

Section 5

Responses to Oral Comments on the Draft EIR

5.1 INTRODUCTION

Oral comments on the Draft Environmental Impact Report (EIR) made at the October 20, 2004, Oakland Planning Commission public hearing and the October 18, 2004, Oakland Landmarks Preservation Advisory Board Public Hearing are reproduced in this section. Discrete comments from transcripts from the two public hearings are denoted in the margin by a vertical line and numbered. Responses are enumerated to correspond with the comment number. Response SP1.1, for example, refers to the response for the first comment from Speaker 1 at the Planning Commission public hearing; Response SL1.1, for example, refers to the response for the first comment from Speaker 1 at the Landmarks Preservation Advisory Board public hearing. Many responses in this section refer to master responses, which are found in Section 3 of this document.

5.2 PLANNING COMMISSION PUBLIC HEARING COMMENTS AND RESPONSES

The October 20, 2004 Planning Commission public hearing transcript is reproduced beginning on the next page, followed by responses to the speakers.

BEFORE THE PLANNING COMMISSION
OF THE CITY OF OAKLAND

--oOo--

In the Matter of:)
) File No. ER 03-0023
Wood Street Development)

PUBLIC HEARING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

October 20, 2004

7:15 p.m.

Oakland City Hall
One Frank H. Ogawa Plaza
Hearing Room
Oakland, California

6:50 p.m.

ORIGINAL

Reported by: SARAH LUCIA BRANN, CSR #3887 #01-357871

October 20, 2004

I N D E X

	PAGE
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P R E S E N T

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COLLAND JANG, Commission Vice Chair
ANNE E. MUDGE, Commissioner
SUZIE W. LEE, Commissioner
MICHAEL LIGHTY, Commissioner
NICOLE FRANKLIN, Commissioner
CLINTON KILLIAN, Commissioner
MARK WALD, Deputy City Attorney
CLAUDIA CAPPIO, Development Director
GARY PATTON, Deputy Director of Planning
ROBERT E. THOMBS, Planning Staff

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3

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P R O C E E D I N G S

COMMISSIONER McCLURE: Mr. Patton, would you call the first item, please?

MR. PATTON: First item is public hearing on draft EIR for the Wood Street Development, Margaret Stanzione, project supervisor.

MS. CAPPIO: Claudia Cappio will be standing in, because Margaret is at a planning conference.

Good evening. Claudia Cappio with the Community and Economic Development Agency.

Commissioners and members of the public, this is a public hearing to accept comments pertaining to a Draft Environmental Impact Report for a project on a 29-acre site in West Oakland bounded approximately by Wood Street, West Grand, the 880 frontage, and Tenth Street.

In the approximate center of the site sits the Southern Pacific train station, a historic landmark. And the proposal for this site is a major mixed-use development calling for housing, live/work, retail, and the restoration and reuse of the train station.

The site is presently designated in our General Plan for business mix and in our zoning ordinance for industrial and live/work uses.

In order to accommodate the 1500 or so units

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4

October 20, 2004

1 of housing that is proposed, this project will require
2 both zoning and General Plan amendments.

3 The draft EIR before the Commission tonight
4 has been prepared in order to ascertain what the
5 potential environmental impacts of such a project would
6 be on the site. It was published on September 20th of
7 this year, and the comment period runs through Monday,
8 November the 8th, at 4:00 o'clock.

9 The Commission held a scoping session on this
10 draft EIR, or on what should be contained in the EIR, in
11 December of last year, and the report before you
12 presents a comprehensive analysis of the potential
13 physical environmental impacts on the site.

14 The report and the authors found impacts
15 concerning traffic, historic resources because of the
16 alteration of the train station, and a number of other
17 impacts that could be successfully mitigated. But both
18 the cumulative traffic and the potential impact to the
19 train station were found not to be able to be
20 successfully mitigated.

21 The purpose of this meeting tonight is to
22 accept comments on the draft EIR itself, and, to the
23 extent possible, we would encourage people who are
24 interested -- and we will take testimony tonight -- to
25 follow these comments up in writing, because it ensures

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October 20, 2004

1 an accurate and complete record, as we then need to
2 respond to each comment that is presented.

3 Those comments that are most germane tonight
4 will be those directed at the draft EIR itself, with
5 regard to its accuracy, clarifications that should be
6 made, its completeness of information, anything that has
7 to do with the report itself, knowing that there will be
8 numerous other opportunities to review and comment on
9 the merits of this proposal itself, as we go from this
10 environmental impact preparation period into the actual
11 review of the merits of the project, which will require
12 review by the Design Review Committee, the Special
13 Projects Committee of the Planning Commission, Landmarks
14 Board, the Planning Commission, and the City Council.

15 A tentative schedule for review of this
16 project is presented in the staff report, and it calls
17 for approximately the next four to six months of
18 hearings and other meetings in order to gain public
19 comment and obviously consider and resolve the issues
20 that have been identified.

21 So, with that, I will be glad to take
22 questions from the Commission. I advise you to open the
23 public hearing, take testimony, and then obviously you
24 are welcome to submit any comments and questions you
25 have about the report itself.

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1 I will note again that written comments are
2 encouraged, and you have up until November 8 -- it's a
3 Monday -- at 4:00 o'clock to submit those comments to
4 the Planning Department, at 250 Frank Ogawa Plaza, Suite
5 3315, and also by e-mail to mstanzione,
6 s-t-a-n-z-i-o-n-e, at oaklandnet.com. Thank you.

7 COMMISSIONER McCLURE: Thank you, Director
8 Cappio. Before we call the speaker cards, do any of the
9 Commissioners have any comments?

10 Hearing none, how many speaker cards do we
11 have, approximately?

12 MR. PATTON: I have about 35 to 40 cards.

13 COMMISSIONER McCLURE: So, even in light of
14 Mr. Handa's pointing out the Oakland Darkness Award
15 here, I am going to ask everybody to stick to the two
16 minutes that is customary here. We have three other
17 items after this item, and these people are going to be
18 waiting patiently.

19 So, you are more than welcome -- as Director
20 Cappio said, you are more than welcome to submit
21 comments in writing to the Planning Department. So, for
22 tonight I am going to ask you again, just please be
23 courteous and help me run an efficient meeting tonight.

24 Thank you.

25 Mr. Patton, could you call the first group of

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October 20, 2004

1 speakers?

2 MR. PATTON: I am going to call these about
3 ten at time. Please line up behind the podium.

4 COMMISSIONER McCLURE: If there is anybody
5 standing on this side that's not going to speak, we are
6 going to have people lining up, so could you find
7 another spot to stand in, please?

8 MR. PATTON: Brother Jimmy Mack, Carol
9 Galante, Orna Sasson, Norman Hooks, Tom Dolan, James
10 Vann, George Burt, Cynthia Shartzter.

11 COMMISSIONER McCLURE: Thank you.

12 MR. MACK: Good evening, Commission. Good
13 evening, ladies and gentlemen. How are you doing today?

14 My name is Brother Jimmy Mack, and I have the
15 privilege of working with CWOR. I guess I would say I
16 am a native West Oaklander, and it gives me a great
17 privilege to be here today to talk about some of our
18 concerns.

19 It seems to be kind of a conservative air in
20 the presence of what's going on down in West Oakland.

21 And we have a development that will exclude the
22 majority, about 90 percent, anywhere from 80 to
23 90 percent of all of the prior people that used to live
24 there, and it's not very affordable.

25 First of all, jobs are scarce to come by, and

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October 20, 2004

1 it takes three people to make a decent income to even
2 make a payment, let alone to pay for a \$350,000 house.

3 So, the other thing is employment, health
4 care, education. All of those factors is playing into
5 it. And most of the peoples are laid off down there, so
6 we are talking about gentrifying, bringing in new
7 people, to replace the people that are presently there.

8 So, this is -- this board right here, or the
9 Commission, supposed to be working in our behalf. And
10 we are asking for the humanity, for you to look inside
11 the depths of your soul and think about these different
12 movements, the Native Americans, the African Americans,
13 and the Hispanic people who have presently, historically
14 been there.

SPI.2

15 Most of the black African Americans have come
16 through that train station there as a historical
17 document. They rode it out here. This was the third
18 frontier for them, coming out here, trying to settle,
19 make a home, to establish something for themselves. And
20 this is being taken away. They don't have any rights no
21 more. You don't have legal aid to speak of for them.

22 The newspapers and the media is shut out to
23 them. So, the only thing they can do is protest and
24 come together to organize. And this is part of the
25 protest right here. We are going to build a way -- you

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October 20, 2004

1 are going to hear a big, big stink in about a month or
2 two, after we get through with the election, because the
3 people cannot afford this. They can't live. Their
4 living is being taken away from them, and our leadership
5 has diminished.

6 You know, before the middle --

7 COMMISSIONER McCLURE: Brother Mack, I want to
8 set a good precedent on the first speaker, so if you
9 could just wrap it up.

10 MR. MACK: I will wrap it up real tight.

11 COMMISSIONER McCLURE: Thank you.

12 MR. MACK: I appreciate that.

13 So, all I am asking for is some consideration,
14 to look at -- you know, I am just a resident here, and I
15 am speaking on the behalf, heartfelt, of the rest of my
16 colleagues. They are fighting to keep the place, to pay
17 their rent, the health bills, and keep food on the
18 table.

19 So, you guys right here, you supposed to be
20 working on our behalf, so we are asking for your
21 humanity and your consideration.

22 Thank you.

23 COMMISSIONER McCLURE: Thank you, Brother
24 Mack.

25 (Applause.)

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October 20, 2004

1 COMMISSIONER McCLURE: Excuse me one second.
 2 We often have to make an announcement not to
 3 applaud after someone speaks. It's not to try to
 4 contain enthusiasm, because we are -- being part of the
 5 process, we try to encourage that. But if there is
 6 someone here that might have an opposing opinion to you,
 7 they might be intimidated by the applause.
 8 So, in this room we want -- excuse me. In
 9 this room we want everyone to feel like their comments
 10 are heard. So, if you could please show the courtesy
 11 and not applaud after people speak, it would be very
 12 much appreciated. Thank you.
 13 MS. GALANTE: Thank you. Commissioner
 14 McClure, and members of the Commission, my name is Carol
 15 Galante. I am president of BUILD, one of the
 16 development entities processing the multiple parcels
 17 that make up the Wood Street EIR.
 18 And I just want you all to know that all the
 19 members of the development team are here tonight. Our
 20 consultants are here. We are listening, taking notes as
 21 part of this public comment period on the environmental
 22 impact report. And we just want you to know that we
 23 look forward to responding to those comments and being
 24 part of the process.
 25 Thank you very much.

SP2.1

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October 20, 2004

1 COMMISSIONER McCLURE: Thank you.
 2 Next speaker, please.
 3 MR. HOOKS: Chairman McClure and Director
 4 Cappio, members of the Commission and staff members, my
 5 name is Norman Hooks. I am a local architect, former
 6 member of the Landmarks Board, and president of the West
 7 Oakland Commerce Association.
 8 My comments have to do with two things, first,
 9 the train station, and second, the character of the
 10 architecture of the overall project.
 11 I'm encouraged to hear that the train station
 12 is going to be restored. As a member of the Landmarks
 13 Board, we went to great efforts to try to keep the
 14 building from being deteriorated, primarily by water.
 15 That's because there are some incredible murals on the
 16 interior of the building. And anyway, I am not sure I
 17 know what the condition of the roof is at the moment,
 18 but I would encourage the developers or someone to take
 19 needed action on that.
 20 Second of all, I like the idea of the fact
 21 that the building is going to be restored, particularly
 22 the interior, for some purpose. The EIR alludes to the
 23 notion of honoring the Brotherhood of Sleeping Car
 24 Porters. I hope that that has been followed up on.
 25 Second of all, I like the idea of the huge

SP3.1

SP3.2

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October 20, 2004

SP3.2
cont'd

1 plaza that's going to be in front of the building,
2 although, as a gesture to Wood Street, it needs more
3 than just the plaza to make the building important,
4 which I think the idea is.

SP3.3

5 Regarding the character of the architecture, I
6 think that the height and density as the project appears
7 from the freeway is appropriate, and also I think the
8 same idea in front of Horizon Beverages is a good idea.

9 However, I think that it does not address
10 appropriately the residential character of the rest of
11 the project as it faces onto Wood Street. You have
12 seven-story buildings facing one-story residential
13 buildings. So, I think it's appropriate somehow as an
14 expression that results in a building stepping back to
15 respect the height of the residential projects.

16 Thank you.

17 COMMISSIONER McCLURE: Thank you, Mr. Hooks.

18 Next speaker, please.

19 MR. DOLAN: Good evening. My name is Thomas
20 Dolan. I am an architect. My office is in West
21 Oakland. I have been working in West Oakland for over
22 20 years.

23 My comments are not specific to the EIR, but
24 they are specific to issues that are of concern in CEQA.

SP4.1

25 And the four issues I want to address are

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October 20, 2004

SP4.1
cont'd

1 connectivity, integration, diversity, and mixed use.
2 And I am speaking as a member of the Congress for the
3 New Urbanism, although I am not speaking for the CNU
4 officially.

5 By connectivity what I mean and what we mean
6 at the CNU is that the streets throughout the project --
7 and the central station project is essentially a
8 north-south, a long, almost linear project, north-south.

9 It's important that the streets within the project be
10 connected so that the various parts of the project be
11 connected to each other, so that in fact the building is
12 integrated into itself as an overall project, and also
13 that its streets are integrated with the community to
14 the east of it, the rest of West Oakland.

15 That's an important urban design, quality of
16 life, and in some ways health and safety issue that I
17 think is important to look at in really studying the
18 plan.

19 As far as diversity goes, I applaud the market
20 rate nature of the project, because I think it increases
21 the diversity of incomes served in West Oakland.

22 And as far as mixed use, I think it's very
23 important that the project have as a part of it the
24 addition of commercial uses, particularly
25 neighborhood-serving commercial uses in West Oakland,

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October 20, 2004

SP4.1
cont'd

1 which I think is sorely lacking.
2 I thank you for listening, and I thank you for
3 your taking it into consideration.

4 COMMISSIONER McCLURE: Thank you, Mr. Dolan.

5 MR. DOLAN: I am happy to answer any
6 questions.

7 MS. SHARTZER: My name is Cynthia Shartzer. I
8 am from the Lakeside Apartment Neighborhood Association.

9 As you might expect, I support the
10 preservation of the train station in its entirety,
11 including the main hall, the baggage wing, and the
12 elevator tracts, as well as the 16th Street signal
13 tower, so that it would be retained and adaptively
14 reused.

15 I would like to share with you some of the
16 comments from the Landmarks Board meeting of last night.

SP5.1 17 Basically the Landmarks Board encouraged more
18 work on the DEIR and encouraged preservation. The focus
19 was basically on preserving the train in its entirety.

20 One board member stated -- one board member
21 emphasized the need for mitigation to address the
22 history of rail in West Oakland and the African-American
23 community, perhaps recording oral histories as another
24 mitigation. They basically said the punishment should
25 fit the crime, that mitigation should be meaningful to

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October 20, 2004

SP5.2

1 the community that will be impacted by the project, and
2 that there was also a need to better study the Beas
3 Hotel and the ability to retain it.

4 The Landmark -- the board members supported
5 archeological investigations. The inadequacy of the
6 draft EIR was raised by Anna Naruta, and the board
7 members supported archeological investigation and
8 preservation in its entirety.

SP5.3

9 I think I mentioned that. Sorry.

10 They also emphasized the importance of not
11 allowing any demolition until the project is ready to go
12 forward and is fully funded.

SP5.4

13 As we know, there have been buildings in the
14 city where portions have been demolished and then the
15 deal has fallen through, so we have a partial building,
16 where we could have had an extant building.

17 Also, there was a strong emphasis on the need
18 by the board members to preserve -- to protect the
19 building from water damage, as the murals are
20 particularly worthy of protection. And one board member
21 said, if she could be so bold, she would actually
22 consider it a condition of approval that protection
23 needed to be put in place immediately.

SP5.5

24 Thank you.

25 COMMISSIONER McCLURE: Thank you,

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1 Ms. Shartzler.
 2 Next speaker, please.
 3 MR. BURTT: Good evening, Chair McClure, and
 4 members of the Planning Commission. My name is George
 5 Burtt. I represent the West Oakland Commerce
 6 Association. I will be brief.
 7 Basically what I am speaking to tonight is
 8 what's before you is the largest private investment in
 9 the history of West Oakland. That's significant. West
 10 Oakland has existed since 1860. Look at the number of
 11 dollars that are being put up. They are not asking for
 12 subsidy. The business community would love to have seen
 13 lots of job-producing businesses out there.
 14 You know, many of you know, we worked on that
 15 for a number of years. It's not possible. What is
 16 possible is what they brought before you today.
 17 The concern that we have at the moment is in
 18 the staff report tonight there is a letter attached from
 19 a group, well-intended group, but asking for a delay.
 20 We all know that interest rates are rising.
 21 We don't know what tomorrow will bring. We know that
 22 this is not an insignificant consortium of developers,
 23 very unique to us, that have come together, have not
 24 asked for any public money, are trying to get this job
 25 done.

SP6.1

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1 It all rests on borrowed money. The longer we
 2 delay, if we delay, they may have trouble doing their
 3 project. Wouldn't that be a shame for all of us?
 4 Help them out. If there are flaws or problems
 5 with the EIR, the draft EIR, I am sure we all will see
 6 it. If there are not, move it forward, help them out.
 7 Help West Oakland. Thank you.
 8 COMMISSIONER McCLORE: Thank you, Mr. Burtt.
 9 Good evening, Mr. Vann.
 10 MR. VANN: Good evening, Commissioners.
 11 Ms. Orna Sasson has ceded her time to me. I may not
 12 need it.
 13 I am here tonight -- James Vann. I am here
 14 representing the Oakland Tenants Union. We are part of
 15 the coalition, the coalition in West Oakland trying to
 16 preserve the train station and fight for affordable
 17 housing.
 18 OTU does not object to development, and does
 19 not object certainly to development in West Oakland, but
 20 we are concerned with the type of development being
 21 proposed by this development team. And the basis of our
 22 concern is in the EIR, Chapter 3.2, pages 3.2-10,
 23 Applicable Plans and Policies. We see a major exclusion
 24 in that section. It does not list the California
 25 Redevelopment Law.

SP6.1
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SP7.1

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SP7.1
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We feel that that exclusion is unjustified, because there are undeniable impacts of this development on Oakland, on the area, on the region. It is within the West Oakland Redevelopment Plan area.

The project -- will this project have its own police and fire? Will it call on the Oakland police services? Will it have its own fire department? Will it have its own health department, its hospital? Will it require water from East Bay MUD? Will it require electric power from PG&E? Will it require sanitation and sewerage, waste and sewage treatment? Will it take care of its own water runoff and drainage? Will it have its own lighting system? Will it maintain its own roads and curbs and gutters?

I think the answer to all those questions is no. This project is going to have significant impact on the City of Oakland and the region, and therefore it has to be made subject to the California Redevelopment Law.

There can be -- there can be no completely independent development project of this magnitude within the city of Oakland. And we urge that this Commission must find that the California Redevelopment Law must be -- must apply to this project, and that at least 20 percent -- and if we use Oakland's law, it would be 25 percent -- of the units being developed, being

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October 20, 2004

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SP7.1
cont'd

SP8.1

SP9.1

proposed for development, must be available and affordable to persons in households of low and moderate income.

Thank you very much.

COMMISSIONER McCLURE: Thank you, Mr. Vann.

MR. PATTON: Next ten names, Rusty Snow, Janet Patterson, Naomi Schiff, Tom McCoy, Ronald Muhammad, Sanjiv Handa, Jennifer Lin, Jimmie Prescott.

MR. SNOW: Good evening. My name is Rusty Snow. I have been -- I am with the Snow Property Company. I have been working in West Oakland for over 20 years, and I believe this project that's being proposed is very important and will make a significant impact on the growth and development of West Oakland, and it will be good for all of us, and I strongly urge that the EIR be approved as soon as possible to allow this project to move along as soon as possible.

Thank you so much.

COMMISSIONER McCLURE: Thank you, Mr. Snow.

MR. MCCOY: My name is Tom McCoy. I'd like to thank all of you for allowing me some time to speak regarding this project.

I am a West Oakland business person. I have been working in West Oakland for about 15 years, and I am a member of the West Oakland Commerce Association.

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October 20, 2004

1 I am here to support the process which we are
2 engaged in right now. I think a lot of the comments
3 that have been made before me are very good.

4 I am speaking specifically about a letter that
5 was drafted, though, and sent to the members of the
6 Commission asking for the extension of the comment
7 period. And in that regard I would like the comment
8 period not to be extended, but the project to go forward
9 in an organized way.

10 West Oakland has been passed by for years, in
11 many ways. We need good schools, safe streets. West
12 Oakland also needs some mixed economic housing. We have
13 affordable -- we always need more affordable housing,
14 but we have in West Oakland a larger concentration of
15 affordable housing than in any other part of the city.

16 In West Oakland we desperately need economic
17 development in the form of capital investment. Oakland
18 in general needs to have predictable planning processes
19 in order to attract capital investment.

20 The EIR for the Central Station project has
21 been submitted in a timely fashion, and I think we ought
22 to move forward in an organized fashion. I ask you not
23 to extend the period, but move forward with the review
24 process as quickly as possible.

