAFEWAY; AND 2) REQUEST THE CITY OF OAKLAND TO INCORPORATE THE TERMS OF THE LETTER AS CONDITIONS OF APPROVAL TO MITIGATE THE PROJECT'S IMPACTS IN BERKELEY

WHEREAS, Safeway's expansion of its store on 6310 College Avenue, Oakland, would have significant impacts at Ashby at College Avenues, Alcatraz at Claremont Avenues, Ashby at Claremont Avenues, and Alcatraz and College Avenues; and

WHEREAS, Safeway has developed improvements designed to mitigate said impacts to a less than significant level at these four intersections; and

WHEREAS, these improvements have been reviewed and accepted by City of Berkeley staff; and

WHEREAS, Safeway will provide an amount agreed to by the City Manager as authorized by this Resolution, to fund design, construction, and inspection of the improvements proposed at Ashby at College Avenues, Alcatraz at Claremont Avenues, and Ashby at Claremont Avenues; and

WHEREAS, Safeway has prepared a proposed Letter of Commitment agreeing to fund these improvements; and

WHEREAS, Safeway, at its own cost, will fund and manage the design, construction, and inspection of intersection improvements at Ashby at Claremont Avenues with continual oversight, review, and permitting by City staff; and

WHEREAS, the City of Oakland has prepared Conditions of Approval for the proposed Safeway project that requires Safeway to implement these improvements based on specified timelines that would preclude issuance of a Certificate of Occupancy to Safeway if these Conditions were not met; and

WHEREAS, if the City does not accept these funds then the impacts of the Safeway project would go unmitigated.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to negotiate and execute a contract between the City of Berkeley and Safeway requiring Safeway to fund or construct mitigations in Berkeley as specified in the letter to address traffic impacts of the proposed Safeway project at 6310 College Avenue in Oakland for improvements at Ashby at College Avenue, Alcatraz at Claremont Avenue, and Ashby at Claremont Avenue.

BE IT FURTHER RESOLVED that the City of Berkeley directs the City Manager to request that the City of Oakland incorporate the terms of the letter and proposed contract as conditions of approval to mitigate the project's impacts in Berkeley consistent with the conditions of approval.

BE IT FURTHER RESOLVED that City of Berkeley Staff will cooperate with Safeway staff and their chosen consultant and contractor to complete the improvements at Alcatraz and College Avenues.

Exhibit A: Safeway Letter of Commitment and Conditions



July 2, 2012

Mayor Tom Bates and Members of the  
Berkeley City Council  
2180 Milvia Street  
Berkeley, CA 94704

Re: Berkeley Traffic Mitigations for Proposed Safeway at College and Claremont Avenues in Oakland

Dear Mayor Bates and Members of the Berkeley City Council:

As you know, Safeway Inc. is seeking approvals from the City of Oakland to demolish its existing store at College and Claremont Avenues and construct a significantly upgraded grocery store as well as additional space for new retail and restaurant uses. We are aware that the City of Berkeley has had concerns regarding the possible effects that this project could have on traffic flow at intersections located within Berkeley's borders. This letter is to inform you that Safeway understands Berkeley's concerns and commits to working in good faith with Berkeley to address potential traffic issues at these intersections.

By way of background, last year Oakland prepared and circulated a Draft Environmental Impact Report for Safeway's proposed project, as required by the California Environmental Quality Act. Based on an extremely conservative traffic analysis, the Draft EIR found that the project could have significant traffic impacts at four intersections in Berkeley: the intersections of Alcatraz Avenue at both College Avenue and Claremont Avenue, and the intersections of Ashby Avenue at both College Avenue and Claremont Avenue. Although mitigation measures were identified for all four intersections that would reduce these impacts to less than significant levels, the Draft EIR nonetheless concluded that the impacts were unavoidable because Oakland did not have the power to require improvements within Berkeley's jurisdiction. However, Safeway is fully prepared to "make Berkeley whole" with respect to these intersections, and has met with Berkeley staff several times to determine what approach would work best for the city.