25 Thank you.

SP9.1
cont'd

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October 20, 2004

1 COMMISSIONER McCLURE: Thank you, Mr. McCoy.

2 Next speaker, please.

3 MS. SCHIFF: Naomi Schiff, Oakland Heritage
4 Alliance. We will submit some written comments. I am
5 giving you the short version.

6 We welcome the restoration of the train
7 station. We have many questions. We need more
8 SP10.1 information on schedules and phasing. If this is a PUD,
9 how long do the approvals last? Are they eternal, as in
10 the Kaiser PUD, which I have been following for 30
11 years, or is there an expiration? How and when would
12 EIR addenda be required?

13 This DEIR we find inadequate and incomplete.
14 It does not reflect sufficient emphasis on the rail and
15 intermodal history of Oakland. It does not adequately
16 SP10.2 address our cultural history, not just the buildings,
17 but the people, with rail history, and who are our
18 cultural resources.

19 Consider retaining Beas Hotel. The DEIR is
20 completely outrageous in its claim that the retention of
21 Beas Hotel, quote, "would continue to be a blighting
22 SP10.3 influence." There is no reason to assert that. This
23 building could be viewed as an opportunity to preserve
24 affordable housing, to do historic preservation, and
25 cultural heritage all at once.

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October 20, 2004

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SP10.4

SP10.5

SP10.6

SP10.7

We think the elevator track and baggage claim could be preserved. We need a much more serious discussion of feasible alternatives. We need more thorough analysis of how the project would interact with the surrounding community, visually, functionally, and socially.

We need an assessment of the cannery, a rare, early, Chinese-American-owned business, one of the oldest concrete structures in Oakland, a major early employer, and a possible site of archeological significance.

The historic mitigations must be completely rethought. How do the mitigations in the Dreyfus report feed into the project? It's not clear how they are reflected in the mitigation in the front. Maybe they are not.

The mitigations should yield local improvements in the impacted area. Thus, a contribution to some kind of facade improvement program or an effort to rehab Beas Hotel is a much more useful mitigation than merely writing a report.

We look forward to seeing the reborn station, and we hope the historic buildings will be stabilized and protected, pending complete restoration.

Thank you.

October 20, 2004

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SP11.1

COMMISSIONER McCLURE: Thank you, Ms. Schiff. Next speaker, please.

MR. MUHAMMAD: Greetings, Commissioner and board. My name is Ronald Muhammad. I am a long-time tenant, all my life, except for when I went away to school, of West Oakland.

I am going to speak in agreement with the development of the train station. First of all, I would like to say that we don't want to see regentrification, but we would like to see revitalization.

Gentrification has two components. Some come and some go. But this project doesn't displace anyone anywhere. It is on a site where there is not a single home that will be displaced.

I am at some of the meetings with Holliday's team, and Bill, and they are encouraging residents that are already there to stay. It speaks to the equity building that would happen. Just from the whispering of our community, the equity has gone up. Yes, the taxes will probably go up, but your equity will go up. That's just -- that's math.

I think there has been some efforts that have been done just to make a smooth transaction into the community, and I just think that we can enjoy some of the benefits from it if, you know, there are some kinks

October 20, 2004

SP11.1
cont'd

1 that can be worked out. But I think that the benefits
2 outweigh the faults in this project.

3 So, I think that you guys should consider it,
4 because we have had a lot of time down there that no new
5 developments have been done. So, please consider it, in
6 favor of the development.

7 COMMISSIONER McCLURE: Thank you.

8 Next speaker?

9 MS. ISAAC: Hello, everyone. My name is
10 Kimberly Isaac, and I'm a resident of West Oakland.

SP12.1

11 I would like to express my concerns about the
12 train station development. First and foremost, this
13 project does not include any affordable housing. As a
14 result, families will be pushed out of the neighborhood
15 because higher rents -- because of higher rents, and
16 there will be more evictions.

SP12.2

17 I am also very concerned about the developers
18 planning to tear down a part of the historic train
19 station and build condominiums. This is offensive and
20 very unfair to our community, especially our people of
21 color. Some of our parents and grandparents came to
22 Oakland and arrived at that very train station, not to
23 mention the Pullman Porters who worked there also. The
24 train station at 16th and Wood is a historic place and
25 should be treated as such. Let's keep our history

25

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October 20, 2004

SP12.2
cont'd

1 alive. Thank you.

2 COMMISSIONER McCLURE: Thank you, Ms. Isaac.

3 Next set of names, Adam Gold, Jacqueline
4 Howell, Howard Greenwich, Margaret Gordon, Thelma
5 Williams, Leilah Williams, Andre Wright, Betty
6 Wooldridge.

7 COMMISSIONER McCLURE: Mr. Patton, I
8 understand -- it's my understanding he submitted 23
9 speakers. I think there was a particular order of the
10 speakers.

11 MR. GOLD: He kept them in order.

12 All right, great. So, I was getting a little
13 tired. I think we are all here. We are all getting to
14 talk now.

15 Tonight you have been hearing from a lot of
16 different people. The 16th and Wood Train Station
17 Coalition brought about 25 speakers. They represent
18 about 15 different organizations, and over 500 people
19 have signed a petition for our community demands that we
20 are doing here tonight.

21 We are basically here to assure that this
22 development benefits the community. The people want to
23 ensure that any development that happens at 16th and
24 Wood respects African-American history and West Oakland
25 history.

26

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October 20, 2004

1 The coalition is also fighting for a positive
2 future for African Americans and other low-income
3 communities and people who live in West Oakland. So,
4 everyone who is with that, who knows what the community
5 demands are, and are here supporting the Coalition, if
6 you could stand up, all of you stand up and raise your
7 hands, so people know what kind of support we have going
8 on.

9 Okay. Great.

10 So, since we are discussing the EIR tonight,
11 we need to focus on the impact the development is going
12 to have on the neighborhood and what could be done to
13 mitigate that. You are going to hear a bunch of
14 experts. You just heard Kim, another expert directly
15 from the community, speak on the impacts. I am talking
16 about experts who live in the neighborhood for up to
17 decades, who know in their bones what will happen if the
18 development is not changed to represent what the
19 community is calling for.

20 There are experts here tonight who first set
21 foot in Oakland at the corner of 16th and Wood. You are
22 going to hear from them. You are also going to hear
23 from another type of experts, people giving the facts,
24 the statistics you need to send this EIR back to the
25 drawing board. There are so many things that aren't

27

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October 20, 2004

1 studied adequately, even though it is long, in this
2 draft, that it's going to take another intensive
3 go-around to really measure what effect this train
4 station development will have on the community.

5 Basically what we are talking about is a team
6 of developers, for-profit developers, are planning on
7 knocking down a portion of one of the most important
8 landmarks in Oakland in order to sandwich it in between
9 high-end condos, lofts, and apartments. This housing is
10 not going to be affordable for the children of the very
11 same families who came to Oakland during World War II
12 looking for opportunity to live here. Yes, there are
13 going to be a lot of impacts. Putting in a segregated,
14 whitewash, mini-Piedmont surrounded by this hub of
15 working class black history is definitely going to
16 affect West Oakland.

17 We want to ask tonight that you extend the
18 comment period on this EIR to make sure everybody here
19 gets a chance to put some good solid written comments
20 in. And we also want to ask that you send this EIR back
21 to the drawing board to address all the issues that are
22 going to be brought up here tonight. And we will give
23 you a specific list of some of the things that we think
24 are left out a little bit later.

25 So, don't ignore the social and economic

28

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October 20, 2004

SP13.3
cont'd

1 impact, either. That stuff is all relevant tonight.

2 Thank you.

3 COMMISSIONER McCLURE: Thank you, Mr. Gold.

4 MS. HOWELL: Good evening, Commissioners, and
5 thank you for listening. My name is Jacqueline Howell.
6 I am here representing A. Phillip Randolph, the Alameda
7 Oakland Chapter.

8 When I first brought this to the drawing
9 board, to the chapter, they were all very excited about
10 this project, because we thought maybe we could have
11 some type of involvement with the historical train
12 station.

13 Like I am going to ditto what Adam just said.
14 My family comes from the Pullman Porters, and I have a
15 lot of family that came through Oakland, through that
16 train station, so I am very passionate about this
17 project.

18 So, in reading over some of the sections of
19 the EIR report, I was kind of disappointed when I read
20 about part of the building being demolished, where we
21 were in hopes that the whole building would not be
22 touched and just be kept as is, for whatever remodeling
23 needs to be done, so that we can have a spot there to be
24 able to honor our Pullman Porters who struggled to make
25 things right for the labor industry, for that labor

SP14.1

29

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October 20, 2004

SP14.1
cont'd

1 industry.

2 So, I would hope you would take into
3 consideration on this report that, you know, this
4 building can remain as it is so that we can have a spot
5 there to have some type of memory of the people that
6 fought for that union that unionized the Pullman
7 Porters, as well as A. Phillip Randolph, who really
8 fought hard for the Pullman Porters.

9 Thank you.

10 COMMISSIONER McCLURE: Thank you, Ms. Howell.

11 MS. GORDON: My name is Margaret Gordon. I am
12 a second generation West Oaklander, and I talk loud
13 enough, so I don't really need the microphone.

14 My concern is the health impacts. If people
15 don't know, 94607 has the highest emergency rates for
16 asthma. If people don't know, asthma is one of the
17 leading health issues within West Oakland, besides
18 respiratory problems, heart disease, and cancer.

SP15.1

19 I am already inundated by trucks from the Port
20 of Oakland, and with the expansion of the port and the
21 building of the Army base, we going to be more
22 inundated. So, the issue of diesel from all these
23 tracks and this construction project at the same time is
24 not feasible. It's not dealing with the health impacts
25 of the community. And I don't see nowhere in the EIR

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October 20, 2004

SP15.1
cont'd

1 that the development is going to pay for one soul gets
2 sick.

3 We are already underserved, with lack of
4 health care. We don't have but one clinic in that area.
5 So, I don't understand how -- we got rid of Red Star
6 Yeast, who was a big polluter within the region. Now
7 you are going to bring another polluter in, on top of
8 the impact that we have here? And also the EIRs don't
9 even address the social impacts this project has.

SP15.2

10 And also let's look at the lack of social
11 impact of the team. They all white people, white men
12 and women. Where is the people of color that you want
13 to bring in, when Oakland is known for being a diverse
14 population?

15 We need to be looking at clean air, because we
16 all breathe the same air. We aren't spending all the
17 same money, but we are all breathing the same air. So,
18 I am really encouraging you to look at the social
19 impacts and the health impacts that this project is
20 going to be bringing into West Oakland.

21 COMMISSIONER McCLURE: Thank you, Ms. Gordon.
22 Next speaker, please.

23 MR. GREENWICH: Good evening, Commissioners.
24 My name is Howard Greenwich. I am the director of
25 Research for the East Bay Alliance for a Standard

31

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October 20, 2004

1 Economy. It's known as EBASE.

2 I would like to provide you tonight with a
3 cautionary tale of large-scale development from a city
4 bordering the community at the heart of the Wood Street
5 project DEIR, and would like to make a suggestion for
6 further studies on the impact of the project.

7 EBASE has commissioned a year-long study of
8 the impacts of redevelopment in the city of Emeryville
9 resulting in this study, "Behind the Boomtown Growth and
10 Urban Redevelopment in Emeryville." There are many
11 things to laud about the city's transformation and
12 fiscal successes. Indeed, even Oakland has benefitted
13 from the shared sales tax revenues.

14 However, many Emeryville residents do not
15 benefit from these changes that have occurred over the
16 last decade. We found that from 1990 to 2000, during
17 which massive commercial and housing development took
18 place in Emeryville, its northwestern neighborhood
19 experienced significant displacement of existing
20 residents. Over this time period rents rose by
21 15 percent. Household income rose by 60 percent. These
22 figures are adjusted for inflation. This was combined
23 with a 19 percent loss of African-American families and
24 an increase of 18 percent in white families, which we
25 believe to be a clear pattern of inflation.

32

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October 20, 2004

1 Where did those families go? They probably
2 did not go up and out to suburban areas, and they did
3 not move elsewhere in Emeryville, as very little of the
4 residential development has included family housing.
5 Instead, they probably moved to other low-income
6 communities, including West Oakland, West Berkeley, and
7 Richmond. As evidenced by the Emeryville experience,
8 the potential of displacement due to this project is
9 real and deserves a hard look by the City, especially
10 given that the developers have proposed no affordable
11 units.

SP16.1

12 EBASE strongly urges you to cite the ripple
13 effect of this project on West Oakland housing, and
14 include mitigation measures that counter potential
15 displacement.

16 While the city has not included indirect
17 displacement effects in IRS before, there is absolutely
18 no reason why the City could not include such an
19 assessment for this Wood Street project, but many good
20 reasons to include it.

21 Thank you for your time.

22 COMMISSIONER McCLURE: Thank you.

23 Next speaker, please.

24 MS. WILLIAMS: My name is Thelma Williams, and
25 I want to cede my time to Monsa Nitoto.

33

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October 20, 2004

1 COMMISSIONER McCLURE: Thank you, Ms.
2 Williams.

SP17.1

3 MS. WOOLDRIDGE: My name is Betty Wooldridge,
4 and my mother came to the train station at 16th in 1942,
5 and she brought us here, and I grew up here. So, I
6 wanted to say, if you are going to tear it down, what
7 you going to do for the poor people? We are very poor,
8 and we cannot afford any kind of homes like that. So,
9 are you going to do something for us, for the community
10 there? Are you going to help the people to live there?
11 That's what I want to know.

12 Can you give me an answer?

13 MS. CAPPIO: We are accepting comments
14 tonight. All comments received will be responded to in
15 writing. It's something called a draft EIR. So, we are
16 just accepting comments tonight, and not responding.

17 MS. WOOLDRIDGE: Thank you.

18 MR. WRIGHT: Good evening. My name is Andre
19 Wright. I am with Just Cause, and I want to start with
20 a question. How many people up here live in West
21 Oakland?

22 Okay. That's what I thought.

23 How many people here have ever lived in West
24 Oakland?

25 Okay. That's what I thought.

34

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October 20, 2004

SP18.1

1 Okay. It seems like some people have been
 2 coming up here speaking against redevelopment. And
 3 redevelopment isn't a bad thing unless it's done the
 4 wrong way. And historically, it's been done the wrong
 5 way. So, what we would ask you guys to do is do it the
 6 right way. Include the community. Don't gentrify the
 7 neighborhood, because that's exactly what redevelopment
 8 means to me and a lot of people. It just means you take
 9 the poor people that are there, run them out, build some
 10 shiny new buildings, bring in some people with a lot of
 11 money, and the City collects their taxes and the City is
 12 happy. The people that were there are gone.

13 You guys need to buck the trend. You need to
 14 do something different to show that you guys are on the
 15 ball and not just another commission, and do this thing
 16 right and make sure that the community is consulted and
 17 what they say is listened to, and that the area is not
 18 gentrified, that it is redeveloped intelligently, and
 19 with the community in mind. Thank you.

20 COMMISSIONER McCLURE: Thank you, Mr. Wright.

21 MS. WILLIAMS: Hi. My name is Leilah
 22 Williams, and I live in the 700 block of Willow Street
 23 in West Oakland. This area was once a cultural oasis
 24 for African Americans during an intense period of racism
 25 and segregation in the community. It is now an oasis

35

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October 20, 2004

SP19.1

SP19.2

SP19.3

1 for a part of the modern American population that lives
 2 below the poverty line.

3 One can hardly see the remnants of the great
 4 time when the West Oakland community was bustling with
 5 industry and pride. It is now the home of decent,
 6 hard-working people who want to make an honest living,
 7 bring home a recent wage, and live the American dream.

8 I think this project would decimate the
 9 already fragile ecology of West Oakland, and it would
 10 affect the health and well-being of the families that
 11 live there already. It would overburden the schools.
 12 It would raise the property prices far beyond what the
 13 average family can afford.

14 West Oakland has always been a refuge for the
 15 downtrodden, the voiceless masses, people forgotten by
 16 the infrastructure of city, state, and federal
 17 government. And I think that opportunities should be
 18 made for the people who already live there, that rents
 19 should stay affordable, that you should improve the
 20 quality of air, and that you should promote the history
 21 of this area. Thank you.

22 COMMISSIONER McCLURE: Thank you,
 23 Ms. Williams.

24 Next speaker, please.

25 MR. HODGE: Good afternoon. My name is Greg

36

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October 20, 2004

1 Hodge, and I am a board school member. I represent
2 District Three. I am also a member of the Work Force
3 Investment Board. And I want to associate myself with
4 all the comments that have gone through.

5 One, the idea is that in West Oakland -- I am
6 here along with my neighbors. I am a parent. I am
7 someone who has lived in this neighborhood since 1992,
8 and I love West Oakland.

9 I want to see West Oakland developed, but I
10 want to see a balanced approach. I want to make sure
11 that, as the developers who have engaged themselves in
12 our community come in, that we have jobs, and we have
13 meaningful jobs, not sort of one-time-only jobs that
14 will be gone when the project is over.

15 I want to make sure that we have got
16 affordable housing. We have got a lot of people, and
17 when I read the reports that came out from Info Oakland,
18 Urban Strategies Council, and others, 82 percent of
19 people who currently live in West Oakland will not be
20 able to afford to live in any of the housing that would
21 be built in this project.

22 I want to see a dynamic, historical train
23 station. I want to see a museum. What I want to see is
24 an educational facility in the sense of a museum that is
25 a living museum.

SP20.1

37

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October 20, 2004

1 I would invite folks to go to Kansas City and
2 look at the Negro League Baseball Museum and the Jazz
3 Museum that became a cornerstone for development in that
4 neighborhood, where facades and cafes and the historic
5 jazz district became a key element of the revitalization
6 of a neighborhood much like West Oakland.

7 I don't want to see West Oakland become the
8 way Harlem has become. You go to Harlem, Harlem doesn't
9 look like the Harlem that the black community knew.

10 The biggest part of what I want to say in
11 these 40 seconds I have left is the environmental impact
12 report is in draft form, and it apparently is a draft.
13 All of the education components that you see on pages
14 3.14.3, 3.14.4, 3.14.10, 3.14.14, et cetera, don't take
15 into account many of the things that have happened in
16 Oakland Unified over the last year.

17 We are a declining enrollment district. Many
18 of the schools in West Oakland are consolidating.
19 Lowell, for instance, no longer has a sixth grade class
20 that came to that school this year. Those students are
21 now another school. We will probably have a
22 consolidation at McClymonds High School. Prescott,
23 Cole, and Martin Luther King will have to take on the
24 pressure of that.

25 So, the basic idea -- if you could just yield

SP20.1
cont'd

SP20.2

38

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October 20, 2004

1 me about 30 seconds -- is that when Oakland prepared its
2 report at the district, they didn't ask Tim White, the
3 director of facilities. They didn't ask Shelley
4 Lapkoff, who is the district demographer. They didn't
5 ask Hae-Sin Kim, the person who is designing new schools
6 in the neighborhood.

7 So, I would advise you to get with district
8 staff, myself as a board member, and others, so you can
9 really hear the dynamics that are going on with
10 education in West Oakland. Because, for all of this
11 heavy, hefty report, there are probably about two pages
12 that deal with education, one of the most important
13 features of any neighborhood.

14 And so I would hope that as you move forward
15 with this -- I will actually prepare some written
16 comments -- but to really go back and look at all of the
17 demographic changes that are happening in West Oakland,
18 the plans for new schools, and really figure out how we
19 can make sure that education in its greatest sense is
20 part of the development that happens in the Wood Street
21 project.

22 Thank you for your time.

23 COMMISSIONER McCLURE: Thank you, Mr. Hodge.

24 MS. HINTON HODGE: Good Evening, Commissioner
25 McClure and the rest of this body. My name is Jumo

SP20.2
cont'd

SP21.1

39

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October 20, 2004

1 Hinton Hodge, and I am a part of the 16th and Wood Train
2 Station Coalition and also the 7th Street McClymonds
3 Leadership and Engagement Initiative.

4 This EIR does not speak to or do enough to
5 ensure that institutions and people of West Oakland are
6 protected. I, too, support improvements, the
7 improvements of infrastructures. I support clean, safe
8 neighborhoods. I support that all in West Oakland,
9 because I live there and I raise children there.

10 It seems time and time again we enter into
11 these chambers, into this room, having to defend the
12 right of African-American people, we have to defend the
13 right of poor people, and we have to defend the right of
14 low-income folks, no matter what color they are.

15 And as an Oakland resident I am very tired of
16 the leadership that constantly pushes us to have to
17 defend in this way. There is no policy. There is no
18 action that is proactive to really protect low-income or
19 poor people in Oakland.

20 This report does nothing to speak to
21 education, youth, and schools in an adequate fashion.
22 There is no discussion about students or overcrowding
23 the under-resources that already exist.

24 If the developers and the Planning Commission
25 and public officials really want to look at improving

SP21.1
cont'd

SP21.2

40

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October 20, 2004

SP21.2
cont'd

1 our city, then they will be in conversations with OUSD.
 2 They will be in conversation with organizations like
 3 mine that are working with parents on a daily basis
 4 around improving education and being a part of that
 5 change. It would be to our advantage to have a
 6 development that supports healthy educated young people
 7 in our community.

SP21.3

8 I just want to lastly say that this EIR does
 9 nothing to talk about all of the health factors that
 10 impact children in our neighborhoods. When we talk
 11 about not learning, we need to look at the fact that
 12 there is a tremendous amount of lead in our
 13 neighborhood. We need to look at diesel particle matter
 14 that impacts the learning and the education.

SP21.4

15 I recommend that we delay this project, that
 16 we delay the EIR, and that we go back to the drawing
 17 board to look more thoroughly at issues around young
 18 people, issues around African Americans, and issues
 19 around low-income and poor people.

20 Thank you for your time.

21 COMMISSIONER JANG: Thank you.

22 Next speaker, please.

SP22.1

23 MR. MINOR: My name is Kenneth Minor. I am a
 24 member of St. Mary's Center for Justice. I had a few
 25 things I was going to say, but I decided all that would

41

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October 20, 2004

SP22.1
cont'd

1 take too long.

2 What I am going to say is there are senior
 3 citizens that live in that particular area of the train
 4 station, and you want to do all of this and that to it.
 5 I think that's a bunch of bunk.

6 What I am looking at is some actual facts.
 7 It's 17 percent homeless. Those numbers are going to
 8 get bigger, maybe. It's a scary thought. Now, I just
 9 don't speak for myself. I am speaking for everybody.
 10 It's my belief we are all entitled to decent housing.

11 You know, I get a check from the VA, \$808.20 a
 12 month. Now, that's not enough to get into, you know,
 13 Section 8, not enough at all. So, what I do is I stay
 14 in a hotel and I try to make it the best I can.

15 But the thing is, you get out there and you
 16 start working on your big projects, you create a mess.
 17 There is going to be a lot more homeless people. And
 18 under this law, eminent domain thing, they are going to
 19 wind up, they can't pay, so out they go. They are on
 20 the streets. This is real.

21 Now, it wasn't so long ago that I was homeless
 22 myself, so I know the road. That road is hell.

23 That's all I have to say.

24 COMMISSIONER McCCLURE: Next speaker, please.

25 MR. NELSEN: Good evening. My name is Andy

42

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October 20, 2004

1 Nelsen, Urban Strategies Council and member of the Train
2 Station Coalition. I want to first say that this is a
3 coalition that supports economic development in West
4 Oakland, when that economic value respects and values
5 Oakland's history and community and provides
6 opportunities for that community's future.

7 Having said that, let me make a few comments
8 on the draft EIR. The DEIR for the Wood Street Station
9 project fails to consider, as you heard, significant
10 social and economic impacts of the project. And CEQA
11 certainly allows for the consideration of these, and in
12 fact there are good reasons why they should be
13 considered.

SP23.1

14 One, this proposed project will increase the
15 study area population by nearly 15 percent. The lowest
16 income of those new houses will be more than double the
17 median income of the study area. And this is an area
18 which has already experienced an extreme increase in
19 higher-income households between 1990 and 2000.

20 You might want to start my two-minute thing,
21 because I am going to go on for a while.

22 COMMISSIONER McCLURE: Thank you for helping
23 me manage the meeting.

24 MR. NELSEN: Two, many residents and members
25 of the public have requested such consideration.

43

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October 20, 2004

1 And three, the City offers no other formal
2 process when considering social and economic impacts of
3 large projects or their mitigation in any substantive
4 way.

SP23.1
cont'd

5 Some, but certainly not all of the impacts
6 that ought to be considered: The likely increase in
7 real estate costs in the surrounding neighborhoods
8 engendered by this project and the scope of the
9 resulting market forces place an indirect displacement
10 of commercial and residential tenants.

11 The implications of creating housing that is
12 disproportionately unaffordable to current residents of
13 West Oakland, residents of Oakland Redevelopment Project
14 areas, and black and Latino households throughout the
15 entire Bay Area, in effect creating a raise in income in
16 a segregated physical enclave in West Oakland.

SP23.2

17 The loss of an opportunity to bring in
18 affordable housing as a part of this project also ought
19 to be considered. This project will continue the trend
20 of under-production of housing that is affordable to the
21 majority of Oakland residents, pushing the city of
22 Oakland even further away from its expressed goals for
23 low and income households which are set out in the
24 General Plan.

SP23.3

25 I always like to note that very low-income

44

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October 20, 2004

1 households equates to about \$38,300 a year, which is
2 about the median income of residents of Oakland in the
3 project area.

SP23.3
cont'd

4 Commercial rents from small business
5 replacements ought to be considered as well, not only as
6 a result of market rate displacement, which we already
7 mentioned, but also because new residents are likely to
8 bring increased demand for business services that will
9 not be provided by existing businesses, and this may
10 create further pressure on existing small businesses.

11 The loss of employment opportunities should be
12 considered, particularly the loss of employment
13 opportunities that pay better than jobs which would be
14 added which aren't mentioned in the draft EIR.

SP23.4

15 The draft EIR compares a number of jobs to be
16 created by this new project to a no-project alternative,
17 but does not compare the new jobs in the study area, nor
18 does it compare the skills and training requirements and
19 the average wage rates and job opportunities to be
20 created with the jobs expected to be displaced, directly
21 or indirectly. Thank you.

22 COMMISSIONER McCLURE: Thank you.

23 Next speaker, please.

24 MR. NEVELN: Richard Neveln, a member of
25 WOCAG, former candidate for AC Transit Director in 2002,

SP24.1

45

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October 20, 2004

1 someone who knows how much affordable transit can impact
2 a community and its development.

3 In the Dowling Associates projection they talk
4 about, with the project, about 600 car trips, or 600
5 transit trips in 2010, but an additional 3,000
6 automobile trips in 2010. And they say, "Well, we will
7 work it out with the public transit providers when we
8 get around to it in that future."

SP24.1
cont'd

9 The money needs to be there ahead of time.
10 The money needs to be there for capital equipment
11 purchases so that public transit providers can have the
12 extra equipment to provide this service. And it would
13 seem incumbent upon the developers to foresee this need
14 as their project develops, and have some clear and
15 definitive plans for public transit and the funding to
16 go along with it. That is something that's missing from
17 the EIR.

SP24.2

18 If you will look at page ten, which is
19 following page 2.2, or page 2.7, that's another problem.
20 The numbering on the pages leaves a person difficult to
21 know what page they have. When you pull a page out of
22 the book, you can't put it right back, because there is
23 no sequential page numbering.

SP24.3

24 And finally, if you are going to improve a
25 project area, you need to consider the surrounding

46

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October 20, 2004

SP24.3
cont'd

1 environment. To have a really well-developed project
2 and right across the street something that is far less
3 adversely impacts both groups. The people in the poor
4 side of the project, poor side of the street, have their
5 property values go up, taxes go up, rents go up, and no
6 real benefit. What's needed, in addition to that, is a
7 pathway to this project so that it leads from the city
8 center to the project area, to benefit the community and
9 all of Oakland.

10 COMMISSIONER McCLURE: Thank you, Mr. Neveln.

11 Next speaker, please.

12 MR. PATTON: Next group of speakers, Tey
13 Welbeck, Margaretta Lin, Andy Nelsen, Barry Lubovisky,
14 Ms. Fitzpatrick, Audrey Miles.

15 COMMISSIONER McCLURE: Mr. Patton, are these
16 all still members of Mr. Gold's group?

17 MR. PATTON: Yes.

18 COMMISSIONER McCLURE: Thank you.

19 MR. WELBECK: Good evening, Commission and
20 everybody in attendance. My name is Tey Welbeck, and
21 I'm 20 years old. I am also a proud resident of
22 Oakland.

23 I have known about the train station for
24 years, but never knew how it was used in the past, but I
25 see it every day, because I live on 14th and Wood. I

47

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October 20, 2004

SP25.1

1 know it was a major conduit for public migration in its
2 heyday, and it is also a hotbed of rich African-American
3 and union history.

4 I have heard the argument that no one wants a
5 museum in the neighborhood, but what we do want is a
6 living museum that honors the legacy of the Pullman
7 Porters.

8 You should also know that you would have an
9 issue if you want to build in a place where so many
10 other people can't afford the so-called affordable
11 housing, making less than 20 percent of the families in
12 West Oakland eligible, and they also have to make about
13 80,000 or more a year.

SP25.2

14 There is no reason to tear down a significant
15 amount of history and cram more non-affordable condos.
16 Using money -- using revenue generated from taxes is not
17 enough. As part of the Wood Street -- we want housing
18 built as part of the Wood Street project to make a
19 friendly, mixed-income development. This project is
20 speeding up the trend of gentrification and market force
21 displacement that's already been going on in Emeryville
22 and San Francisco, and in Oakland.

23 Buying land for dirt cheap and doubling your
24 money, I say to the developers, "If your pockets are
25 fat, you can afford to give some back."

48

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October 20, 2004

1 COMMISSIONER McCCLURE: Thank you, sir.
 2 Next speaker, please.
 3 MS. LIN: Good evening. My name is Margaretta
 4 Lin. I'm a staff attorney with the East Bay Community
 5 Law Center, and we are part of the 16th and Wood
 6 Community Coalition.
 7 We have been working with a group of experts
 8 on CEQA, the environment, planning and design, and
 9 population and housing, to provide written comments to
 10 the Planning Commission, and we will be submitting those
 11 in writing to you in time for your November 8 deadline.
 12 I wanted to focus my comments today on a few
 13 concerns that we have regarding the DEIR. Number one,
 14 that the draft EIR does not meet the sustainable
 15 development goals of this city as enshrined in many of
 16 our land use plans, and you have heard that from many
 17 speakers today. We are very concerned that not only
 18 does it not meet the sustainable development goals of
 19 mixed income housing, local hiring, and preservation of
 20 cultural heritage, but it does not even acknowledge some
 21 legal requirements that exist for the city in this
 22 redevelopment project area regarding the production --
 23 this development project will trigger affordable housing
 24 production requirements for the City of Oakland. It is
 25 not even acknowledged in the draft EIR.

SP26.1

49

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October 20, 2004

1 There is also local hiring provisions in the
 2 base reuse plan that is just dismissed and not
 3 addressed, in terms of, what is the impact of not
 4 following our local laws? We have a list of about 13
 5 different impacts that have not been studied or
 6 adequately studied in this draft EIR. And we are
 7 recommending to this Planning Commission that, in
 8 December, that the community not receive a final EIR,
 9 but a draft EIR, so we can have the opportunity to
 10 respond to many of these impacts, great impacts on the
 11 community that were not even addressed in the draft EIR.
 12 And I submit those right now to you.
 13 Thank you.
 14 COMMISSIONER McCCLURE: Thank you, Ms. Lin.
 15 Next speaker, please.
 16 MS. MILES: Good evening. My name is Audrey
 17 Miles, and I'm a member of Just Cause Oakland.
 18 I am also on disability, and I also receive
 19 about 800 a month. Unfortunately, that's not enough to
 20 live at the train station. I shouldn't be pushed out of
 21 my neighborhood because some developer wants to take
 22 over. We should take care of our own. Let's build up
 23 Oakland with the people we have in it.
 24 How many of you in this room make \$80,000 a
 25 year? Not too many, I would bet on that. But I would

SP26.1
cont'd

SP26.2

SP27.1

50

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October 20, 2004

SP27.1
cont'd

1 like to say, please consider the people that live here
2 already. We need a place to stay. Thank you.

3 COMMISSIONER MCCLURE: Thank you, Ms. Miles.

4 Next speaker, please.

5 MR. HAYS: Good evening, Commissioners. My
6 name is Jeremy Hays. I work with Urban Strategies
7 Council, a community building support network
8 organization. I have also been the co-author of a
9 couple of reports on gentrification in West Oakland, and
10 I have been asked by residents of the 16th and Wood
11 Train Station Coalition to look into it, and I would
12 like to talk to you about that briefly.

13 The Urban Strategies Council has taken a look
14 at gentrification vulnerability and processes in West
15 Oakland, and I have three things to report to you all
16 this evening.

17 One, that West Oakland is indeed quite
18 vulnerable to processes of gentrification and
19 displacement; two, that those processes appear to be
20 underway right now in the neighborhood; and three, this
21 development as it's proposed right now is quite likely
22 to exacerbate those processes.

23 I know that during the scoping process for the
24 EIR community residents came and talked about their
25 concerns about gentrification and displacement, and I

SP28.1

SP28.2

51

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October 20, 2004

SP28.2
cont'd

1 didn't see that worked out in the EIR, and I think it's
2 a really important thing to have a look at there.

3 Gentrification processes are difficult to
4 stop, once they get going. And gentrification
5 processes, like all neighborhood change, are complex and
6 often very subtle. So, without being too alarmist, I
7 want to caution the Planning Commission to take a good
8 look at this issue now, that there is -- this may be --
9 and again, without being too alarmist, this process of
10 approving this development may be one of the last
11 chances that the City of Oakland and leaders of the
12 Planning Commission have to actually be deliberate about
13 the course of development in West Oakland, and be
14 deliberate about whether or not West Oakland continues
15 to embrace its cultural history, has an African-American
16 neighborhood, or whether something else happens in West
17 Oakland.

18 And I would warn you that, unchecked, 50 years
19 from now west Oakland could be quite a different place,
20 where the cultural history is relegated to something
21 like a street sign name of somebody famous that used to
22 live there, something like we have in Emeryville, where
23 we have Shellmound Avenue that snakes its way through
24 big box retail, Trader Joe's, and that's the only
25 tribute left to the cultural heritage of Native

52

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SP28.2
cont'd

1 Americans in Emeryville. That shouldn't happen in West
2 Oakland, and this draft EIR process is a perfect place
3 to deal with these issues in depth.

4 Thanks.

5 COMMISSIONER McCURE: Thank you, Mr. Hays.

6 Next speaker, please.

7 DR. BHATIA: Thank you, Commissioners.

8 I am Rajiv Bhatia. I am a resident of
9 Oakland. I am the director of environmental health for
10 the City and County of San Francisco. I am assistant
11 clinical professor at UCSF and a researcher at the
12 Public Health Institute.

13 My research focuses on the public health
14 impacts of the built environment and the way those
15 impacts are considered in CEQA and NEPA law.

16 I want to talk -- I think human health is a
17 fundamental concern at CEQA. Section 15131 talks about
18 social impacts. Social impacts can be looked at in any
19 way you want them to. They have to be looked at where
20 they cause a physical effect. Human health impacts are
21 physical effects. Asthma is a physical effect.

SP29.1

22 Displacement of humans is a physical effect,
23 environmental and -- in addition to effects such as air
24 pollution.

25 The important dimension of this project that

SP29.1
cont'd

1 affects these human health and physical effects is
2 affordability. Affordability affects health because it
3 causes trade-offs between rent, mortgage, food,
4 clothing, and health care, creating hunger and impaired
5 growth. It creates conditions where crowded, unsafe
6 living occurs, causing asthma and mental illness,
7 worsening children's school performance.

8 It forces displacement, as many people have
9 been alluding to, in eviction, creating stress and
10 homelessness. It worsens job/housing balance, a
11 physical effect, increasing air pollution, traffic
12 congestion, and sprawl. Affordability is a key
13 component of a job/housing balance. You can't have a
14 job/housing balance for some and not for others.

15 The lack of affordability, most importantly,
16 means that poor people are concentrated in poor
17 neighborhoods. We have seen the effects of segregation.
18 We have seen the effects on health. We have seen the
19 effects on physical environments through blight. We
20 have seen the effects on behavioral problems. We have
21 seen the effects on school performance. We have seen
22 the effect on violence. Violence is a physical effect.
23 A gun murdering somebody is a physical effect.

24 And so I really want you to take a good look
25 about the relationship between affordability, public

October 20, 2004

SP29.1
cont'd

1 health, and physical effects. These effects are in the
2 research, and you have a lot of researchers and
3 expertise at the University of California San Francisco,
4 at Berkeley, and San Francisco State. You have
5 researchers, community researchers, in these communities
6 as well.

7 I want you to take a look at the environmental
8 goals and policy report of the state of California. In
9 the 2003 general planning guidelines it talks explicitly
10 about why affordability is important to human health,
11 why affordability is important to the environment. It
12 talks about the relationship. It talks about methods to
13 analyze the relationship.

14 I want you to read CEQA. How many people have
15 read CEQA, the law? Okay. I want you to read CEQA, and
16 I want you to direct staff to analyze these
17 relationships between affordability and environmental
18 health and physical effects. I'd like you to question
19 the planners and the lawyers when they say, "I can't, we
20 can't," because that's just not true.

21 And there are state guidelines -- Caltrans has
22 them -- that show that you can do this and there are
23 methods. I want you to bring the experts and the
24 process that exists when planners and your CEQA experts
25 tell you, "We don't know how to do it," because you can

55

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October 20, 2004

SP29.3
cont'd

1 do this. The methods exist. They are just not applied
2 to this law.

3 There has been a lot of CEQA malpractice over
4 the past years. It's time for that to stop. I want you
5 to mitigate this project by increasing affordability. I
6 want you to look at the residual values that make it
7 economically feasible to do this.

8 Planning, along with General Motors and the
9 Congress, created segregation, and it's the time to fix
10 it. Thank you.

11 COMMISSIONER McCLURE: Thank you.

12 MS. LUI (Phonetic): Hi, My name is Diana Lui
13 (phonetic) and I work in Oakland. Emily Lee ceded her
14 time to me for the Pacific Institute.

15 I just wanted to present a few comments. I
16 have been working really hard over the last couple days
17 to look at the data, information that exists around
18 several of the things that people in this room have
19 brought up this evening. Adam brought up this up to
20 you, but if you would each take one of these and pass
21 them around.

22 There is a fact sheet. There is a report or
23 data book, where we examine the possible impacts on
24 housing, jobs, health impacts especially. And this is
25 going to be directed at the draft EIR in section 3.6 on

56

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October 20, 2004

1 air quality. There are not actually mentioned impacts
2 of the diesel emission and particulate matter, in
3 particular, on health.

4 The neighborhood of West Oakland is a heavily
5 burdened diesel particulate matter area, and so the
6 additional health impacts of construction, while they
7 say that they could be significant, given the actual
8 situation in West Oakland, really bears some severe kind
9 of -- you really need to look at that and really need to
10 mitigate that. There are not any provisions in the
11 draft EIR to actually mitigate the diesel emissions and
12 impacts of construction.

13 They also tend to minimize the actual impacts
14 of construction. Construction on this project is slated
15 to happen over ten years, so that seems to me to be
16 something that really should be mitigated. A ten-year
17 health impact of increased levels of diesel emissions
18 for all the residents of that community seems like it
19 would be something that would also burden the schools
20 because -- well, burden the schools, burden the health
21 system.

22 And then also we looked at the indicators of
23 gentrification, both the fact that West Oakland is
24 vulnerable to gentrification, and that gentrification,
25 from all of the data it looks like gentrification is

SP30.1
cont'd

SP30.2

57

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October 20, 2004

SP30.2
cont'd

1 already happening.

2 Okay. Great. And so I would just point you
3 again to the Appendix D, where all of the kind of stuff
4 around diesel emissions and construction impact is laid
5 out.

6 Thank you very much. Have a great evening.

7 COMMISSIONER McCLURE: Thank you.

8 Next speaker, please.

9 MR. GEIGER: Commissioners, members of the
10 public, thanks for listening to me for a minute.

11 My name is Ben Geiger, co-director of a
12 homeless outreach group at the Berkeley School of Law by
13 the name of the Law Student Outreach.

14 When my predecessors went to homeless shelters
15 starting over 15 years ago, their clientele were largely
16 single males, largely war veterans.

17 When I and my fellow students go to homeless
18 shelters now, I invariably end up sitting across the
19 table with clients, with children around the table,
20 sitting in my lap, drawing on the back of flyers that we
21 have laid on the table. I am actually facing a flyer
22 shortage.

23 What I want to ask here tonight is, why am I
24 sitting across the table from homeless families in
25 homeless shelters in Oakland? Why is over 40 percent of

58

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October 20, 2004

1 the homeless population in urban areas across the United
2 States made up of families in 2002? And the answer is,
3 there is an affordability housing crisis across this
4 country and in West Oakland.

5 Over 45 percent of rental households in West
6 Oakland currently need housing that is more affordable.
7 Over a quarter of rental households in West Oakland pay
8 more than 50 percent of their income into housing costs.
9 When you have households that are paying that much of
10 their money into housing costs, any increase in housing
11 costs puts them at risk of becoming homeless.

12 And yet the rise in property values is exactly
13 what the developer is planning. It's exactly what their
14 investors are banking on, and it's exactly what
15 45 percent of West Oakland cannot afford.

16 This EIR needs to consider the context of the
17 affordable housing crisis in West Oakland and the impact
18 that has on population, because I don't want to have to
19 keep bringing extra flyers for children and families in
20 the homeless shelters that we visit. Thank you.

21 MS. FITZPATRICK: Good evening. My name is
22 Joanna Fitzpatrick, and I am a child care provider in
23 West Oakland, and also I am a part of the CWOR housing
24 task.

25 And while it's wonderful to have redeveloping

SP31.1

SP32.1

59

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October 20, 2004

1 here in Oakland, we also need it to be affordable for
2 people of color. Now, if you put all these houses out
3 here in West Oakland on 16th and Wood Street, what
4 people are you expecting to afford these houses?
5 Because, first of all, most of the people that are out
6 here in West Oakland are low-income people. The
7 majority of us are low-income people.