As a result of these meetings, Safeway and Berkeley staff have come to a tentative agreement regarding improvements to the four intersections in question, the terms of which are attached for your consideration. As you will note, Safeway would be obliged to undertake the improvements to the intersection of College and Claremont that were identified in the Draft EIR, while it would provide money for the other three intersections, to be used by Berkeley within varying periods of time. This arrangement was considered optimal by all parties since 1) it is not yet clear what improvements to the intersection of Alcatraz and Claremont would most benefit the neighborhood, and 2) Berkeley is undertaking a larger project along Ashby Avenue that would include the improvements that otherwise would be made by Safeway, and Berkeley staff has concluded that it would be more efficient for Berkeley to plan and implement all of those improvements itself.

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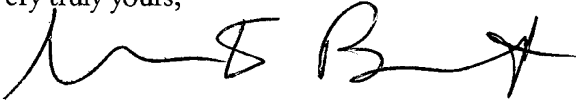
Safeway Inc.  
Northern California Division  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588-3229

Mayor Tom Bates and Members of the Berkeley City Council  
Re: Berkeley Traffic Mitigations for Proposed Safeway at College and Claremont  
July 2, 2012  
Page 2

If the terms attached to this letter meet with your approval, Safeway would work in good faith with the City Manager to prepare and execute an agreement memorializing the terms. Consistent with this obligation, we expect that Oakland would also impose upon the project a condition of approval that requires such an agreement.

We thank you for your consideration, and look forward to providing our neighbors in Oakland and Berkeley with a renewed, first-class shopping experience in the near future. Please do not hesitate to contact me with any questions or comments you may have regarding this proposal.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Steve Berndt', with a stylized flourish at the end.

Steve Berndt  
Safeway Inc.

Attachment

cc: Christine Daniel  
Farid Javandel  
Heather Lee Esq.  
Peterson Z. Vollmann  
Sam Tabibnia  
Todd Paradis  
Deborah Kartiganer  
Elisabeth Jewel

## Safeway Project at College and Claremont

### Proposed Transportation Measures in the City of Berkeley

The following terms are proposed to govern the obligations of Safeway and the City of Berkeley with respect to the following intersections:

- College Avenue/ Alcatraz Avenue
- Claremont Avenue/ Alcatraz Avenue
- College Avenue/ Ashby Avenue
- Claremont Avenue/ Ashby Avenue

These requirements would be voided in the event that Safeway decided not to undertake the project.

#### **A. College Avenue / Alcatraz Avenue Intersection**

- Safeway shall file an encroachment permit application with the City of Berkeley to implement the following improvement measures at the intersection of College Avenue and Alcatraz Avenue, substantially in accordance with the plan in Figure 1, below, and designed to the satisfaction of the City of Berkeley Public Works Director:
  - Provide left-turn lanes on northbound and southbound College Avenue by converting the existing angled parking spaces along College Avenue to parallel spaces;
  - Convert signal control equipment from pre-timed to actuated-coordinated (time based acceptable) operations and provide protected (or protected/permitted, if preferred by the City of Berkeley) left-turn phasing for the north-south approaches. The signal control equipment shall be designed to applicable standards in effect at the time of construction;
  - Optimize signal timing parameters (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection); and
  - Move the AC Transit bus stops on both northbound and southbound College Avenue from the near side to the far side of the intersection (i.e., from before the signal to after the signal). This would also include eliminating the existing AC Transit bus stop on eastbound Alcatraz Avenue just west of College Avenue and replacing it with two parallel parking spaces.
- The submittal of 65% level engineering plans to Berkeley for the above work shall occur within one month of receipt by Safeway of its Building Permit from the City of Oakland.
- Safeway shall provide revised submittals to Berkeley within two months of receipt of Berkeley's comments on Safeway's prior set of submittals. This process shall repeat until final plans, ready for bidding, are complete. Safeway, its chosen consultant, and Berkeley staff shall make good faith efforts to provide comments, and responses, that minimize additional submittals. Safeway shall apply for the encroachment permit within two weeks after Berkeley's approval of the final plans.