8 And I feel that, if you are going to put new
9 building, new housings there in West Oakland, in the
10 heart of West Oakland, where we came from, we should be
11 able to live in those buildings. So, the way that you
12 have it standing now, it's not too many of us going to
13 be able to live there. So, I don't think that's fair.

14 What are your plans for people in West
15 Oakland? I know you are not answering them, but put it
16 down in your paperwork. What are the plans for people
17 in West Oakland that will be able for us to have a
18 decent place to live, and not worrying about will we be
19 able to pay our telephone bill, our gas and electric,
20 because telephone people are doing what they want to do,
21 the gas and electric people are doing what they want to
22 do, so the people in West Oakland, we can't even afford
23 heating here.

24 So, my statement is, to you people here that
25 are on this Commission here, is to think about the

SP32.1
cont'd

60

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October 20, 2004

SP32.1
cont'd

1 people in West Oakland. Think about the people that
2 have come here, the people that are raising children
3 here, that are living in low-income housing right now,
4 and can't even hardly afford that.

5 So, if you put 80,000 -- two or thousand
6 dollar prices on these homes, we cannot afford them.
7 So, please go back over your paperwork and figure out
8 what you are going to do with us in West Oakland. And
9 remember, we are fighting you. Thank you.

10 COMMISSIONER McCLURE: Thank you,
11 Ms. Fitzpatrick.

12 Mr. Patton, does that conclude?

13 MR. PATTON: I have Marilyn Reynolds and Monsa
14 Nitoto. Those are the only remaining cards.

15 COMMISSIONER McCLURE: Thank you.

16 MR. HANDA: Again, for the record, I am Sanjiv
17 Handa, East Bay News Service.

SP33.1

18 The first thing today's meeting points out is
19 the need to revisit the issue of how this city does
20 business. There have been a number of comments made by
21 the speakers. There have been a number of issues that
22 have been raised where the individuals, for example,
23 asking if you had read CEQA -- most of you I know have
24 read that. Some of you are asking who lives in West
25 Oakland. I know at least one of you used to live in

61

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October 20, 2004

SP33.1
cont'd

1 West Oakland. But the Oakland model is you don't
2 respond. You may give answers at the end.

3 But often what happens is when people come
4 in -- and today what happened is, two organized sets of
5 participants, one from the residential community, one
6 from the business community. In this case they both had
7 good organizers and were able to put out a lot of people
8 and raise different points of view and present them in a
9 way that could be covered. No one person or
10 organization could do that, with the time limits that
11 are imposed upon these meetings.

12 The second issue is, a part of that is that
13 Mayor Jerry Brown, when he came into office, presented a
14 so-called mandate, made a number of policy decisions
15 which had day-to-day impacts that even the Oakland City
16 Council was not consulted on, referred to as the
17 Jerry-fication of downtown, and the 10,000 new
18 residents, and a number of other plans.

19 And if you look at the claims that the Mayor
20 makes on what he has done for Oakland, one of his claims
21 is a project on the waterfront. He claims he is
22 responsible for over 400 units being added. When he was
23 not a candidate for mayor and he was not the mayor, he
24 filed a lawsuit to block that project from being
25 developed, because it would block the view from his

62

Legalink San Francisco (415) 359-2040

October 20, 2004

1 \$1.7 million live/work loft residence. So, his position
2 changed, once he became the mayor.

3 There is also not a clear opportunity for the
4 public to get a lot of information that is from
5 different elements of the database that Oakland has, and
6 the information that is there. And it would have been
7 helpful, I think, as part of the staff reports and as
8 part of the presentation, to take the elements related
9 to affordable housing and explain what the City is
10 doing.

11 In closing, let me say you have got a dilemma
12 here, because you have got a project proposed with no
13 subsidies and no other requests from the City. It's a
14 market rate project, so you don't have, as a city, the
15 kind of control or the kind of input which you can have
16 in a project subsidy case.

17 Those are the kinds of things that should be
18 explained to the public, so all the misinformation
19 that's out there does not just go unanswered or
20 basically unchallenged.

21 Thank you.

22 COMMISSIONER McCLURE: Thank you, Mr. Handa.

23 MR. NITOTO: Good evening. My name is Monsa
24 Nitoto. I have some time ceded to me.

25 COMMISSIONER McCLURE: Four minutes.

SP33.2

63

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October 20, 2004

1 MR. NITOTO: Yes. Let me start off by saying
2 that I was at one time a member of the Alliance of West
3 Oakland Development, and we had this property under
4 contract. And Mr. Mariano and some other folks,
5 Mr. Holliday, they managed to get to Union Pacific in
6 some kind of way and finagle the property out from under
7 us. We expected to own that property and make it part
8 of the Mandela Village Development.

9 I want to make a comparison with the Mandela
10 Village Development which is going on here over by BART.
11 You can find that citizens have an opportunity to put
12 money in as an investment and make an investment in that
13 project and get some dollars back. It can be \$20. It
14 can be \$100. It can be \$5,000. It can be, you know,
15 whatever. So, it's open for that kind of investment,
16 you know, as a community incentive. And there is
17 nothing like that at this project.

18 However, I support the project. I want to say
19 I support it with some reservations. I support it in a
20 sense that they are talking about turning that building
21 over to a community group, a non-profit. I support it
22 in the sense that they are going to use some of the tax
23 increment dollars to develop the property.

24 The question is, when? And is it going to be
25 at the end, after they do everything else, and then

SP34.1

64

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October 20, 2004

SP34.1
cont'd

1 there is no money left to do it?

2 I am concerned about any part of it being torn
3 out. I hadn't heard that before. And there is an
4 adjacent building where we want to put the nonprofits in
5 there, from all over West Oakland, to help further our
6 efforts to move community people into that area.

7 We do not want to see this become a zone where
8 there are no community people in that project and that
9 there are no streets and other things leading into it.

10 Now, they are going to fix up the streets over
11 here on Wood Street. I am concerned about the streets
12 around that area, so the dollars don't get vacuumed into
13 that one project, with the loss of other ones. I think
14 money should be spread out evenly, so that the whole
15 area gets wholesome development. And the park should
16 have some money coming out of that development as well.

17 Specifically, I am concerned here about the
18 Pullman Porters and the history of the Pullman Porters
19 as an African group of folks. There is a lot of
20 research that needs to be done about that building, and
21 the oral history needs to go into this EIR. It's not
22 there. We need to see layers of that oral history of
23 people, what they have done there, and capture that.

24 I don't want to see this building like the
25 Grove Street, where the Panther Party started at. You

65

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October 20, 2004

SP34.3
cont'd

1 get ahold of this building, you move a whole bunch of
2 new people in there, and the African-American history is
3 wiped out, from the Pullman Porters shutting down the
4 country and setting up the first black union nationally.

5 I want to see that property, you know, used in
6 a way that's going to be wholesome for the whole
7 neighborhood. Put roadways in, so it's not like a gated
8 off, locked-off situation. It should be something that
9 people can get into and shop and deal with and live
10 there, you know, comfortably.

11 I think it's very important that we pay
12 attention to the history of the Pullman Porters that
13 rode the train, you know. There is talk of a blues
14 train that the railroad may get back involved with. I
15 don't want to get into that too far. But I am saying
16 this community loves that community property.

17 And Rick Holliday said to me, "Well, some
18 people wrote on the walls and they, you know, did
19 stuff." We lived in that building -- I myself stayed in
20 that building when I was homeless for a while. It's a
21 nice big building, and it's very safe.

22 I am saying people wrote on the walls because
23 we don't have money to fix the place up. We don't have
24 money to keep it clean and put the roof up. We tried to
25 get that when we come together with the alliance to buy

66

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October 20, 2004

1 the property, and somehow they finagled it.

2 We want it because we want to put a historical
3 tilt on that building and make it not just a museum, but
4 a money-making venture, where people can come in and out
5 of it and we have access. We want to put a shelf in
6 there and put some of the stuff on top of it so we can
7 use the bottom of it for some kind of food and rental
8 service, so the community can make some money from that
9 project.

10 I think one thing, though, that they do need
11 to consider, in my opinion. I support the project. I
12 support it with reservations.

13 There is going to be a traffic jam on Grand
14 like you have never seen. The Army Base going to have a
15 billion dollars worth of development out there, because
16 I am involved in it with John Greer (phonetic) and other
17 people. That we are going to get folks to consider on
18 the base. And the same thing is going to be true with
19 this property, with all these new places moving into the
20 community. So, I think they need to consider that in
21 the EIR, in terms of the nature of the traffic jam and
22 all the pollution that's going to come from it that
23 people have spoke about here.

24 Thank you.

25 COMMISSIONER McCLURE: Thank you.

SP34.5
cont'd

SP34.6

67

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October 20, 2004

1 MS. REYNOLDS: Hello. My name is Marilyn
2 Reynolds, and I'm coming solely as a resident of West
3 Oakland, living in the immediate vicinity of the
4 proposed Central Station project.

5 I, as a resident for over 20 years in that
6 neighborhood, would like to see a big change happen such
7 as this project. A number of neighbors that I have
8 spoken with in the neighborhood would like to see the
9 project happen as well. There -- as far as
10 displacement, there is nothing there but truckyards,
11 debris, blight, and we would like to see that change.

12 We feel that we have every much of a right as
13 people who live and bought in that neighborhood when
14 nobody was even thinking about it, over 20 years ago.

15 One of my neighbors, she has been in her house
16 for over 50 years. One of the neighbors in the
17 neighborhood's grandson fell through the roof of the
18 train station before it was renovated by the developers.
19 He broke his collarbone, his arm, and hurt his hip.

20 Currently my daughter goes to school out of
21 the neighborhood. I had no problem getting her there.
22 You have to put in what they call an out-of-district
23 transfer. Well, you can get top priority if you can
24 prove that your schools in your neighborhood are
25 underperforming. Our schools are underperforming. We

SP35.1

68

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October 20, 2004

SP35.1
cont'd

1 would like some economic developing to come in so those
2 schools can be brought up to par. We need to have that
3 income come in to help bring up our neighborhood, bring
4 up our schools. The street paving and all that that
5 people are talking about, all that will come with the
6 development.

7 As far as the diesel emissions and other
8 things, I know I have a concern.

9 I think I am possibly the last speaker, if you
10 could just give me a few more moments.

SP35.2

11 Currently there are -- there is one on-site
12 truckyard. That will be eliminated. There is another
13 truckyard not too far away. That will be eliminated.
14 So, some of the current diesel emissions will be
15 eliminated with the development.

SP35.3

16 I do have a concern about the scale of the
17 development. I think it is kind of overzealous, and I
18 would like to see more open space. I like the idea that
19 the developers are opening, or having the development
20 face the community.

21 Currently we have people who have moved into
22 the neighborhood. We have Chinese neighbors. We have
23 Bosnian neighbors. We have people coming from all over
24 into West Oakland, and we are making a community.

SP35.4

25 As an African American I would like to see the

69

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October 20, 2004

SP35.4
cont'd

1 rich history preserved at the train station, the history
2 of the Pullman Porters. My own niece moved to West
3 Oakland in 1992. She came on that Amtrak at that
4 station. So, we are still coming, and I hope we get to
5 stay.

6 A lot of my neighbors have moved out of the
7 area because the change has taken too long, and I would
8 like to see no more of us moving out.

9 Thank you.

10 COMMISSIONER McCLURE: Thank you,
11 Ms. Reynolds.

12 Mr. Patton, can you confirm that you have no
13 more speakers?

14 MR. PATTON: I have no more speaker cards for
15 this item.

16 COMMISSIONER McCLURE: We are going to close
17 the public hearing.

18 Mr. Killian, can you honor us with some
19 comments?

20 COMMISSIONER KILLIAN: Thank you, Chairman
21 McClure.

22 My comments are very brief. I want to just
23 say that the draft EIR is a voluminous document. And I
24 want to commend the authors as well as staff for looking
25 at the area that was always near and dear to me, which

70

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October 20, 2004

1 is the traffic impacts and the traffic flow.

2 I did have one concern, though, and I forget

3 the page, but the analysis of the traffic flow shows

4 that most of the traffic is going to be coming from the

5 north, particularly through Emeryville. And I am not

6 sure if that is a proper analysis of the traffic. There

7 will be a more substantial flow of traffic, not from the

8 Emeryville-Berkeley area, but from this other part of

9 the city. So, I would like that traffic portion of it

10 either explained or delineated further, so we can

11 understand how those conclusions were reached.

SP36.1

12 I am ready to move the draft EIR forward so

13 that we can get the rest of the comments and close the

14 comment period, I believe on November 8. Thank you.

COMMISSIONER McCLURE: Right.

Commissioner Franklin?

17 COMMISSIONER FRANKLIN: I will just go through

18 my list of comments quickly. Most of them are very big

19 concept. I too am concerned about jobs and job

20 training. I have already talked to the developers about

21 that, and will talk to them about that in more detail

22 later.

SP37.1

23 I would like to, to the extent necessary, for

24 the EIR to better address the needs, if necessary, of a

25 school.

SP37.2

71

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October 20, 2004

1 I am concerned about the connectivity of the

2 internal streets within the project. I am also

3 concerned about the integration of the project, just in

4 general, to the surrounding neighborhood, and that

5 includes connectivity of the streets within the project

6 to the main arterials, such as Wood, Peralta Street, and

7 Mandela Parkway.

SP37.3

8 I am concerned about the design of the plaza

9 and the area around the train station. It should be

10 directed, or direct traffic from the existing community

11 into the area should be more inviting to the people who

12 are currently there.

13 I definitely feel that the architecture of the

14 new housing units should be complementary to the

15 architecture of the existing neighborhood. That

16 includes stepping back the buildings in the development

17 along Wood Street so that they do not overshadow the

18 buildings, existing buildings, on the other side of Wood

19 Street.

SP37.4

20 For staff, I would like to receive a copy of

21 the Oakland Army Base Redevelopment Plan, and I guess I

22 will separately set up a time with Betty Marvin to tour

23 that area.

MS. CAPPIO: Of the OARP?

COMMISSIONER FRANKLIN: No. Two different

25

72

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1 things. I just want to see if I can get a copy of the
2 redevelopment plan, and then I will set up a time to
3 talk with Betty Marvin.

4 COMMISSIONER McCLURE: Commissioner Franklin,
5 thank you.

6 Commissioner Jang?

SP38.1

7 COMMISSIONER JANG: Actually, I would like to
8 address the preservation portion of the EIR. Actually,
9 I thought -- I don't have a very clear sense of the
10 actual demolition as well as preservation element,
11 because I think even in the photo montages what I saw is
12 that there was a photo, for example, of the existing
13 condition, and the next one actually showed it.

SP38.2

14 But there were trees in the foreground, so it
15 doesn't really fully describe to me what actually is
16 that preservation element in play.

SP38.3

17 And I guess an earlier comment that I heard
18 was how are Helen Dreyfus's suggestions, how is that
19 being incorporated, since one of the concerns that we
20 had was the height of the buildings next to it?

21 So, maybe that's something that's already in
22 the EIR, but I don't have a sense that it's a provision
23 that's, you know, incorporating its comments.

SP38.4

24 I actually thought that it was a shame that
25 the platform and the canopies that are part of the train

73

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October 20, 2004

SP38.4
cont'd

1 station is not being considered being preserved, because
2 I think as a train station and its history that that
3 element could keep it as kind of a living museum. You
4 know, basically you are just preserving a building and
5 making it a museum, where I think it would have more
6 significance if even the tower was better integrated in
7 with the train station.

SP38.5

8 I agree with Commissioner Franklin as far as
9 integrating the internal streets, although I recognize
10 that there is a portion being -- where it's very narrow
11 at the north end. But I think that having this very
12 large project be integrated with the surrounding
13 neighborhoods is key. So, how those streets actually
14 become kind of seamless as part of the rest of the city
15 is important.

16 I think my first take on this project is it's
17 really a great thing that happens, where you have
18 private development coming into an area where property
19 is basically vacant and previously was industrial use,
20 that there is private money being pumped into it. And I
21 think that the ripple effect to the neighborhood is that
22 it overall enhances the livability of that neighborhood.
23 It does serve as an important buffer between that and
24 the freeway and, you know, the West Oakland Army Base.
25 So, I see it only as a positive thing. Thanks.

74

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October 20, 2004

1 COMMISSIONER McCCLURE: Thank you, Commissioner
2 Jang.

3 Commissioner Lighty.

4 COMMISSIONER LIGHTY: I am inspired first to
5 make a few general comments on some of the social issues
6 that were raised, and I think that it's very difficult
7 in the context of a single project to deal with them.

8 Certainly one of the reasons that there is, if
9 not the primary reason, we have homelessness and the
10 lack of affordable housing, of course, is because the
11 federal government has de-funded affordable housing to
12 the tune of a few billion dollars, and I think we know
13 where that money has gone instead. So, when we talk
14 about the affordable housing crisis and we talk about
15 homelessness, we first have to talk about the withdrawal
16 of federal support and the lack of really the billions
17 of dollars that are needed at that level.

18 At the same time, there is a lot going on in
19 West Oakland, with both projects like Linden Court and
20 Chestnut, with the mixed-income projects that have taken
21 over from the prominent low-income housing that was
22 there, and also the stuff that's going around in the
23 West Oakland BART station, Mandela Village, as well as
24 other developments. And so there is an intent in those
25 areas, as one speaker said, where there are public

75

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October 20, 2004

1 subsidies involved to use that public subsidy to create
2 affordable housing.

3 The problem is, it's inadequate. It's not
4 enough. There is no question that the social impacts
5 are severe in West Oakland. Gentrification is going on.
6 We have to acknowledge that fact.

7 So, what the City is faced with, the Planning
8 Commission is faced with, is essentially, absent
9 resources which would otherwise be available from those
10 source that has the resource for that level, namely, the
11 federal government and the state government, what can
12 the City do?

13 So, one strategy that Oakland has embarked
14 upon is to designate redevelopment zones. And in those
15 redevelopment zones where new development takes place,
16 that generates tax revenue which then can be spent in
17 that area. So, in this case this project will generate
18 tens of millions of dollars in tax increment monies
19 which then are going to be spent in the West Oakland
20 redevelopment area. That is one mechanism to finance
21 the mitigation impact on development and the forces of
22 gentrification.

23 The question is, how do you spend that tax
24 increment financing? How do we spend that?

25 One place you can spend it is in historic

76

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October 20, 2004

1 restoration. You can spend, whatever, tens of millions
2 of dollars on the train station. Other ways to spend it
3 are in terms of building affordable housing, creating
4 other job-producing development in that redevelopment
5 area. So, those are trade-offs. Those are policy
6 decisions that will have to be undertaken ultimately by
7 the City Council to that redevelopment process.

8 For this specific project what is very clear
9 to me after tonight is that -- and we have seen it with
10 other major projects that have come before the
11 Commission -- it's always in the project sponsor's
12 interest to answer every question, to deal with every
13 issue.

14 So, if these social impacts are raised
15 legitimately, in terms of gentrification, in terms of
16 job creation, as well as the more traditional
17 environmental impacts, those have to be addressed in the
18 EIR. Not because the EIR is ideally suited. Quite
19 frankly, for those of us who have read CEQA or dealt
20 with these EIRs, the EIR is a very imperfect vehicle to
21 address these issues, social issues, but it is the one
22 we have, so it has to be used.

23 Specifically on this site, the alternative for
24 this site, as I understand it, is, given what really the
25 economic engine in that area is, which is the port, what

SP39.1

SP39.2

77

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October 20, 2004

1 is the site going to be used for? Is the site going to
2 be used for light industrial use? That's what I told
3 the developers I would like to see. The fact is, it's
4 not going to be used that way. What it's going to be
5 used for is trucking. Those are the people who want to
6 use this site.

7 Where that light industrial development is
8 going to occur is, since the freeway has been moved and
9 the Army base is going to be redeveloped, that's where
10 that's going to occur, and that's where we want the
11 port-related uses to go, is on the other side of the
12 freeway, closest to the water.

13 On this side of the freeway we can either
14 probably place a trucking use or some kind of
15 residential development. What we are doing in West
16 Oakland is trying to create a planning context so that
17 there is a diversity, the balance that I think Mr. Hodge
18 and others have talked about. That's what we are trying
19 to do in Oakland, so there are commercial uses, we
20 preserve our industrial use, and at the same time
21 recognize that the driving force in West Oakland is
22 residential.

23 So, what are we going to do in terms of
24 residential? One of the project developers here, BUILD,
25 related to bridge housing. They have done a lot of

SP39.2
cont'd

SP39.3

78

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SP39.3 cont'd
SP39.4
SP39.5
SP39.6
SP39.7
SP39.8

1 affordable housing projects. I encourage them to try to
2 figure out affordability here. They have done
3 affordability elsewhere. If affordability can be done,
4 they can do it.
5 At the same time, we do have an extraordinary
6 historic resource, which is certainly defining of one
7 aspect of the West Oakland community, the train station,
8 and I think that should be preserved as much as
9 possible. But again, it's a trade-off in terms of where
10 you spend the revenue that the project generates.
11 The specific impacts relative to trucking use,
12 obviously, the diesel and air pollution impacts are
13 going to be less. They still have to be mitigated. As
14 the one speaker said, that intersection at Mandela and
15 West Grand under the EIR so far is a disaster. It gets
16 to a D, if you do quite a bit of mitigation. That has
17 to be dealt with, and that has to be addressed in the
18 EIR.
19 And I think that specifically the EIR should
20 address that traffic aspect, the preservation
21 alternatives for the train station that go beyond just a
22 single building. We need to have some kind of focus on
23 local hiring, an apprentice program, if it's just
24 construction jobs, but some kind of local hiring has to
25 be addressed.

SP39.9
SP39.10

1 I would also note that the Pacific Cannery is
2 addressed by the developers, being saved, being
3 converted, being reused. And I think they should be
4 encouraged to incorporate elements of the Chinese
5 community which that cannery was such a key part of.
6 Taken together, if the EIR can address the
7 social impacts, can obviously deal with the more, what
8 we would call narrow environmental impacts, which I do
9 agree are ultimately public health impacts as well, then
10 at least the community of folks are going to have a
11 context in which to evaluate the project.
12 There are going to be trade-offs. It's part
13 of the bigger picture. It's part of the bigger picture
14 of what's happening in West Oakland. It's part of the
15 bigger picture of what's happening in our country in
16 terms of where the resources are going instead of
17 meeting the social needs that we want them to meet. And
18 we are going to have to do our part in this project and
19 have realistic expectations of what this project can do
20 as well. And hopefully we can achieve that balance, and
21 ultimately that balance starts with addressing all these
22 community concerns.
23 COMMISSIONER LEE: Boy, I am speechless.
24 I just -- all the good things, I think
25 Commissioner Lighty has said it very well. I can't top

1 that at all.

2 However, I would like to give a little
3 positive spin on this. I hear a lot of concerns and a
4 lot of -- almost have a tone of fear of the development.
5 I think any development that we have come through always
6 has, "What if it happens?" You know, the downside.

7 However, I like to think this is a rare
8 opportunity that we have a collective effort that is
9 doing a private development. What we need to do as a
10 community is keep on the -- keep at the focus, not just
11 to do a good development, but to do enough economic
12 development, like we talked about, the local hiring,
13 and -- because the commercial portion of this project,
14 it's going to bring up some more activities. And I
15 think the revenue that is going to generate from this
16 project has a long way to go. And only with a pressure
17 from the community -- it can't go to the direction that
18 everybody can be beneficial from.

19 And I think that's the balance we are
20 targeting at. And I would really like to see it moving
21 in the right direction and not losing a good opportunity
22 to revitalize the parts of Oakland that has been
23 neglected for a long time.

24 COMMISSIONER MUDGE: I'd like to make sure
25 that the EIR does a comprehensive job on cumulative

SP40.1

SP41.1

1 traffic impacts. One of the speakers tonight I think
2 raised a good point about development of the Oakland
3 Army Base. I want to make sure there is a good look at
4 at least a 20/20 horizon on that. I think it's also
5 important for the EIR to look at the relationship
6 between the project and any of the applicable
7 redevelopment plans, and make sure that that base is
8 fully covered.

9 Open space is another major issue for a
10 project this dense. I want to be sure that there is
11 sufficient amount of open space.

12 The mixed use component of the project seems
13 to be very important to make this project work, so the
14 neighborhood commercial is a very important thing to
15 serve that entire community.

16 I wanted to address quickly the issue of using
17 the EIR and CEQA to address social impacts and economic
18 impacts. I don't think that that's the proper place to
19 do that. It may be a very important thing to do, and I
20 would urge the developer to address the community's
21 issues in that regard.

22 A fiscal impact analysis is probably very much
23 wanted in this instance, but CEQA is really not designed
24 to study social impacts. It is the Environmental
25 Quality Act for a reason. And obviously if there are

SP41.1
cont'd

SP41.2

SP41.3

SP41.4

October 20, 2004

SP41.4
cont'd

1 physical and indirect environmental impacts or social
2 impacts that cause indirect environmental impacts, those
3 do need to be studied.

4 But -- the whole topic of gentrification is an
5 important topic, but it is very difficult to make those
6 kinds of connections and a -- it's very speculative to
7 claim that a particular project is going to lead to a
8 particular social impact in that regard. I urge people
9 not to try to push an EIR to be a kind of vehicle that
10 it's really not intended to be.

11 So, yes, address the concerns of the
12 community. I think the developer needs to do that. But
13 the EIR is probably not the right place.

14 COMMISSIONER McCLURE: Thank you, Commissioner
15 Mudge.

16 Director Cappio, could you give us some
17 clarification on how the economic impacts are going to
18 fit or not fit into the EIR?

19 MS. CAPPIO: Yes, I would be glad to.

20 Echoing Commissioner Mudge's comments, I am
21 not adverse at all to the policy discussion that I
22 believe is very appropriate to consider regarding social
23 and economic impacts, particularly gentrification and
24 affordable housing, within the context of this
25 development, but not within the EIR.

83

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October 20, 2004

1 So, what I'm proposing is a separate set of
2 information and documentation concerning those issues as
3 part of the public review process for this project. But
4 at this point I am not obliged, nor am I required to
5 include that in the environmental impact report, and I
6 will, with the Commission's confirmation, not do that at
7 this time.

8 However, I do believe they are important
9 policy questions when you consider the extent of general
10 plan and land use changes that are being proposed by
11 this project, and I believe it's an appropriate and
12 necessary part of the Commission's deliberation.

13 I would also, with the Commission's
14 permission, like to consider the question regarding the
15 extension of the comment period for this EIR. The
16 comment period began on September 21st or
17 September 20th. I know Mr. Gold got his copy on
18 September 20th, because I handed it to him. And that
19 was even before the notification went out to the public.

20 I would sense that at this point, given what
21 the Commission has requested of us in response to the
22 comments and the fact that there is at least two and a
23 half weeks left in the public comment period to address
24 your comments and to submit them, that the 49-day review
25 period that has been set forth can remain that way.

84

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CERTIFICATE OF REPORTER

I, Sarah Lucia Brann, duly authorized
shorthand reporter, do hereby certify:
That the foregoing transcript constitutes a
true, full and correct transcript of my shorthand notes
taken as such reporter of the proceedings herein and
reduced to typewriting under my supervision and control
to the best of my ability.



Sarah Lucia Brann

SP1. Brother Jimmy Mack

- SP1.1 The commentor is concerned that the Project does not include affordable housing. For a discussion of affordable housing, the commentor is referred to Master Response 1, “Consideration of Alternative Development Proposals/Components.”
- SP1.2 The commentor is concerned about gentrification that could occur as a result of the Project. For a discussion of gentrification, the commentor is referred to Master Response 5.

SP2. Carol Galante

- SP2.1 As one of the Project Sponsors, the commentor acknowledges the importance of the public process and the team's willingness to respond to public comments on the Draft EIR.

SP3. Norman Hooks

- SP3.1 The commentor supports the restoration of the 16th Street Train Station and asks about the current condition of the roof. As part of the future reuse of the Main Hall, the Project Sponsor intends to include exhibit space commemorating the history of the train station and its importance in West Oakland. New mitigation measures are proposed in Master Response 4, “Mitigation for Impacts to the 16th Street Train Station.” BUILD, one of the Project Sponsors, has taken a number of steps to arrest the physical deterioration of this historic resource, including installation of a new roof and plexiglass windows over the window openings. Please see Master Response 4 for discussion of this process.
- SP3.2 The commentor supports the public plaza element of the Project and requests that it reflect Wood Street character. A new mitigation measure proposed in Master Response 4, “Mitigation for Impacts to the 16th Street Train Station,” calls for the Project Sponsor to create a feature in the plaza that recalls the historic use of the Station.
- SP3.3 The commentor posits that the height and density of the Project is appropriate as it appears from the freeway, but should be stepped back on the Wood Street side to more appropriately fit in with existing one-story residential buildings across the street. The height and density of the Project along the freeway and Horizon Beverages were determined in part because of the absence of any sensitive nearby uses. The Project Sponsors prepared the Wood Street Zoning Regulations with specific design measures to improve visual and land use compatibility with existing residential uses along Wood Street. Specific measures are summarized on page 3.2-25 of the Draft EIR, and the full details of the development standards and design guidelines are included in Appendix H of the Draft EIR. In particular, Figure 5.23-1 on page 35 of Appendix H illustrates the proposed massing, which calls for stepping back the heights of the buildings.

SP4. Thomas Dolan

SP4.1 The commentor states that it is important for the streets within the Project Area to be connected and for the Project to be integrated into the community. The commentor also feels that the Project should include neighborhood-serving commercial uses. The Project and the proposed Wood Street Zoning Regulations help to reduce potential land use conflicts in the area.

The existing Project Area consists of both industrial and residential uses within close proximity. The Project Area to the west of Wood Street is characterized by large undeveloped lots used for trailer storage, large underutilized industrial-type buildings, and few street amenities such as street trees or sidewalks. This description of the Project Area is illustrated in Views 3 through 7 of Figure 3.3-2 on page 3.3-10 of the Draft EIR. Thus, the existing interface between the Project Area and the existing West Oakland community is neither attractive nor conducive to integrating the Project Area with West Oakland.

The Project would substantially change this relationship and replace the undeveloped storage lots and underutilized and visually degraded industrial uses with a high-density, mixed-use development with buildings ranging from 40 to 90 feet tall. While development plans have not yet been prepared for the entire Project Area, Figure 2-3 on page 2-9 of the Draft EIR presents an illustrative site plan showing a possible layout for the structures, the roadways, and the open space areas. Figures 2-5 and 2-6 on pages 2-22 and 2-25 of the Draft EIR, respectively, depict the internal circulation and the connections to the West Oakland community. As illustrated in these figures, the Project would introduce land uses, linkages, and street amenities/landscaping that are more attractive and more conducive to integrating the Project Area with West Oakland than the existing conditions.

The Draft EIR acknowledges that there could be potential land use and visual compatibility conflicts in the transition zone between the Project Area and West Oakland. In particular, these impacts are discussed in Impact LU-2 on page 3.2-24 and in Impact VQ-3 beginning on page 3.3-15 of the Draft EIR. The proposed Wood Street Overlay Zone would assure that there would be a transition in scale from the existing neighborhood to the proposed mixed-use development and would promote an active and pedestrian-scaled street frontage along Wood Street (see page 2-8 and Appendix H of the Draft EIR). Salient features of the proposed Wood Street Overlay Zone are described on page 3.2-25 of the Draft EIR to explain why the Project would not be a huge massing with little to no setbacks along Wood Street. Notably, the building frontage along Wood Street would be occupied to enliven the street space and to encourage pedestrian use. Also, uses like surface parking and other facilities, which do not support pedestrian circulation or welcome the community into the Project Area, would be restricted within the proposed Wood Street Overlay Zone.

As discussed in Master Response 2, “Project Impacts,” when the I-880 frontage road was constructed as part of the I-880 freeway project, curb returns were provided at 10th Street and 14th Street for connections to the frontage road. About the same time, the City of

Oakland conducted the West Oakland Transportation and Economic Development Study (circa 1998) that addressed the question of whether to provide connections between West Oakland and the I-880 frontage road. Because community residents expressed concerns over the potential for cut-through traffic (i.e., motorists traversing West Oakland residential streets to access the frontage road), the City of Oakland decided not to provide connections between the frontage road and Wood Street. Since that decision, concrete barriers have been in place to prevent frontage road access from all streets (except 10th Street, which CWS truck traffic can now use to access the frontage road). Thus, the circulation layout for the Project Area was designed to respect the community's earlier sentiments.

Regarding neighborhood-serving commercial uses, Appendix H of the Draft EIR (the Draft Wood Street Zoning Regulations) in Table 4.20-1 on page 29 identifies which development areas would permit neighborhood and other commercial enterprises. General food sales, convenience markets, general retail sales, and general personal services would each be permitted to varying degrees in Development Areas Two, Four, Five, Six, and Eight.

SP5. Cynthia Shartzter

- SP5.1 The commentor requests that the 16th Street Train Station be fully preserved and that mitigation, such as recording oral histories, is needed. Please refer to Master Response 4, "16th Street Train Station" for a discussion of the historical significance of the 16th Street Train Station, as well as "Mitigation for Impacts to the 16th Street Train Station." See also the Preservation Alternative in Section 5 of the Draft EIR.
- SP5.2 The commentor states that there is a need to better study Bea's Hotel as well as the possibility of retaining it. Please refer to Master Response 4, "Bea's Hotel. The Draft EIR reports on page 3.7-4 that this structure is a representative architectural example of a Colonial Revival hotel; however, the Oakland Heritage Cultural Survey rated the building a status code of Dc2+ (of secondary importance). In accordance with the City's policy articulated in Policy 3.8 of the Historic Preservation Element, buildings with this status code are not considered historic resources under CEQA. The Draft EIR does, however, include a project alternative that considers the preservation of Bea's Hotel (see pages 5-7 through 5-8).
- SP5.3 The commentor claims that the Landmark Advisory Board members supported conducting archaeological investigations. Please refer to Master Response 4, "Archaeological Resources."
- SP5.4 The commentor states that the Landmarks Advisory Board emphasized the importance of not demolishing any part of the Train Station until its preservation is fully funded. Please refer to Master Response 4, "Mitigation for Impacts to the 16th Street Train Station" for a discussion of funding timing and preservation.

SP5.5 The commentor requests that the Train Station be protected from water damage. Please refer to new Mitigation Measure CR-2.3 in Master Response 4, “Mitigation for Impacts to the 16th Street Train Station” for a discussion of the actions planned to protect this resource.

SP6. George Burt

SP6.1 The commentor expresses support for the Project. Since this comment does not address the adequacy of the EIR nor the City’s compliance with CEQA, no further response is needed in this document. The merits of the Project will be discussed at upcoming Planning Commission and City Council hearings on the Project.

SP7. James Vann

SP7.1 The commentor asserts that the Draft EIR does not include the California Redevelopment Law under discussion of the applicable plans and policies in Section 3.2, Land Use, Plans, and Policies. The commentor also notes that the Project is within the West Oakland Redevelopment Plan Area. The commentor goes on to ask if the Project would provide and maintain its own public services and utilities infrastructure. Finally, the commentor states that the Project should provide affordable housing, in accordance with California Redevelopment Law.

As discussed in the Draft EIR, page 3.2-19, the Project Area lies within the 16th/Wood sub-district of the *Oakland Army Base (OARB) Area Redevelopment Plan*. The *OARB Area Redevelopment Plan*, and redevelopment plans in general, are governed by the California Redevelopment Law. Thus, the commentor is correct in stating that California Redevelopment Law is applicable to the Project. The requirements of the California Redevelopment Law are generally implemented through compliance with the applicable requirements and policies of a redevelopment plan that governs a particular area. As such, the California Redevelopment Law, as it applies to the Project, is enacted through the *OARB Area Redevelopment Plan*. A discussion of the *OARB Area Redevelopment Plan* is included in the Draft EIR on pages 3.2-18 through 3.2-21, under the Applicable Plans and Policies subsection of Section 3.2, Land Use, Plans, and Policies.

Furthermore, Draft EIR pages 2-4 and 2-5 discuss the relationship of the Project to the *OARB Area Redevelopment Plan*. The City recognizes that the Project would require an amendment to the *OARB Area Redevelopment Plan* and that the uses proposed for the Project Area vary from those presented in the *OARB Area Redevelopment Plan*. However, as discussed in the Draft EIR page 2-5, the Project advances fundamental goals of the *OARB Area Redevelopment Plan* by helping to eliminate blight and blighting influences in the area and proposing restoration of a significant portion of the 16th Street Train Station. The proposed *OARB Area Redevelopment Plan* amendment would require approval by the Oakland Army Base Redevelopment Agency (Draft EIR, page 2-33).

While the Project Area is adjacent to the West Oakland Redevelopment Plan Area, it is not part of it. Therefore, the *West Oakland Redevelopment Plan* does not govern the Project Area. Page 3.2-22 of the Draft EIR lists the objectives of the *West Oakland Redevelopment Plan*, which may be viewed as relevant considerations but are not directly applicable to the Project. Accordingly, the Draft EIR does not evaluate the Project for its consistency with the *West Oakland Redevelopment Plan*.

Impacts of the Project on police and fire services are discussed in Section 3.14, Public Services, of the Draft EIR. Impacts of the Project on water, energy, and drainage are discussed in Section 3.13, Utilities, of the Draft EIR. The maintenance of roads, curbs, and gutters that serve the Project is a fiscal issue and not a subject matter typically addressed in an EIR, since CEQA addresses changes in public service and utility demand that may ultimately involve physical changes to the environment.

For information on provision of affordable housing, please refer to Master Response 5. For information on the Project's consistency with the *OARB Area Redevelopment Plan* affordability requirements, please refer to "Project Consistency with Applicable Plans" in Master Response 1.

SP8. Rusty Snow

SP8.1 The comment expresses support for the Project. Since this comment does not address the adequacy of the EIR nor the City's compliance with CEQA, no further response is needed in this document. The merits of the Project will be discussed at upcoming Planning Commission and City Council hearings on the Project.

SP9. Tom McCoy

SP9.1 The commentor expresses support for the Project and asks that the public review period not be extended. The merits of the Project will be discussed at upcoming Planning Commission and City Council hearings.

SP10. Naomi Schiff

SP10.1 The commentor asks how long the Project zoning approvals would last, and how and when EIR addenda would be required. Please refer to Master Response 1, "Description of the Wood Street Zoning District." The question of how long the approvals would last is outside the scope of this EIR. In order to ensure a comprehensive evaluation of all impacts of the Project, this EIR assumes that the Project would be built out during the proposed time frame, and that the approvals would remain valid during that proposed time frame. There are currently no proposals to place a time limit on Project approvals, and whether or not the City does so would not affect the physical impacts of the Project. If the City chooses to place a time limit on any Project approval, and if a Project Sponsor were not to develop within that time frame, then the impacts would be those of one of the No Project

alternatives. An addendum may be prepared under CEQA after Project approval, when changes or additions to the EIR are necessary, but none of the conditions that would require preparation of another EIR are present. No post-approval changes or additions can be currently known or projected.

- SP10.2 Please refer to “16th Street Train Station” in Master Response 4.
- SP10.3 The commentor advises that the adaptive reuse of Bea’s Hotel would serve the public good through conversion to affordable housing and would offer the opportunity for cultural heritage and historic preservation. Please refer to “Bea’s Hotel” in Master Response 4, which notes that the building lacks sufficient individual architectural distinction and historical association to meet the criteria for recognition as a historic resource under CEQA. The Draft EIR reports on page 3.7-4 that this structure is a representative architectural example of a Colonial Revival hotel; however, the Oakland Heritage Cultural Survey rated the building a status code of Dc2+ (of secondary importance). In accordance with the City’s policy articulated in Policy 3.8 of the Historic Preservation Element, buildings with this status code are not considered historic resources under CEQA. The Draft EIR does, however, include a project alternative that considers the preservation of Bea’s Hotel (see pages 5-7 through 5-8).
- SP10.4 The commentor requests that the Elevated Tracks and Baggage Wing be preserved. A 20 foot wide portion of the Elevated Tracks is proposed for preservation. For an explanation why the remaining portion of the Elevated Tracks and the Baggage Wing would not be preserved, please refer to Master Response 4, “Project Impacts to the 16th Street Train Station.” The Preservation Alternative considers an alternative under which all of the Elevated Tracks and Baggage Wing would be preserved.
- SP10.5 The City agrees that the integration of the Project with the community is important. The focus of the EIR, however, can only address the physical relationship between the Project and the adjacent neighborhoods. The analysis of the Project’s visual compatibility with the surrounding uses is provided in Section 3.3, Visual Quality, of the Draft EIR; the analysis of its functional interaction is presented in Section 3.2, Land Use, Plans, and Policies, and in Section 3.4, Transportation, Circulation, and Parking. A discussion of the Project’s social interaction with the surrounding community is not included in an EIR, which is intended to address the physical environmental changes that result from a proposed project.
- SP10.6 Please refer to “Archaeological Resources” and “Pacific Coast Canning Company” in Master Response 4.
- SP10.7 Please refer to Master Response 4, “Mitigation for Impacts to the 16th Street Train Station” and “Bea’s Hotel.”

SP11. Ronald Muhammad

SP11.1 The commentor expresses support for the Project. Since this comment does not address the adequacy of the EIR nor the City’s compliance with CEQA, no further response is needed in this document. The merits of the Project will be discussed at upcoming Planning Commission and City Council hearings on the Project.

SP12. Kimberly Isaac

SP12.1 The commentor expresses concern about the lack of affordable housing and notes that current residents could be pushed out as a result of the Project. For discussion of affordable housing and gentrification, the commentor is referred to Master Response 5.

SP12.2 The commentor states the importance of the historic Train Station and feels that no part of it should be demolished. Please refer to “16th Street Train Station” in Master Response 4 for a discussion of the historical significance of the 16th Street Train Station and surrounding area. For an explanation of why all of the 16th Street Train Station facilities would not be preserved, please refer to Master Response 4, “Project Impacts to the 16th Street Train Station.”

SP13. Adam Gold

SP13.1 The commentor is concerned about the lack of affordable housing provided by the Project. Please refer to Master Response 5 for a discussion on this topic.

SP13.2 In response to the request made by the commentor, the City extended the close of the public review period from November 8 to November 15, 2004.

SP13.3 The commentor requests that the EIR be sent “back to the drawing board” to address the issues raised in the comment period. The Draft EIR has been prepared in accordance with CEQA and the City’s implementing guidelines. The responses to comments on the Draft EIR do not reveal any new substantive material that would warrant a major revision and recirculation of the report. Specifically, an EIR should be recirculated when significant new information is added. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. Since the responses and text changes provided here for the Wood Street Project Draft EIR serve to clarify or amplify the analyses, the Draft EIR is considered adequate and will not be recirculated.