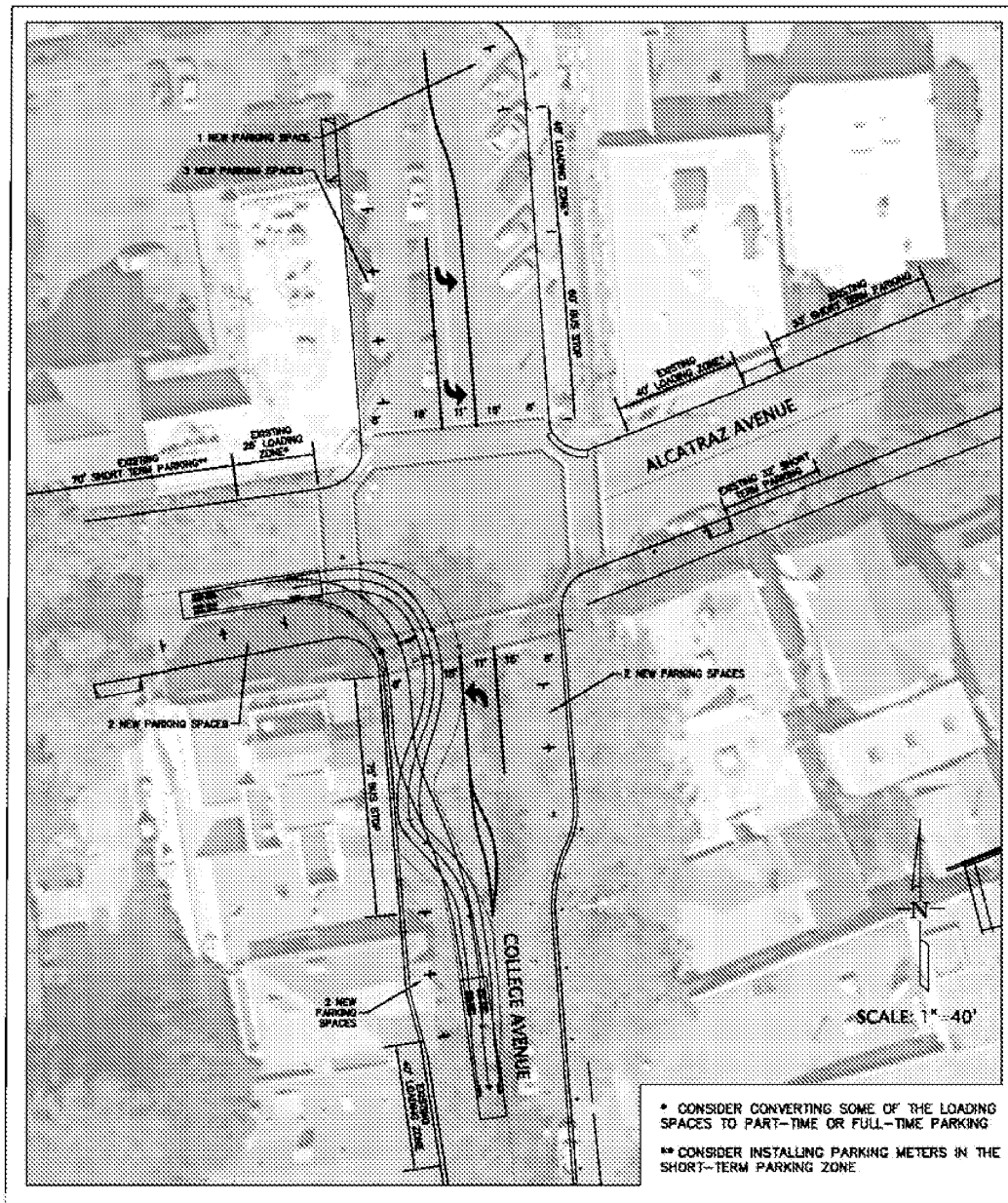
- If the 65% level engineering plans, the encroachment permit, and any other necessary approvals are approved by both the City of Berkeley and any other agencies having jurisdiction over the intersection and bus stops, and such approvals are subject only to terms and conditions that are consistent with those placed upon similar projects within the City of Berkeley, then Safeway shall install the improvement measures listed above within one year after receipt of the final approval necessary with respect to encroachment permit (which date may occur after issuance of the Certificate of Occupancy).