SP14. Jacqueline Howell

SP14.1 The commentor expresses disappointment that portions of the 16th Street Train Station would be demolished. For an explanation why not all of the 16th Street Train Station facilities would not be preserved, please refer to Master Response 4, “Project Impacts to the 16th Street Train Station.” For an in-depth discussion of the historical significance of the 16th Street Train Station, please see “16th Street Train Station” in Master 4.

SP15. Margaret Gordon

SP15.1 The commentor expresses concern about the potential health impacts of the Project. Please refer to Master Response 3, “Diesel Fuel Emissions and Particulate Matter” and “Construction Emissions” for a discussion on this topic.

PS15.2 The commentor states that the EIR does not address the social impacts of the Project. Please refer to Master Response 5 for a discussion on this topic.

SP16. Howard Greenwich

SP16.1 The commentor urges the City to note that the Project could potentially displace people and requests that mitigation measures be suggested to counter this potential impact. Please refer to “Consideration of Alternative Development Proposals/components” in Master Response 1 and to Master Response 5 for a discussion on market force displacement.

SP17. Betty Wooldridge

SP17.1 The commentor requests information on what in the way of affordable housing will be provided if part of the Train Station is going to be demolished. For a discussion of affordable housing and gentrification, the commentor is referred to Master Response 5 and to “Consideration of Alternative Development Proposals/Components” in Master Response 1.

SP18. Andre Wright

SP18.1 The commentor requests that the City and Project Sponsors include the community in its planning and avoid gentrifying the neighborhood. Please refer to Master Response 5 for a discussion of market force displacement.

SP19. Leilah Williams

SP19.1 The commentor notes some of the history of West Oakland and feels that it is a working-class area that needs to remain affordable. For a discussion of affordable housing and gentrification, the commentor is referred to Master Response 5.

SP19.2 The commentor states that the Project would overburden the existing schools. Please refer to Response 15.1 regarding impacts to schools.

SP19.3 The commentor expresses concern about property values, air quality, and the historical significance of the area. For a discussion of affordable housing and gentrification, the commentor is referred to Master Response 5. For a discussion of air quality and public health concerns, the commentor is referred to Master Response 3. For an expanded discussion of the historical significance of the Project Area, please refer to “16th Street Train Station” in Master Response 4.

SP20. Greg Hodge

SP20.1 The commentor states that he would like to see a balanced approach to development in West Oakland, including provision of affordable housing. The commentor also says that he would like to see a train station museum. For discussion of affordable housing and gentrification the commentor is referred to Master Response 5. For discussion of the historical significance of the Train Station, the commentor is referred to “16th Street Train Station” in Master Response 4. Please refer to new Mitigation Measures CR-2.7 and CR-2.8 in “Mitigation for Impacts to the 16th Street Train Station” for mitigations regarding exhibit space and a public plaza that will commemorate the historical significance of the site.

SP20.2 The commentor states that the authors of the Draft EIR should meet with school board members or senior personnel to obtain information about West Oakland schools and should look at school enrollment and capacity. Please see Response 15.1 regarding impacts to schools and Response 15.2 regarding the acquisition of school information. The City appreciates receiving the commentor’s suggestions of other parties to contact at the OUSD. The commentor suggested that the authors speak to two staff members at the OUSD that he regarded as knowledgeable on school space and design issues – Tim White, Assistant Superintendent for Facilities, and Hae-Sin Kim, a central office staff member. Hae-Sin Kim was contacted and provided valuable insight. Information from that conversation is presented in Response 15.3 regarding school enrollment trends. Tim White, Assistant Superintendent for Facilities, was not accessible by phone or voice mail.

SP21. Jumoke Hinton Hodge

SP21.1 The commentor feels that the City does not do enough to protect low income, poor, and African-American people in Oakland. This comment does not address the adequacy of the EIR nor the City's compliance with CEQA. Consequently, no further response is necessary in this document.

SP21.2 The commentor states that the Draft EIR should consider improving education in the community and that the authors of the Draft EIR should meet with appropriate OUSD personnel. Please refer to Responses 15.1 and 15.2 regarding impacts to schools.

SP21.3 Please refer to Response 18.8 regarding hazardous material safety measures during construction. Please also see the discussion in Master Response 3 on “Diesel Fuel Emissions and Particulate Matter.”

SP21.4 The commentor requests a second draft EIR be completed prior to a Final EIR. The Draft EIR has been prepared in accordance with CEQA and the City’s implementing guidelines. The responses to comments on the Draft EIR do not reveal any new substantive material that would warrant a major revision and recirculation of the report. Specifically, an EIR should be recirculated when significant new information is added. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. Since the responses and text changes provided here for the Wood Street Project Draft EIR serve to clarify or amplify the analyses, the Draft EIR is considered adequate and will not be recirculated.

Part of the commentor's rationale for requesting recirculation of the Draft EIR is so that it can be expanded to include issues involving youth, African-Americans, and socioeconomics. As explained in Master Response 5, issues regarding the affordability of the proposed housing are important and should be acknowledged, but would not be considered significant impacts under CEQA. The EIR must focus on physical environmental changes that result from implementation of a proposed project, as explained on page 1-5 of the Draft EIR.

SP22. Kenneth Minor

SP22.1 Please refer to Master Response 5.

SP23. Andy Nelsen

SP23.1 For a discussion of socioeconomics under CEQA and gentrification, please refer to Master Response 5. Also note that the EIR must focus on physical environmental changes that result from implementation of a proposed project, as explained on page 1-5 of the Draft EIR.

SP23.2 The commentor states that the opportunity to create affordable housing in Oakland should be considered. For discussion on changes to the Project, including but not limited to affordable housing inclusion, please refer to “Consideration of Alternative Development Proposals/Components” in Master Response 1. For a more detailed discussion of affordable housing, the commentor is referred to Master Response 5.

SP23.3 The commentor expresses concern over market force commercial displacement and suggests mitigation be considered. For a discussion of these issues, please refer to Master Response 5.

SP23.4 The commentor expresses concern over the potential loss of employment opportunities in the Project Area. Please refer to Master Response 5 for a discussion of this concern.

SP24. Richard Neveln

SP24.1 The commentor asserts that funding for public transit improvements should be available before Project construction. Mitigation Measure TR-10.1 would be implemented upon the issuance of the 300th certificate of occupancy for residences in the Project Area. Mitigation Measure TR-10.2 would be implemented before certificates of occupancy are granted for any of the components of the Project.

SP24.2 The commentor believes the pagination in Section 2 is confusing. The page numbering in Section 2, and throughout the Draft EIR, is sequential and accurate.

SP24.3 This oral comment is similar to points made in the commentor’s letter (see Comment Letter #54). Please refer to Responses 54.2 and 54.6 specifically for a discussion of design and circulation features of the Project that seek to integrate the Project with the West Oakland community.

SP25. Tey Welbeck

SP25.1 The commentor expresses a desire for a museum that honors the legacy of the Pullman Porters. Please refer to “16th Street Train Station” in Master Response 4 for discussion of the historical significance of the Train Station. Also see “Mitigation for Impacts to the 16th Street Train Station” for mitigations regarding exhibit space and a public plaza that will commemorate the historical significance of the site.

SP25.2 The commentor expresses concern over lack of affordable housing and potential displacement that could occur with the Project. For discussion of affordable housing and gentrification, the commentor is referred to Master Response 5.

SP26. Margaretta Lin

SP26.1 The commentor expresses concern that the Draft EIR does not meet the City’s sustainable development goals of mixed-income housing, local hiring, and preservation of cultural heritage, nor does it adequately address legal requirements for affordable housing. Please refer to “Project Consistency with Applicable Plans” in Master Response 1. A detailed chart listing various plans and policies is also presented in Appendix A, along with an indication of their applicability to the Project. For discussion on local employment, please refer to Master Response 5.

SP26.2 The commentor requests a revised Draft EIR be released for recirculation and comment prior to the preparation of the Final EIR. The Draft EIR has been prepared in accordance with CEQA and the City’s implementing guidelines. The responses to comments on the Draft EIR do not reveal any new substantive material that would warrant a major revision

and recirculation of the report. Specifically, an EIR should be recirculated when significant new information is added. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. Since the responses and text changes provided here for the Wood Street Project Draft EIR serve to clarify or amplify the analyses, the Draft EIR is considered adequate and will not be recirculated.

SP27. Audrey Miles

SP27.1 The commentor expresses concerns over the future of affordable housing in the Train Station area. For discussion of affordable housing and gentrification, the commentor is referred to Master Response 5.

SP28. Jeremy Hays

SP28.1 The commentor states that West Oakland is particularly vulnerable to gentrification and that the proposed Project could exacerbate the situation. Please refer to Master Response 5 for a discussion of gentrification.

SP28.2 The commentor expresses concern over gentrification and requests mitigation to be considered. In response to the issue of gentrification, please refer to Master Response 5. In response to the commentor's concern about preserving the cultural heritage of West Oakland, please refer to "16th Street Train Station" in Master Response 4. New Mitigation Measures CR-2.7 and CR-2.8 in the "Mitigation for Impacts to the 16th Street Train Station" section of Master Response 4 present actions that will help commemorate the historical significance of the area.

SP29. Rajiv Bhatia

SP29.1 The commentor recommends that the Draft EIR should consider the relationship between affordable housing, public health, and physical effects. For discussion on affordable housing inclusion please refer to "Consideration of Alternative Development Proposals/Components" in Master Response 1 and to Master Response 5 for discussion on residential displacement.

SP29.2 The commentor requests that the City review the environmental goals and policy report of the State of California, in particular the link between housing affordability and public health. Please refer to Master Response 5.

SP29.3 The commentor refers the City to State guidelines that have methodologies for analyzing socioeconomic effects of projects. Please refer to Master Response 5. Also note that the EIR must focus on physical environmental changes that result from implementation of a proposed project, as explained on page 1-5 of the Draft EIR.

SP30. Diana Lui

SP30.1 The commentor expresses concern over the potential health impacts of Project construction and suggests they should be mitigated. Please refer to Master Response 3, “Diesel Fuel Emissions and Particulate Matter” and “Construction Emissions.” Please also refer to Response 24.9 regarding construction-related impacts and mitigation measures.

SP30.2 The commentor expresses concern that gentrification is occurring in West Oakland. For discussion on gentrification, please refer to Master Response 5.

SP31. Ben Geiger

SP31.1 The commentor expresses concern about rising property values and lack of affordable housing in West Oakland. Please see “Consideration of Alternative Development Proposals/Components” in Master Response 1. The commentor is also referred to Master Response 5 for a discussion of the impact of rising property values.

SP32. Joanna Fitzpatrick

SP32.1 The commentor requests consideration from the City for affordable housing in West Oakland. Please see “Consideration of Alternative Development Proposals/Components” in Master Response 1.

SP33. Sanjiv Handa

SP33.1 The commentor challenges the City of Oakland’s implementation of the CEQA process. The standard format for a public meeting on a Draft EIR is to listen to public testimony on the Draft EIR. The meeting is an opportunity for the community and other interested organizations and individuals to share their thoughts with the Planning Commission and to raise questions so that those comments can be thoughtfully addressed in the Final EIR. Given this focus, it is expected that the Planning Commissioners would listen to the commentary and not respond. This model is not just an Oakland practice, but one that is generally followed throughout the state.

SP33.2 In response to the commentor’s recommendation to further explain the City’s actions with regard to affordable housing, please see “Consideration of Alternative Development Proposals/Components” in Master Response 1. For detailed discussion on this topic, also see Master Response 5.

SP34. Monsa Nitoto

SP34.1 The commentor expresses support for the Project and asks about the timing of the 16th Street Train Station renovations. Please see the “16th Street Train Station” in Master Response 4 for discussions about project impacts to the 16th Street Train Station and timing of the mitigation for impacts to the Station.

- SP34.2 The commentor expresses concern about demolition of any part of the 16th Street Train Station, about fixing the streets in the area, and about park improvements. For an explanation why all of the Elevated Tracks and Baggage Wing would not be preserved, please refer to “Project Impacts to the 16th Street Train Station” in Master Response 4. Regarding streets and park improvements, please see “Consideration of Alternative Development Proposals/Components” in Master Response 1, as well as “Safety Impacts” in Master Response 2.
- SP34.3 The commentor expresses concern about preserving the history of the Pullman Porters. Please see the “16th Street Train Station” in Master Response 4 for discussion of the historical significance of the 16th Street Train Station. Also note new Mitigation Measures CR-2.7 and CR-2.8 in “Mitigation for Impacts to the 16th Street Train Station” section of Master Response 4, which present actions that will help commemorate the historical significance of the area.
- SP34.4 The Project would replace the undeveloped storage lots and underutilized, visually degraded industrial uses with a high-density, mixed-use development with buildings ranging from 40 to 90 feet tall. While development plans have not yet been prepared for the entire Project Area, Figure 2-3 on page 2-9 of the Draft EIR presents an illustrative site plan showing a possible layout for the structures, the roadways, and the open space areas. Figures 2-5 and 2-6 on pages 2-22 and 2-25, respectively, depict the internal circulation and connections to the West Oakland community. From the plan views offered by these diagrams, the Project would introduce land uses, linkages, and street amenities/landscaping that are more attractive and more conducive to integrating the Project Area with West Oakland than the existing conditions.

Also, as discussed in Master Response 2, “Circulation Impacts,” when the I-880 frontage road was constructed as part of the I-880 freeway project, curb returns were provided at 10th Street and 14th Street for connections to the frontage road. About the same time, the City of Oakland conducted the West Oakland Transportation and Economic Development Study (circa 1998) that addressed the question of whether to provide connections between West Oakland and the I-880 frontage road. Because community residents expressed concerns over the potential for cut-through traffic (i.e., motorists traversing West Oakland residential streets to access the frontage road), the City of Oakland decided not to provide connections between the frontage road and Wood Street. Since that decision, concrete barriers have been in place to prevent frontage road access from all streets (except 10th Street, which CWS truck traffic can now use to access the frontage road). Thus, the circulation layout for the Project Area was designed to respect the community’s earlier sentiments.

Finally, the proposed Wood Street Overlay Zone would assure a transition in scale from the existing neighborhood to the proposed mixed-use development and would promote an active and pedestrian-scaled street frontage along Wood Street (see page 2-8 and Appendix H of the Draft EIR). Notably, the building frontage along Wood Street would be occupied

to enliven the street space and to encourage pedestrian use, as suggested by the commentor. Also, uses like surface parking and other facilities, which do not support pedestrian circulation or welcome the community into the Project Area, would be restricted within the proposed Wood Street Overlay Zone.

- SP34.5 The commentor indicates the importance of paying tribute to the Pullman Porters as well as using the 16th Street Train Station building as a money-making venture and resource for the community. Please refer to “Mitigations for Impacts to the 16th Street Train Station” in Master Response 4, specifically Mitigation Measures CR-2.7 and CR-2.8, which present actions that will help commemorate the historical significance of the area.
- SP34.6 The commentor predicts that the Project will cause major traffic problems, particularly on Grand Avenue, as well as associated air pollution. Please refer to Response 18.6, regarding the impacts of the Project and cumulative impacts on traffic congestion. Also see Master Response 3, “Diesel Fuel Emissions and Particulate Matter” as well as “Project-Related Trips in West Oakland.”

SP35. Marilyn Reynolds

- SP35.1 The commentor expresses support for the Project and the economic benefits it would bring to neighborhood schools. Since the comment does not address the adequacy of the EIR nor the City’s compliance with CEQA, no further response is needed in this document. The merits of the Project will be discussed at upcoming Planning Commission and City Council hearings on the Project.
- SP35.2 The commentor notes that some of the current diesel emissions will be eliminated with implementation of the Project. The Project would also reduce emissions compared to the existing General Plan and OARB Area Redevelopment Plan.
- SP35.3 The commentor expresses concern about the scale of development and provisions of open space. The proposed Wood Street Overlay Zone would assure a transition in scale from the existing neighborhood to the proposed mixed-use development and would promote an active and pedestrian-scaled street frontage along Wood Street (see page 2-8 and Appendix H of the Draft EIR). Notably, the building frontage along Wood Street would be occupied to enliven the street space and to encourage pedestrian use. Also, uses like surface parking and other facilities, which do not support pedestrian circulation or welcome the community into the Project Area, would be restricted within the proposed Wood Street Overlay Zone. The public plaza, proposed for Development Area Nine, would serve as a gathering place where new residents and existing members of the West Oakland community could enjoy public and private events. These Project features are intended to avoid a physical separation between the Project Area and the West Oakland community.

Impact PS-5 on page 3.4-12 of the Draft EIR discusses the Project’s impacts on recreational space. The analysis acknowledges that the Project would provide less than the

City's goal of 4 acres per 1,000 population, but would still create 1.39 acres of public open space and another 122,925 square feet of Private Open Space under the Maximum Residential Scenario and another 109,725 square feet of Private Open Space under the Maximum Trips Scenario. Finally, please refer to Master Response 1, "Consideration of Alternative Development Proposals/Components," for additional discussion regarding the commentor's desire for more open space.

SP35.4 The commentor expresses the desire to preserve 16th Street Train Station history. Please refer to the "16th Street Train Station" in Master Response 4, as well as the "Mitigation for Impacts to the 16th Street Train Station" section, which presents actions that will help commemorate the historical significance of the area.

SP36. Commissioner Killian

SP36.1 The Commissioner requests further explanation of traffic flow in the Project Area. Of the Project traffic distributed to the north, in the direction of Emeryville, 19 percent of Project traffic would be from I-80, serving destinations from beyond Powell Street in Emeryville. Table 3.4-4 on page 3.4-16 of the Draft EIR indicates that approximately 57 percent of Project traffic would be from Oakland. Approximately half the trips distributed to the following locations would be from within the City:

- I-880 South
- Mandela North of 32nd
- 40th East of Hollis

All of the trips on the following routes would be from within the City:

- I-580 East (local)
- Grand East of Adeline
- Grand East of Northgate
- 7th East of Market
- Powell Street
- 14th East of Market
- 18th East of Mandela
- West Oakland BART
- Estuary

The distribution of Project trips was derived from the Alameda County Congestion Management Agency Countywide Transportation Model. The land use assumptions for the model are typically provided by the Association of Bay Area Governments (ABAG), but they were updated to include recent and anticipated future development projects in Oakland, as well as other changes in employment and population. The land use update was prepared by Hausrath Economics Group based on input from City of Oakland staff, the General Plan buildout, Port of Oakland staff, and analysis of economic and real estate

market data and trends. The cumulative growth scenario created for the Project is presented in Appendix C of the Draft EIR. Also see Master Response 2, “Project-Related Trips in West Oakland,” and Master Response 5 regarding population and growth projections.

SP37. Commissioner Franklin

SP37.1 The Commissioner expresses concern about jobs and job training with regard to the Project. The Commissioner is referred to Master Response 5 for a discussion on this topic.

SP37.2 The Commissioner would like the Draft EIR to better address the needs of schools. Please refer to Response 15.1 through 15.11 regarding impacts to schools.

SP37.3 The Commissioner expresses concern about the connectivity of streets within the Project Area and about the design of the plaza at the 16th Street Train Station. Internal connectivity would be provided primarily through the proposed pedestrian circulation system shown in Figure 2-6 on page 2-25 of the Draft EIR. Pedestrian and vehicular connections would be provided along Wood Street and along the frontage road, and pedestrian connections to the West Oakland community would be available via the extensions of 14th, 18th, and 20th Streets.

As discussed in Master Response 2, Circulation Impacts, when the I-880 frontage road was constructed as part of the I-880 freeway project, curb returns were provided at 10th Street and 14th Street for connections to the frontage road. About the same time, the City of Oakland conducted the West Oakland Transportation and Economic Development Study (circa 1998) that addressed the question of whether to provide connections between West Oakland and the I-880 frontage road. Because community residents expressed concerns over the potential for cut-through traffic (i.e., motorists traversing West Oakland residential streets to access the frontage road), the City of Oakland decided not to provide connections between the frontage road and Wood Street. Since that decision, concrete barriers have been in place to prevent frontage road access from all streets (except 10th Street, which CWS truck traffic can now use to access the frontage road). Thus, the circulation layout for the Project Area was designed to respect the community’s earlier sentiments.

The public open space, particularly the public plaza proposed for Development Area Nine, is intended to attract and be used by the larger West Oakland and citywide community, as well as by Project residents. Page 2-21 of the Draft EIR describes ideas for the public plaza, such as gatherings and outdoor events like farmers markets, which are inviting and generally desired by the larger community. Both vehicular, pedestrian, and bicycle access to the plaza would be available via the proposed extension of 16th Street into the Project Area and around the plaza.

SP37.4 The Draft EIR acknowledges that in the transition zone between the Project Area and West Oakland, there can be potential land use and visual compatibility conflicts. In particular, these impacts are discussed in Impact LU-2 on page 3.2-24 and in Impact VQ-3 beginning on page 3.3-15 of the Draft EIR. The proposed Wood Street Overlay Zone would assure a transition in scale from the existing neighborhood to the proposed mixed-use development and would promote an active and pedestrian-scaled street frontage along Wood Street (see page 2-8 and Appendix H of the Draft EIR). Figure 5.23-1 on page 35 of Appendix H shows that buildings would step back along Wood Street. In addition, the building frontage along Wood Street would be occupied to enliven the street space and to encourage pedestrian use. Also, uses like surface parking and other facilities, which do not support pedestrian circulation or welcome the community into the Project Area, would be restricted within the proposed Wood Street Overlay Zone.