#### **B. Claremont Avenue/ Alcatraz Avenue Intersection**

- Prior to receiving a Certificate of Occupancy for the project, Safeway shall commit funds in a mutually acceptable escrow account in an amount equal to **\$286,500**, to be used by the City of Berkeley to install the improvements identified in Mitigation Measure TRANS-3 or other alternative traffic improvement measures at the intersection of Claremont Avenue and Alcatraz Avenue
- Any portion of the funds that is not used by the City of Berkeley within three years after Safeway's receipt of a Certificate of Occupancy shall be returned to Safeway.

#### **C. College Avenue/Ashby Avenue & Claremont Avenue/Ashby Avenue Intersections**

- Prior to receiving a Certificate of Occupancy for the project, Safeway shall commit funds in a mutually acceptable escrow account in an amount equal to **\$279,400**, to be used by the City of Berkeley to install the improvements identified in Mitigation Measures TRANS-1, TRANS-9, and TRANS-10 or other alternative traffic improvement measures at the intersection of College Avenue and Ashby Avenue and the intersection of Claremont Avenue and Ashby Avenue.
- The funds shall be used by the City of Berkeley within five years of receipt of the Certificate of Occupancy for the project.
- Any portion of the funds that is not used by the City of Berkeley within this five-year period shall be returned to Safeway.

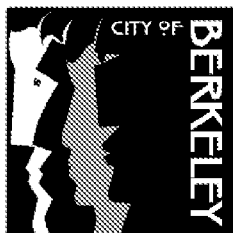


**FEHR & PEERS**

Jan 03, 2012  
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**COLLEGE AVENUE/ALCATRAZ AVENUE  
 INTERSECTION IMPROVEMENTS**

**FIGURE 1**



Office of the City Manager

## ACTION CALENDAR

October 11, 2011

To: Honorable Mayor and Members of the City Council

From:  Phil Kamlarz, City Manager

Submitted by: Andrew Clough, Director, Public Works

Subject: Safeway Project at 6310 College Avenue Comments to City of Oakland

### RECOMMENDATION

Approve language and authorize the City Manager to send a comment letter on behalf of the Berkeley City Council to the City of Oakland regarding the proposed Safeway project at 6310 College Avenue, including requests for appropriate mitigation measures within Berkeley to be funded by the project applicant.

### FISCAL IMPACTS OF RECOMMENDATION

There are no direct costs to the City of Berkeley at this time. However, if the Safeway project were built and impacts were realized, improvements necessary to mitigate those impacts could be costly to the City if Safeway did not pay for them

### CURRENT SITUATION AND BACKGROUND

The City of Oakland has prepared a Draft Environmental Impact Report (DEIR) for a proposed significant expansion of the Safeway store located at 6310 College Avenue – at the corner of Claremont Avenue. This store borders City of Berkeley city limits just south of Alcatraz Avenue. The proposal is to more than double the size of the existing 24,260 gross square feet (gsf) store to a 51,150 gsf store, and add 10,657 gsf of retail along the College Avenue frontage. The parking would increase from the current 105 surface lot parking spaces to 171 garage spaces. Peak shift Safeway employees would almost double from 35 to 67 employees – this does not include the employees at the new retail along College Avenue.

Staff received the DEIR document in the middle of July and comments were due to Oakland by August 15<sup>th</sup>. Staff was able to schedule a discussion item at the Transportation Commission meeting on July 21<sup>st</sup>, and the Commission expressed its interest that the City of Oakland extend the comment period in order to allow the Berkeley City Council to provide comments. However, in order to ensure that at least preliminary comments were provided within Oakland's timeline, City staff prepared a comment letter and submitted that by the August 15<sup>th</sup> deadline. Subsequently a City Council Work Session was scheduled for September 20<sup>th</sup> and this item was then scheduled for October 11<sup>th</sup>. An Oakland City staff member attended the September 20<sup>th</sup> Work Session and

indicated that comments from the City of Berkeley would still be considered in Oakland's CEQA process.