SP38. Commissioner Jang

SP38.1 The Commissioner is referred to “16th Street Train Station Impacts” in Master Response 4 for a detailed discussion of the Project impacts to the 16th Street Train Station and of mitigation for those impacts.

SP38.2 The Commissioner states that the photomontages of both the demolition and preservation elements of the 16th Street Train Station were unclear. The primary purpose and intent of the visual simulation is to give the reader a general sense of the height, scale, and massing of the proposed development. Figure 3.3-7 of the Draft EIR illustrates the proposed changes to the visual setting as seen from Wood Street and 16th Street, facing the historic 16th Street Train Station. The figure shows that the Main Hall is preserved with new taller structures to the left (south) and to the right (north). The trees referenced by the commentor are part of the landscaping intended for the public plaza that would be constructed in front of the Train Station. The portions of the train station to be preserved versus those portions to be removed can best be seen in Figure CR-4 in Section 3 of the Final EIR.

SP38.3 The Commissioner requests clarification on how Alan Dreyfuss’ suggestions regarding heights of the buildings next to the 16th Street Train Station were incorporated into the Draft EIR. Please refer to “16th Street Train Station Impacts” in Master Response 4 in the subsection titled, “Mitigation for Impacts to the 16th Street Train Station” for how the Dreyfuss report suggestions correlate to the EIR mitigation measures.

SP38.4 The Commissioner expresses a desire for the 16th Street Train Station platform and canopies to be preserved. For an explanation why all of the 16th Street Train Station facilities would not be preserved, please refer to “Project Impacts to the 16th Street Train Station” in Master Response 4.

SP38.5 The Commissioner expresses concern about the connectivity of streets with the Project Area. Internal connectivity would be provided primarily through the proposed pedestrian

circulation system shown in Figure 2-6 on page 2-25 of the Draft EIR. Pedestrian and vehicular connections would be provided along Wood Street and along the frontage road, and pedestrian connections to the West Oakland community would be available via the extensions of 14th, 18th, and 20th Streets.

As discussed in Master Response 2, “Circulation Impacts,” when the I-880 frontage road was constructed as part of the I-880 freeway project, curb returns were provided at 10th Street and 14th Street for connections to the frontage road. About the same time, the City of Oakland conducted the West Oakland Transportation and Economic Development Study (circa 1998) that addressed the question of whether to provide connections between West Oakland and the I-880 frontage road. Because community residents expressed concerns over the potential for cut-through traffic (i.e., motorists traversing West Oakland residential streets to access the frontage road), the City of Oakland decided not to provide connections between the frontage road and Wood Street. Since that decision, concrete barriers have been in place to prevent frontage road access from all streets (except 10th Street, which CWS truck traffic can now use to access the frontage road). Thus, the circulation layout for the Project Area was designed to respect the community’s earlier sentiments.

SP39. Commissioner Lighty

- SP39.1 The Commissioner acknowledges that the EIR/CEQA process is an imperfect vehicle to address social impacts of projects, but asks that the Project Sponsors address these questions/impacts. Master Response 5 provides a review of socioeconomic considerations related to the Project including issues of gentrification and local hire policies. The City’s socioeconomic report provides important information regarding the merits of the Project and the socioeconomic implications of the Project. Given the community’s interest in this study, it has been included as Appendix C to this Final EIR.
- SP39.2 The Commissioner notes that on the east side of the freeway in the Project Area, the City should consider a trucking use or some kind of residential development. The possibility of a trucking use is explored in Section 5, Alternatives, of the Draft EIR. Specifically, the No Project/General Plan Alternative considers buildout of the Project Area with general industrial, transportation-related uses (see page 5-4 of the Draft EIR). The possibility of residential development is explored under three different Project scenarios, ranging from 1,084 units to 1,570 units.
- SP39.3 The Commissioner expresses a desire for affordable housing to be considered as part of the Project. Please see “Consideration of Alternative Development Proposals/Components” in Master Response 1.
- SP39.4 The Commissioner requests preservation of the 16th Street Train Station. Please see “16th Street Train Station” in Master Response 4.

- SP39.5 The Commissioner notes that while diesel emissions and other air pollutants will be less with the Project than with trucking uses, these emissions should still be mitigated. Please refer to Master Response 3, “Diesel Fuel Emissions and Particulate Matter” and Master Response 2, “Project Impacts,” for discussion on this issue.
- SP39.6 As noted by the Commissioner, traffic impacts would be significant at the intersection of West Grand Avenue/Mandela Parkway. In 2025, with no development at the Project Area, the intersection would operate at LOS F during the PM peak hour. Under the Maximum Residential Scenario, PM peak hour delays in 2025 would increase 7.5 seconds at the intersection; under the Maximum Trips Scenario, 24.3 seconds (see Table 3.4-10 on page 3.4-31). To reduce these unacceptable delays, Mitigation Measure TR-9.2, on page 3.4-34 of the Draft EIR, calls for providing protected left-turn signal phasing (left-turn green arrows) for the West Grand Avenue approaches to the intersection of West Grand Avenue/Mandela Parkway. The mitigation would provide LOS D traffic operations for 2025 cumulative conditions. LOS D satisfies the City of Oakland’s requirements for intersection operations outside the downtown area.
- SP39.7 The Commissioner requests that the EIR address preservation alternatives that include all of the 16th Street Train Station facilities. Please refer to Master Response 4, “Project Impacts to the 16th Street Train Station” for an explanation why all of the Train Station facilities would not be preserved. The EIR studies a Preservation Alternative that evaluates the impacts of a project that would preserve the entire Station.
- SP39.8 The Commissioner asks that local hiring practices be addressed by the Project. Please see Master Response 5 for a discussion of this issue.
- SP39.9 The Commissioner requests that the Project Sponsors consider preservation and/or reuse of the Pacific Coast Canning Company. The Project does not propose to demolish the cannery building. For further discussion of this building, please refer to Master Response 4, “Pacific Coast Canning Company.”
- SP39.10 The Commissioner requests that social impacts be considered in the EIR. As explained in Master Response 5, social issues are important and should be acknowledged, but would not be considered significant impacts under CEQA. The EIR must focus on physical environmental changes that result from implementation of a proposed project, as explained on page 1-5 of the Draft EIR. The socioeconomics report prepared by the City provides important information regarding the merits of the Project and the socioeconomic implications of the Project, but this information should not affect the EIR nor result in a delay in the CEQA process. Given the community’s interest in this study, it has been included as Appendix C to this Final EIR.

SP40. Commissioner Lee

SP40.1 The Commissioner notes some of the Project merits and suggests that the community apply pressure to ensure the area is revitalized in a way that spurs local hiring. Since the comment does not address the adequacy of the EIR nor the City’s compliance with CEQA, no further response is needed in this document. However, the Commissioner may refer to Master Response 1, “Consideration of Alternative Development Proposals/Components” and to Master Response 5.

SP41. Commissioner Mudge

SP41.1 The Commissioner requests detailed analysis of cumulative traffic impacts. The analysis of cumulative conditions included development of the Project in combination with other related projects, including redevelopment of the Oakland Army Base, as well as background growth contained in the ABAG land use forecasts. The methodology for deriving the cumulative scenario is presented on page 3.4-16 of the Draft EIR, with more details provided in Appendix C. The updated cumulative growth scenario presented in Appendix C was developed in consultation with City and Port staff. Please see Response 18.6 regarding the impacts of the Project and cumulative impacts on traffic congestion.

SP41.2 The Commissioner states that there should be sufficient open space for the Project. Please see page 3.14-12 of the Draft EIR for discussion of open space impacts. The Maximum Residential Scenario would result in the creation of 4.22 acres of public and private open space. Please also see the discussion entitled “Consideration of Alternative Development Proposals/Components” in Master Response 1.

SP41.3 The Commissioner supports the mixed-use commercial component of the Project. This comment does not address the adequacy of the EIR or the City’s compliance with CEQA, so no further response is needed in this document. Additional discussion of the merits of the Project, as well as Project conditions of approval that may include provisions regarding the neighborhood commercial aspects will occur at the upcoming Planning Commission and City Council hearings on the Project.

SP41.4 The Commissioner expresses the desirability of analyzing the social and fiscal impacts of the Project, but notes that the EIR/CEQA process is not the appropriate mechanism to do so. This comment reflects the EIR preparers understanding of CEQA and the present contents of the Draft EIR. Nevertheless, given the community’s interest in this study, it has been included as Appendix C to this Final EIR.

5.3 LANDMARKS PRESERVATION ADVISORY BOARD PUBLIC HEARING COMMENTS AND RESPONSES

The October 18, 2004 Landmarks Preservation Advisory Board public hearing transcript is reproduced beginning on the next page, followed by responses to the speakers.

PARTIAL TRANSCRIPT OF PROCEEDINGS

APPEARANCES

ADVISORY BOARD MEMBERS:

- Una M. Gilmartin, Chair
- Barbara Armstrong, Vice Chair
- Alan Dreyfuss - (recused for this agenda item)
- Pamela Kershaw
- Yui Hay Lee
- Neal A. Parish

ALSO PRESENT:

- Joann Pavlinec
- Betty Marvin

LANDMARKS PRESERVATION ADVISORY BOARD
OAKLAND, CALIFORNIA

REGULAR MEETING
PARTIAL TRANSCRIPT OF PROCEEDINGS

ORIGINAL

DATE: October 18, 2004

TIME: 4:00 p.m.

PLACE: Oakland City Hall
Conference Room 1
One Frank Ogawa Plaza
Oakland, CA 94612

REPORTED BY: Anthony Jude Cordova, RPR
Job No. 357870

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PROCEEDINGS

1
2
3 MR. DREYFUSS: On the next item of business, I
4 have to recuse myself. I'm a consultant on the project.

5 MS. GILMARTIN: Thank you. Item four before
6 us today, we have the Wood Street Development which is
7 comprising 29.2 acres between Tenth Street to the south,
8 West Grand Avenue to the north, Wood Street to the east
9 and the I-80 Frontage Road to the west, and tonight
10 we're holding a public hearing on the draft
11 environmental impact report to obtain comments regarding
12 the proposed development.

13 MS. PAVLINEC: The staff planners are not able
14 to be here tonight. I will give a brief report. This a
15 mixed-use project located in the area of West Oakland
16 that was previously considered the Oakland Army Base
17 redevelopment plan. The 29.2-acre site was identified
18 for fairly intensive commercial development in the plan
19 with some live/work use along Wood Street.

20 The site is presently designated in the land
21 use transportation element of the general planners'
22 business mix and does not permit residential activity.
23 The proposed project will require a general plan
24 amendment as well as a rezoning to limit residential
25 activity within development standards and requirements.

3

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1 A planned unit development is proposed as the
2 basis for the design, site planning, infrastructure and
3 other major development standards and requirements. The
4 PUD process would involve review of all preliminary
5 grading, public improvement site plans, and the design
6 of buildings including architectural elements, height
7 and massing as well as the subdivision aspects of the
8 property.

9 The landmarks board will review this again in
10 the final development plan because of the landmarks
11 status of the Sixteenth Street station and the signal
12 tower. The proposed project would involve construction
13 of separate mixed-use developments within the project
14 site by several project sponsors which would consist of
15 residential, live/work and retail use along with
16 non-retail commercial space.

17 Various developments would consist primarily
18 of residential uses totaling 1,570 dwelling units, 186
19 of which would be live/work units. Commercial space
20 would include 13,000 square foot of neighborhood-serving
21 commercial uses plus about 15,000 square feet associated
22 with the historic Southern Pacific Sixteenth Street
23 train station.

24 The main hall of the station between Sixteenth
25 and Seventeenth Streets would be restored for reuse.

4

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1 The associated Sixteenth Street signal tower would also
2 be restored. Approximately 95,000 square foot warehouse
3 on Pine Street would be used as lofts, public open space
4 consisting of a public plaza in front of the station's
5 main hall and five pocket parks totaling 1.4 acres would
6 be provided.

7 This scheme is referred to as the maximum
8 residential scenario. The EIR also looks at a maximum
9 commercial scenario. The site contains significant
10 historic structures which include the Sixteenth Street
11 station and associated elevated tracks and the Sixteenth
12 Street signal tower.

13 The EIR finds that there are significant and
14 unavoidable impacts to cultural resources. The draft
15 EIR states that no feasible mitigation measures have
16 been identified that would reduce the following project
17 level impacts to a level of less significant, and those
18 are loss of a portion of the Sixteenth Street train
19 station resulting in the removal of the existing
20 elevated tracks and the baggage wing and adverse impacts
21 on the setting and context of the Sixteenth Street train
22 station and the Sixteenth Street signal tower.

23 The staff is recommending that the board hold
24 a public hearing and receive public testimony on the
25 project and potential impacts to historic and cultural

5

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1 resources as identified in the draft EIR and provide
2 staff and the project sponsor with any direction
3 regarding issues to be addressed in the final EIR and
4 the staff report that will contain the recommended
5 action on the requested planning approvals. Thank you.

6 MS. GILMARTIN: Thank you.

7 MS. PAVLINEC: The applicant is here and will
8 do a presentation. Thank you.

9 MS. GALLANTE: Good evening, Commissioners.
10 My name is Carol Gallante. I'm president of Build West
11 Oakland, one of the primary property owners of this
12 29-acre site. There are a number of other property
13 owners. We are the owner of the actual train station
14 parcel, as well, and I just wanted to give you --
15 although Joann said she's not the staff planner, she
16 gives very good staff reports, so I will just give you a
17 little bit more context for the development, and then I
18 am primarily here to answer any questions that you might
19 have as you looked at the EIR.

20 As described, this is a little over a 29-acre
21 site. If you're not familiar with the site, it is
22 bounded by West Grand Avenue as it elevates to go out to
23 the Army base and Pine and Tenth Street on the other far
24 side. So this is West Grand, and this is Pine and Tenth
25 which serve as the boundaries of this development.

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1 As stated, there are a variety of property
2 owners, each proposing developments in nine different
3 development areas across this site. We are processing
4 the EIR and plans together to keep a cohesive master
5 plan development standards for the overall site.

6 We anticipate between a thousand and 1,500
7 dwelling units. In addition, some neighborhoods serving
8 commercial uses primarily around -- you could see kind
9 of the brown, orangey areas around the park plaza. The
10 development also includes that park which will be a
11 major feature in front of the main train station
12 building that provides a visual corridor onto the train
13 station building itself, and so no development will
14 occur in front of the station building.

15 There is one development on Pine here. You
16 can see it better in this existing photograph. This
17 warehouse, that will be developed by one of the property
18 owners into live/work type units. So we're very excited
19 about bringing this overall development plan to West
20 Oakland, and the current train station building itself I
21 just want to address and then, as I said, I'll be
22 available for questions.

23 We are planning to retain and restore the
24 majority of the Sixteenth Street station. We are
25 planning on removing the elevated tracks that right now

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7

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1 don't go anywhere and interfere with the Sixteenth
2 Street passageway into the other parts of the
3 development and a portion of the baggage claim area that
4 is in what we call the development six. This parcel
5 here shows each of the nine development areas, and the
6 baggage claim wing extends into development area six.

7 So we are planning on restoring both the train
8 station building itself as described in the EIR to the
9 secretary of interior standards and preserving both the
10 architectural and the rich history of that train station
11 building.

12 So, with that, I'd be available to answer any
13 other questions you may have about the EIR.

14 MR. YEE: I had one question. What is the
15 proposed use of the train station?

16 MS. GALLANTE: The train station itself will
17 be owned by a non-profit corporation and we have a
18 variety of active ideas for the use of the station. It
19 will be something that will be accessible to the
20 public -- I don't want to say non-commercial because we
21 could have some commercial type uses in there like event
22 space, museum space.

23 We have talked to a variety of non-profit
24 users that may be interested in working with us on the
25 space, but we don't have a specific tenant for the space

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8

PARTIAL TRANSCRIPT OF PROCEEDINGS

1 at this point in time.

2 MR. YEE: And the reason to demolish that
3 building is what?

4 MS. GALLANTE: The baggage claim area
5 interferes with what we call development area six, and
6 in order to -- if I can point that out?

7 MS. GILMARTIN: Is there a hand mic we can
8 give you so you can do both?

9 MS. GALLANTE: Maybe it would be better if I
10 did this. This is a blown-up version of the actual
11 train station showing elevated tracks here, so this
12 portion of the tracks going over Sixteenth Street and
13 this portion of the tracks with the baggage claim area
14 right there, and if we try to retain the baggage claim
15 area, we lose significant developable land, and part of
16 the way we are financing the restoration of the train
17 building is through the tax increment generated by all
18 the development activities. So that's one reason.

19 The other reason is that it's a significant
20 additional cost to rehab the baggage claim area, and,
21 again, we need to generate enough tax increment from the
22 remaining portions of the development in order to make
23 it economically feasible, and so you're both diminishing
24 your available tax increment through development
25 potential and you're adding additional costs. So the 2

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PARTIAL TRANSCRIPT OF PROCEEDINGS

1 things together add up to a significant amount of cost.

2 So this is the portion of the train station
3 that we are retaining is the most significant
4 architecturally and historically as described in the
5 historic report.

6 MS. ARMSTRONG: So you were indicating you
7 wanted to take the elevated area down over Sixteenth.
8 What was the reason? You can drive under Sixteenth now,
9 can you?

10 MR. PARISH: No.

11 MS. ARMSTRONG: You cannot?

12 MS. GALLANTE: No, and we are not talking
13 about -- I want to be clear about this not necessarily
14 for you all but others -- it's quite clear in the
15 community that people don't want the streets to go all
16 the way through to Frontage Road, but we need it to
17 provide access to these parcels and the parcels down
18 here. You can't access off of Frontage Road further
19 down because where these little dots start, Frontage
20 Road is going up on an elevated basis.

21 So without being able to come down Sixteenth
22 Street to get in behind the station, you have no
23 emergency access to the rest of the narrowing of the
24 site. Is that clear?

25 MS. ARMSTRONG: It's clear, but I am

10

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1 wondering, when I was looking at it, it is an
2 historically prominent feature having the elevated
3 tracks, and I'm wondering if you were to retain some of
4 those elevated tracks, in other words, if you remove the
5 tracks at Sixteenth Street, and I'm not certain that I
6 would have any support on the board for this, but -- and
7 kept some of the tracks, you were talking about they
8 were in the way of a development area?

9 MR. PARISH: The EIR says you're saving
10 20 percent behind the building.

11 MS. GALLANTE: Yeah. I wanted to make that
12 clear. We are -- and I probably didn't make that clear
13 in my presentation. We are talking about retaining the
14 elevated tracks that are directly behind the main
15 portion of the building. So we're cutting this off and
16 this off, but this portion would remain so you'd still
17 have the character of the old elevated tracks as part of
18 the restoration of the building.

19 MR. PARISH: I have another question for you
20 on the train station, the main building.

21 MS. GALLANTE: Yes.

22 MR. PARISH: That has to wait until you get
23 all the tax increments. Most of the project has to be
24 developed first, and then you get the tax increment, and
25 the then the rehab. What sort of conditions of approval

11

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1 or commitments are there going to be to make sure you
2 guys are going to be there and have the financial
3 resources to actually do that since you're coming after
4 the main project's going to be built?

5 MS. GALLANTE: Well, again, this is a
6 currently deteriorating building that has no economic
7 resources to get it up and going right now, and it's
8 continuing to deteriorate. It's been vacant since 1989.
9 So without development, there's no possibility that the
10 train station in the foreseeable future would be
11 restored.

12 So we will be going as a separate action, not
13 as part of the EIR process, but separately to the
14 redevelopment agency to discuss tax increment and other
15 kinds of funding for the development. We have a long
16 history of foundation relationships and that kind of
17 thing as well that we can certainly add to the pot.

18 MS. GILMARTIN: Are you going to be pursuing
19 historic preservation tax credits for the station?

20 MS. GALLANTE: Which are looking at that. We
21 didn't have a definitive as to whether we will be able
22 to use the tax credits, but we will be looking at that.

23 MR. PARISH: And you did mention -- there's no
24 mention in the EIR about what you just said about the
25 fact that the community doesn't want the streets to be

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PARTIAL TRANSCRIPT OF PROCEEDINGS

1 continuous, and I was wondering why that wasn't
2 discussed in here as to whether the existing general
3 plan requires that and whether this is consistent with
4 the general plan, because it talks in the EIR about how
5 the city owns either easement or fee to connect some of
6 those streets but we're not going to be doing that, and
7 I was wondering why that wasn't talked about in the EIR.

8 The fact that you mentioned the community's
9 opposition helps me in that, but another thing that I
10 think the EIR fails to talk about -- and this really is
11 a comment on the EIR -- people are going to be confused
12 by the fact that you can drive into there, and, yes,
13 you're adding in the ability to make the U-turn or the
14 three-point turn to get back out, but people are going
15 to be confused by the fact that these streets go in and
16 then stop and there's going to be these pocket parks
17 where the emergency vehicles can go through, and then
18 that little aspect of confusion and people having to go
19 all the way down to like Seventh Street, I think, if
20 they miss -- if they miss West Grant, they've got to go
21 down Seventh and all the way back, and I think that
22 should have been talked about in the EIR.