Attached for the City Council's review and consideration is a draft comment letter based on the comments received at the Transportation Commission meetings, the City Council Work Session and staff's review of the project. Upon approval by the Council, this letter will be promptly transmitted to the City of Oakland.

CONTACT PERSON

Farid Javandel, Transportation Division Manager, Public Works, 981-7061

Attachments:

1: Letter to Oakland: Comments on Safeway Shopping Center – College and Claremont Avenue: ER 09-0006



Office of the City Manager

October 17, 2011

Ms. Deanna Santana  
City Administrator  
City of Oakland  
1 Frank Ogawa Plaza, 3rd Floor  
Oakland, CA 94612

Subject: Comments on Safeway Shopping Center – College and Claremont Avenue:  
ER 09-0006

Dear Ms. Santana:

Thank you for the opportunity to comment on the above DEIR document. We are looking forward to working with City of Oakland staff and Safeway representatives to ensure a mutually acceptable project that benefits both cities and their common neighborhood.

We received the DEIR document in the middle of July when the Berkeley City Council was on summer recess. The comment letter, submitted and dated August 15, 2011 reflected comments from the City's Transportation Commission and staff. At the September 20, 2011 City Council meeting, Oakland city staff stated that the City would still receive and accept, for the record, comments provided by the Berkeley City Council. We appreciate and thank you for that offer and this letter provides those comments. For clarity, you may develop your responses based solely on this new letter as it incorporates the previous comments sent to you dated August 15, 2011.

The City of Berkeley's comments follow. Page references, when listed, relate to the DEIR document itself.

#### General Comments

1. Do not approve the project nor certify the EIR until the Safeway store itself is altered to minimize traffic congestion, reduce parking demand, and contribute positively to the already successful Rockridge shopping environment and community. All of the alternatives to the proposed expansion listed in the DEIR have been rejected by Safeway as not sufficiently meeting their objectives. A project of this significance in such a unique area must give more weight to the desires and concerns of the community, as well as the ability of the project to serve

its own parking needs. Several of these alternatives must be analyzed in detail to afford the opportunity to make an informed decision as to the impacts on the neighborhood. In particular there should be an alternative for which the store is scaled back sufficiently that the resultant parking demand does not exceed the proposed parking supply.

2. Truck deliveries are a major concern. Evidence was presented at the Berkeley City Council's September 20, 2011 meeting that trucks currently queue on-site, in the parking lot, and on-street. Inadequate evaluation was undertaken of the actual truck parking and delivery needs – not only for Safeway but for the new retail frontage on College Avenue. Truck counts must be undertaken and observations made of truck operations on several weekday and several Saturdays to ensure an adequate sample – otherwise, the EIR documents can make no legitimate findings as to impact. It is our understanding that trucks would not be able to access the garage lower level due to the low vertical clearance. Therefore, inadequate truck docking facilities would cause an overload of truck parking on the upper level garage. Also, truck delivery needs of the new retail on College would either cause more congestion, due to double parking, or, with the installation of a curb-side truck zone, loss of auto parking. The EIR document must evaluate the impact of this issue and propose a resolution. It is possible that a scaled-back store would increase the space available for truck parking on site to the point where a third truck dock could be provided.
3. We are concerned about whether the Safeway customer garage would be available to non-Safeway customers to park. There appears to be only two references to the Project allowing the "general" public to park there (page 4.3-41 and 4.3-111) but it is never stated in any of the project description chapters anywhere in the document. This project proposal must be stated unequivocally and clearly elsewhere such as in the Summary and Project Description chapters.

Also, clarification is needed about who and what type of vehicles could utilize the lower level garage. Page 4.3-108 states the 144 parking spaces in the garage would be "...primarily for customers..." Who else would be using it? Small trucks for deliveries? Again, the "operational" characteristics of the garage must be clarified.

4. The DEIR document identifies numerous significant auto-related traffic impacts and mitigations and also proposes numerous pedestrian oriented improvements. However, it fails to identify any bicycle related impacts or improvements. With bike trips projected to increase by 14 trips during the peak hours, coupled with the increased project auto trip, it is imperative that bicycle improvements be funded. Only in this way would the bicycle network improve and lead to an increase in bicycle trip making, including those to Claremont Avenue, as referenced in the Berkeley Bicycle Plan.

5. Implementation of Mitigation Measures Trans-2, Trans-6, and Trans 11 all relate to improvements at the same intersection – College Avenue and Alcatraz Avenue. Among other measures, angled parking is proposed to be converted into parallel parking resulting in the loss of approximately 6 metered spaces. These parking spaces and meters are within the City of Berkeley and such changes cannot be implemented without the City's approval. Moreover, the meters generate revenue to the City, the loss of which would have to be mitigated.

### Specific Comments

#### On-Site Parking Supply and Demand Section (starting on page 4.3-10)

The parking surveys were taken on only one weekday and one Saturday. In a location such as the Rockridge neighborhood, where parking is such a critical component of the success of the local merchants, it is imperative that multiple count days be utilized. An absolute minimum of three days each for Saturdays and weekdays is necessary to obtain a reasonable understanding of the parking conditions. Also, to ascertain whether secondary parking impacts, caused by an increase in parking demand as a result of the Project, occurs, cruising must also be surveyed. With parking on-street at and above capacity, no conclusions should be drawn unless sufficient data is collected and utilized as the basis for further analysis.

#### Trip Generation Section (starting on page 4.3-42)

Table 4.3-10 (page 4.3-42) presents a summary of the trip generation methodology and assumes that 36 percent of the vehicle trips generated for the supermarket would be pass-by trips. The cited reference, ITE TRIP GENERATION HANDBOOK, 2nd Edition, presents data on 12 stores surveyed. Much of this data is over 24 years old or the street characteristics on which the stores are located are not consistent with either College Avenue or Claremont Avenue (e.g., most of the stores are located on streets with a much higher traffic volume). Therefore, the DEIR's utilization of 36 percent is inappropriate. Though the concept of use of a pass-by percentage is valid, it is critical that a more valid approach be used – such as an on-site customer survey of their travel patterns. This simple-to-conduct survey would provide a more credible percentage. The use of the 36 percent results in a supermarket trip reduction of 108 vehicles on a typical Saturday – if a customer survey found the pass-by percentage should be only 10 percent, for example, the reduction would be only 30 vehicles. This would mean that the DEIR underestimated the auto trips generated by the project during the Saturday peak hour by 78 vehicles. Therefore, a survey is critical to ensure the proper estimates of project auto trips generated.

Also, the DEIR bases its auto trip generation on utilization of rates taken from the ITE TRIP GENERATION MANUAL, 8th Edition. While the ITE manual is generally used as a standard industry-wide guideline for trip generation estimates, if locally generated trip generation data is available, the ITE TRIP GENERATION HANDBOOK, 2<sup>nd</sup> Edition, states the strong preference to use this local data. The DEIR presents, on Figures 4.3-

8a and 4.3-8b, Safeway driveway turn count data – data that can directly be utilized as a measure of Safeway's trip generation rates. This data should be utilized as the sole source from which trip generation characteristics for the project are developed or, at the very least, used to temper use of the ITE data. When the driveway-only data is utilized as the basis for auto trip generation for Safeway, the Net New Safeway Trip data shown on Table 4.3-10 would be increased by 11 percent for weekday peak hours and by a significant 63 percent for Saturday peak hours. Therefore, the DEIR document significantly underestimated the project impact on intersections and traffic operations on a Saturday and somewhat underestimated the project impact on a weekday evening.

Parking Demand Analysis Section (starting on page 4.3-110)

Table 4.3-22 (page 4.3-110) has Note 2 that does not properly describe the method used for development of urban parking demand rates – the numbers and ratios do not match the numbers shown in the table. Revise the Note to reflect the proper method actually used so we may provide comments on it.

Similar to the comments provided on the trip generation methodology, the methodology utilized for the parking generation is inappropriate. The ITE PARKING GENERATION MANUAL is clear in alerting its users that their data should be considered appropriate only when the project to be evaluated falls within the data range for the ITE land use. In this case, the proposed Safeway Store is estimated at 51,510 gsf while the ITE data range is for store sizes below approximately 45,000 gsf. The DEIR ignored this caveat by applying the ITE data to the proposed project – which is outside the ITE data range.

If the consultant-collected on-site parking data is applied to the parking analysis methodology (i.e., by using the on-site data and not the ITE data), the parking demand estimate would increase by up to 10 percent meaning an additional 14 space parking deficit for weekday (for a total of 40 space deficit) and an additional 4 space parking deficit for Saturday (for a total of 42 space deficit).

Parking spaces for employees are limited to the upper deck garage - but only Safeway employees would be permitted to park there. Based on the employee mode split data collected for the DEIR and the DEIR estimate of 67 peak-shift employees, that would mean 44 employee spaces are needed – which translates into a 17 space Safeway employee deficit. However, what about the other retail employees? If there are 20 non-Safeway employees working in the over 10,000 gsf retail and restaurant spaces, looking for parking, that means there is a total employee (and therefore long-term) parking space deficit of 37 spaces. Since the proposed Safeway non-employee garage would be limited to short-term customer-only parking, where would these non-Safeway employees park? Also, with about two-thirds of the on-street parking survey area being Residential Permit Parking or metered, there are few spaces remaining where the longer term parking needed for employees can be met.



Page 4.3-45 discusses the employee survey that was conducted for Safeway employees. Since large grocery stores such as this have their peaking characteristics during and after the PM peak period, employee shifts covering this time period often extend until 9 or 10 PM. What is the data to support the day-time mode split being the same as the evening mode split? Is there any documentation as to which shifts the surveys covered?

Also, the BART percentage mode split seems extremely high. When compared to mode split from the year 2000 census, for the block groups immediately north of the Project, only six percent of workers who work in that block group use BART. When compared to downtown Berkeley, the BART use for workers there is only 11 percent. Compare the Safeway survey results to the US Census data for credibility.

Parking for Bicycles and Automobiles (page 4.3-41 and starting on page 4.3-107)

Bicycle parking is being provided (page 3-19 and p 4.3-107) through the installation of 68 short-term and 15 long-term spaces. However, the specific racks and bike parking area must be located to encourage their use – consideration must be given to personal security, weather protection, and proximity to the main store entrances. Otherwise, they would not be properly used and any parking reductions taken by Oakland code (an 8 space reduction per Table 4.3-21) would be inappropriate – creating an even worse neighborhood parking impact and increasing cruising and traffic congestion. Page 4.3-107 makes a general statement that short-term bike parking should be placed within 50 feet of building entrances but does not appear to mandate adherence to this distance. Also, bike parking must be sufficient to accommodate bikes with trailers and longer bicycles.

TDM Program (page 4.3-103, 3<sup>rd</sup> Paragraph)

It is imperative that a robust Transportation Demand Management Program be implemented that includes specific milestones and criteria so that the employee mode split can periodically be measured and, as appropriate, revised. A program that encompasses other retail businesses in the entire Rockridge area would increase the likelihood of success – especially since Safeway is a major employer in the area and could anchor such a program.

If your staff needs any clarification of these comments, please contact Farid Javandel, Transportation Manager for the City of Berkeley at 510-981-7010.

Sincerely,



Phil Kamlarz  
City Manager

cc: Honorable Mayor Quan and Oakland City Councilmembers  
Honorable Mayor Bates and Berkeley City Councilmembers  
Christine Daniel, Deputy City Manager  
Deanna Despain, City Clerk  
Ann-Marie Hogan, City Auditor  
Andrew Clough, Director, Public Works  
Wendy Cosin, Interim Director, Planning and Development  
Zach Cowan, City Attorney  
Farid Javandel, Transportation Division Manager, Public Works  
Mary Kay Clunies-Ross, Public Information Officer  
Peterson Vollman, Planner III, City of Oakland Community & Economic  
Development Agency, Planning Division