23 MS. GILMARTIN: Is that it in terms of
24 questions of the applicant? Because I'm sure we're
25 going to have some public speakers, too.

PARTIAL TRANSCRIPT OF PROCEEDINGS

1 MS. PAVLINEC: We have eight public speakers.

2 MS. SHIV: Can I request an opportunity to
3 speak? Because I have to be at a seven o'clock meeting.

4 MS. PAVLINEC: Certainly.

5 MS. SHIV: Sorry to barge in, but I have to go
6 talk about measure DD and other famous projects. Naomi
7 Shiv, Oakland Heritage Alliance. We will be giving
8 written comments to the EIR in the next few days, but a
9 couple of observations. One, we sure would like to see
10 this railroad station get a roof on it sometime soon and
11 at least even if it is not to be immediately
12 rehabilitated, I think that something to arrest further
13 deterioration is necessary now, and so I would think
14 that phasing that project so that the thing could be
15 preserved from further damage would be pretty great.

SL1.1 16 I'm not blaming this property owner but
17 blaming the city and the rail companies for the
18 deterioration which is drastic that has already occurred
19 since the earthquake. I regret it very much, and I do
20 feel that as we did with the Fox, this project should be
21 working with the city to stabilize the structure and get
22 a roof on it if that's what's needed or whatever it
23 takes to keep it from leaking.

SL1.2 24 On the EIR, we feel that it gives somewhat
25 short shrift, not so much to the buildings but to rail

PARTIAL TRANSCRIPT OF PROCEEDINGS

SL1.2
cont'd
SL1.3
SL1.4

1 history and the relationship to this whole site to
 2 Oakland's development which is critical, and in that
 3 connection, we are very concerned about taking out the
 4 baggage annex and taking down the elevated track.

5 Additionally, I think that we need to see a
 6 much more serious consideration of B's Hotel. There is
 7 an outrageous claim in this EIR that the existence of
 8 B's Hotel will hurt this project, and I would like to
 9 say that, to me, that's veiled racism and I object to
 10 it.

11 What we are talking about is that we don't
 12 like that there are, you know, people that might not fit
 13 in in B's Hotel and I object to it, and I feel that that
 14 entire analysis needs to be thrown out and start over
 15 and talk about the fabulous opportunity that B's Hotel
 16 presents to us of combining historic preservation,
 17 affordable housing and the cultural history all into one
 18 kind of wonderful addition to the project just outside
 19 some of the development.

20 It is objectionable the way it's handled in
 21 the EIR and I think we can do better. The EIR does not
 22 adequately address -- and I don't know how much it
 23 addresses so perhaps it should address under cultural
 24 and historic a long resident rail-related population in
 25 this area, people who have rail history themselves, it

PARTIAL TRANSCRIPT OF PROCEEDINGS

SL1.4
cont'd
SL1.5
SL2.1

1 isn't just the buildings, and whose children are still
 2 around and some of the actual rail workers are still
 3 around -- sometimes you run into them tinkering on old
 4 rail cars in rail yards -- and I think that overall, the
 5 EIR is deficient in not really talking about the social
 6 importance of railroads in Oakland.

7 This really needs to be contended with because
 8 it's our only shot at it. I also feel that the
 9 relationship of the project to its surrounding community
 10 which will presumably grow and thrive with a wonderful
 11 economic development like this is not adequate. It
 12 really would be good to think about links into and
 13 through the community. As Mr. Parish has mentioned, you
 14 don't want something real awkward there.

15 If you're going to build anew, that's
 16 wonderful. Let's make sure that we're connecting it to
 17 the city, not making it an enclave within the city. We
 18 think it's really important to take a little bit broader
 19 scope in this EIR, and a good deal of rewriting would be
 20 appropriate. Thank you.

21 UNIDENTIFIED SPEAKER: The first issue I want
 22 to raise is that as your projects move forward, as you
 23 know, there are components in state law and local
 24 legislation that require notice to the public.

25 Unfortunately, the City of Oakland is still of

PARTIAL TRANSCRIPT OF PROCEEDINGS

1 the mind set that everybody picks up the local Tribune
2 and reads the notices. In case you're not aware, the
3 Oakland Tribune is under litigation now for the second
4 time in five years for circulation fraud. In 1999, they
5 settled a lawsuit by paying out \$2.25 million worth of
6 advertising to 28 advertisers including the City of
7 Oakland and the Port of Oakland for overstating their
8 circulation numbers.

9 The audit circulation found that while they
10 were claiming circulation of around 90,000, in fact the
11 Tribune on a daily basis had a circulation of under
12 70,000. If I remember right, it was around 66,000 or
13 approximately. Now, with a claimed circulation of
14 66,000, they're being accused again, and just last week
15 they sent out a letter to a number of entities including
16 the city Thursday via Fed Ex which arrived Friday
17 morning saying if you settle by the end of today, we'll
18 give you extra credit, and of course that didn't happen.

19 The second thing is that the notices that are
20 contained in the Tribune, because that is the newspaper
21 designated by the City Council as a newspaper of general
22 circulation to public city notices, doesn't meet the
23 charter requirement which is that the city's notices be
24 published in a daily newspaper that is both printed and
25 published within the City of Oakland and has a minimum

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PARTIAL TRANSCRIPT OF PROCEEDINGS

1 daily circulation of 25,000. Until a few weeks ago, the
2 25,000 is not in issue. I think it is now, but the
3 Tribune is printed in Pleasanton and the only papers I
4 think that are left printing in Oakland are exactly
5 zero.

6 When the Post sold its operation a few months
7 ago and went to an external outside of Oakland, there
8 are no printers based in Oakland printing newspapers.
9 The third issue related to that as the planning
10 commission did, and, again, there was no legal
11 requirement for this, but they had a chair at the time
12 named Kenny Katsoff who believed technology should be
13 used to the public's advantage, and he insisted that
14 everything that was produced, EIRs, staff reports,
15 everything should be available electronically, not only
16 on the web, but in the format for CDs, and part of what
17 he insisted on is members of the public can pick up all
18 these documents on a CD so they did not have to waste
19 their time trying to download from a website and
20 spending an hour, hour and a half trying to download in
21 small increments a massive document like the EIR.

22 Again, this saves a lot of trees, saves a lot
23 of paper, makes it a lot easier to archive stuff. The
24 final thing, just so you know, over the years, the City
25 of Oakland, I don't know how many EIRs and staff reports

18

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SL2.1
cont'd

SL2.1
cont'd

PARTIAL TRANSCRIPT OF PROCEEDINGS

SL2.1
cont'd

1 have been done, but whenever there is a purge of the
2 records or a department moves, files are tossed
3 wholesale.

4 I have three storage rooms about the size of
5 this room that are filled up to the brim with documents
6 the city has discarded, many of which the city no longer
7 has including staffing deployment studies and historical
8 documents such as the EIRs, and I would love some day to
9 be able to scan them and make available on the web, but
10 of course the city's not too interested in showing the
11 past history and mistakes in the public domain, but just
12 so you're aware, a lot of these things do disappear and
13 I would hope -- you're talking about an historic
14 renovation here, that there will be opportunities and
15 there will be a requirement for the preservation of a
16 lot of these materials and a lot of the specifics on the
17 project site.

SL2.2

18 You'll recall that there was a court case
19 related to the Oakland Army base and some of the
20 demolition there as well as with the Montgomery Ward's
21 building, and some of the elements that were placed as a
22 result of both of those lawsuits in terms of preserving
23 history should also be looked at in this area as
24 mitigations. Thank you.

25 MS. GILMARTIN: Thank you.

19

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PARTIAL TRANSCRIPT OF PROCEEDINGS

SL3.1

1 MR. NITOTO: Good evening. My name is Monsa
2 Nitoto. I am the chairperson of the Coalition for West
3 Oakland Revitalization, my organization, which is
4 working on the BART project or the Mandela Transit
5 Village is an attempt to iconize the West Oakland area,
6 particularly that piece of property. We also had the
7 train station as one of the pieces, it was three pieces,
8 and then a piece in Emeryville. So all three of those
9 were in the project trail.

10 We were attempting to buy and had the first
11 right of refusal with Union Pacific -- at that time, I
12 was still involved with the alliance -- to buy that
13 property at Union Pacific that is the old Sixteenth and
14 Wood train station, and we were well intended to buy it,
15 and somehow Mr. Holiday with the Diane Finestein managed
16 to squeeze the alliance out of it and ends up with the
17 property themselves, though I'm sure some of that's
18 going to get looked at as we file different claims and
19 so forth.

20 What is important, however, is some of our
21 family and friends and relatives who worked on that
22 railroad and who are still living in the area, that that
23 train station get declared an historical piece and the
24 African-American community have an opportunity to own
25 it. First we tried to buy and we missed that, but we

20

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PARTIAL TRANSCRIPT OF PROCEEDINGS

SL3.1
cont'd

1 don't want a new group to come in and then not deal with
 2 the historical piece.

3 We've got some support from this developer,
 4 that is that they say the train station's going to be
 5 given to a non-profit group, does not say who. We took
 6 a letter to Mr. Holiday when he first bought and let him
 7 know we would like to get the three and a half acres
 8 that that train station exists on.

9 I have a lot of notes here, but I forgot my
 10 glasses so I can't -- I'll play with some of it. First
 11 of all, we have had a master plan in that area. The
 12 alliance in its development planned out how that station
 13 was to go and how it was to look. Our plans and
 14 intentions involved a whole host of community people to
 15 get involved in the buildings and to bring community
 16 non-profits into the adjacent building which -- anyway,
 17 right beside the train station, there's another building
 18 built in the -- this thing has Carnegie all around it in
 19 terms of the history and the heritage, think of it like
 20 the other libraries and so forth all around.

21 There's a building right adjacent to it. We
 22 saw that building as a building where we could house the
 23 non-profits, especially all the non-profits who are
 24 losing ground in West Oakland and need a place and a
 25 permanent home. We saw this as place that we could not

PARTIAL TRANSCRIPT OF PROCEEDINGS

SL3.1
cont'd

SL3.2

1 only house history. The Pullman porters, Mr. Simons and
 2 other folk, are still around. In fact, we see this
 3 place being of a place to house that history. However,
 4 we don't want to clutter the floors with pieces, so we
 5 want to put a shelf in there and put the pieces on that
 6 and cord it with some other icons.

7 So we're saying we'd like to see the whole
 8 building left whole and that piece on side there as well
 9 and that the three and a half acres could be something
 10 that the community could do and develop some comments
 11 with so that we could do it as the Pullman porters. As
 12 you know, that was the beginning of black people being
 13 able to buy and coming into the area.

14 We were not allowed in other parts. The train
 15 station was available to us and the Greyhound bus, but
 16 other pieces were not. So we have some claim to that
 17 history becoming owners of land and property at that
 18 time. So we want to own that station, you know, and
 19 that is what the fight will be about, and there will be
 20 a fight.

21 We're trying to work with the developer, but
 22 we're not clear that we can get that working
 23 relationship given that they want to tear apart the
 24 place and they're not listening to us around that
 25 non-profit headquarters.

PARTIAL TRANSCRIPT OF PROCEEDINGS

1 So I could go on, but I'm sure there will be
2 other opportunities, but one thing I would like to say
3 to you, we are doing a ton of research. There's
4 discussions going on around a blues train that would run
5 all the way to New Orleans, and a black millionaire
6 there has bought that train station, and we were trying
7 to do a partnership with it here, and we've had to
8 disclose our thinking based on we didn't get the
9 station, but there's still a lot of research going on in
10 terms of who worked where.

SL3.3 11 My uncle worked in that baggage room, so we
12 don't want that thing torn out, you know, and we're
13 doing the research and getting all the family stuff put
14 together around it. A brother named Tom Boden used to
15 shine shoes in the train station, and he is very
16 concerned and has a group called the Men of Valor,
17 Gospel, bishop out in East Oakland. All of these
18 folks -- West Oakland was a place where all the
19 African-Americans came in at, so they're all over the
20 place, but that train station is the significant signal
21 for them.

22 So we want to keep that history alive and get
23 it moving again. Now, here's what the developers said
24 to me. This was a negative statement. When we got that
25 place, nobody cared about it. We bought it and -- now,

23

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PARTIAL TRANSCRIPT OF PROCEEDINGS

1 this is -- the alliance was already -- we raised --
2 we're poor and broke. We raised \$8 million to buy that
3 building and have the money available, so it's not like
4 it was not around.

5 So the question of that station being trashed
6 by people going in it, people do not know the history of
7 the Pullman porters. That's our job. We have to get
8 the history out into the community, their own background
9 and past and cannot allow buildings to get tore down
10 before we can get that history iconized.

11 The research is going on now, and I can bring
12 you a pile of work. If you'd have been at the West
13 Oakland Library about three weeks ago, you would have
14 heard the renditions of the Pullman porter story as they
15 put it out there in that library that day.

16 I'm about to go through a transplant, and a
17 part of my problems is that I've been working so hard
18 trying to keep some of these buildings and this history
19 alive, that we really want to see it, and I'm trying to
20 get this set up before I go to get this operation.

21 So, I mean, it's important that you hear all
22 the history, and there's a lot of research that has to
23 go on with that building and so forth, so we're really
24 concerned about it. Why? Because black people are
25 being pushed out of West Oakland.

24

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PARTIAL TRANSCRIPT OF PROCEEDINGS

1 Let's face it. Whether you know it or not,
2 they are. We're getting pushed out all over the
3 community, and we know it. So we try to set up some
4 icons. We're trying to do some at the Army base, we're
5 trying to do some at the train station, and we're trying
6 to do some down at the Mandela Village project, in those
7 three spots to help capture our history and the
8 existence we've had in West Oakland.

9 So, please, work with us. We don't think the
10 developer's all bad. It's good that place is getting
11 cleaned up. We don't want to try to do it ourselves.
12 We're not anti-them. We just want them to care about
13 what we care about in the way of preserving our history.
14 Thank you.

15 MS. GILMARTIN: Thank you.

16 MS. MARVIN: The next speaker -- decide your
17 own order -- we have Norman Hooks, Adam Gold, Cynthia
18 Shartser and Anna Naruda with time ceded by Ernest
19 Sasson. Norman Hooks?

20 MR. HOOKS: Thank you, Madame Chairman and
21 members of the board. I'm here to speak in favor of the
22 project, and I'm particularly happy to see that this
23 development is going to occur and is considering
24 preservation of the Sixteenth Street station and the
25 signal tower.

PARTIAL TRANSCRIPT OF PROCEEDINGS

1 Maybe some of you don't know this who are on
2 the board, but this board in the past went to
3 considerable lengths to prevent this station from being
4 deteriorated primarily by water damage and specifically
5 regarding the murals on the interior. I also know that
6 there was furniture in the waiting room proper. No one
7 really knows the disposition of that furniture, but I
8 think it's part of the history and the heritage of the
9 building that should be considered.

10 I think that due to the efforts of this board,
11 the city at one point did consider -- I'm not sure if it
12 happened or not -- maybe Betty can apprise me of that --
13 but I think the city did put forth some money to put a
14 roof on the building. Whether or not that work is
15 currently adequate, I don't know, but it's much needed
16 and I'm still encouraged by the fact that the developer
17 is considering preserving the building.

18 To sort of acknowledge Mr. Nitoto's comments
19 about the porters, I think that the EIR does allude to
20 the notion that this was a terminus of the
21 transcontinental railroad and that the Pullman car
22 porters did play a significant role in the history of
23 the railroad as well as West Oakland, and many of them
24 were residents of West Oakland.

25 So my sense of things is that the EIR and --

SL4.1
cont'd

SL4.2

SL4.1

PARTIAL TRANSCRIPT OF PROCEEDINGS

1 that the EIR communicates the developer is going to
2 consider this, and if there is going to be a museum
3 component to it, I think it should be a large part of
4 it. Thank you.

5 MS. GILMARTIN: Thank you.

6 MS. SHARTSER: Good evening, board members.
7 My name is Cynthia Shartsers. I am of the view that
8 significant impacts on cultural resources are avoidable.
9 Projects can be planned and designed to creatively
10 integrate entire historic buildings and adaptively reuse
11 them. I do not support proposals to remove or demolish
12 parts of the Sixteenth Street station.

13 We often see projects that compromise cultural
14 resources and later witness the fact that they have been
15 compromised to be used to justify demolition. In the
16 case of the Sixteenth Street train station, I support
17 the preservation alternative where the station including
18 the main hall, the baggage wing and the elevated tracks
19 as well as the Sixteenth Street signal tower would be
20 retained and restored.

21 Adaptive reuse will not only preserve
22 Oakland's unique history, architecture and culture, it
23 is a primary contributor to livable neighborhoods and
24 conserves natural resources. I support Oakland
25 Heritage's comments about B's Hotel and wonder if Betty

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PARTIAL TRANSCRIPT OF PROCEEDINGS

1 has any comments regarding the historic, architectural
2 and cultural significance of B's Hotel and the
3 redevelopment of B's Hotel alternative. Thank you.

4 MS. NARUDA: Hi. My name is Anna Naruda. I'm
5 an historical archaeologist and Oakland resident, and I
6 admit to sharing confusion with the developer or with
7 what the developer is saying when making the statement
8 that they're going to treat the train station by
9 secretary of interior standards and yet plan to demolish
10 the baggage annex of the elevated tracks because the
11 last time I checked, the secretary of interior standards
12 are kind of down on demolishing contributing elements
13 which those would be.

14 I wanted to fill in a little bit on some of
15 the history that I might be able to provide more
16 perspective on for my work with the Uptown Chinatown dot
17 org. organization. I noticed in reading the EIR mention
18 of the Pacific Coast Canning Company building. The EIR
19 calls this building not an historical resource on page
20 3.7-4. I don't understand how this determination could
21 possibly be reached.

22 Pacific Coast Canning Company was the major
23 business established by Lou King who started it by 1904
24 in Oakland. Lou King, because of his role in the
25 Pacific Coast Canning Company, he is recognized in the

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PARTIAL TRANSCRIPT OF PROCEEDINGS

1 Hall of Chinese Pioneers, which you know is the
2 commemoration in the Chinese Garden. The role of
3 Pacific Coast Canning Company has been considered so
4 important that the oral history of Lou King's daughter
5 is right now being collected as part of a project funded
6 through the California Humanities Grant California
7 Stories Project. This is definitely an historic
8 resource.

9 Also, we need to question why the draft EIR is
10 saying that the Pacific Coast Canning district has no
11 designated historical association. I don't understand
12 how that could follow given the importance of this
13 resource, and, therefore, the EIR should evaluate the
14 potential for reuse of this building.

15 Take a look, if it's an historic resource,
16 what might we need to mitigate, what might we need to
17 study, how can it be reused. Also, I noticed in the
18 staff packet this time around, you just received notice
19 that the building at 1630 San Pablo Avenue is about to
20 be demolished.

21 This building was built in 1894 according to
22 OCHS records, and the cultural heritage survey had
23 determined already in 1984 this building is of
24 historical and archeological interest as an extremely
25 early use of concrete, perhaps the earliest in Oakland.

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PARTIAL TRANSCRIPT OF PROCEEDINGS

1 Well, if this is the earliest in Oakland, concrete
2 building, and it's about to be demolished, this likely
3 bumps up the importance of the Pacific Coast Cannery
4 which had been considered to be the oldest building of
5 that type in West Oakland. Now this might be our oldest
6 building in Oakland. So the EIR should consider the
7 historic significance before saying tear it down.

8 The other facet of inadequacy in the EIR I'd
9 like to draw your attention to is the archeological
10 mitigation. This EIR, it is not saying the same thing
11 for an archeological mitigation plan that we've seen in
12 recent projects. It does not meet the plan that we've
13 seen for the Tom Sell Berkeley Square project or the
14 Uptown project or for the Broadway/West Grand project.
15 It's far more inadequate than that.

16 In this case, there's no archeological study
17 unless during construction, archeological features or
18 prehistoric human remains were found. So this puts all
19 of the burden on during the construction, the project is
20 under way, a worker has to identify a legally important
21 archeological resource and stop the project. Say it
22 does come up.

23 Say a worker is able to do that or we have
24 human remains as has been described right in the area,
25 not necessarily even prehistoric, but there's been human

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PARTIAL TRANSCRIPT OF PROCEEDINGS

SL6.3
cont'd

1 burials of more recent origin in the area. The
2 inadequacy of the EIR in specifying a preconstruction
3 archeological sensitivity study and plan, that's going
4 to cost the developer money, so it's actually in the
5 developer's favor to go ahead and have that process take
6 place in front of construction just like it's been
7 happening, it's specified in the EIRs we've had for the
8 most recent project in the city.

9 There's no reason that this project shouldn't
10 meet that as well, and you might want to consider do you
11 want -- with all these projects -- all these projects
12 have been having community review processes.

13 Would the board want to be involved in
14 reviewing that document. Just as you do design review
15 of historic buildings, might you want to make that part
16 of your goal of, say, yeah, okay, this is adequate or
17 we'd like to see you do more in this area.

SL6.4

18 Also, raising the issue of the archeology,
19 it's not a specious argument. The EIR, it does indicate
20 that there has been archeological work in the area. It
21 mentions there's been one survey.

22 This is kind of inadequate in characterizing
23 that this project is right in the vicinity of the
24 largest historical archeological project that's ever
25 happened in Oakland. The Cypress Freeway replacement

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PARTIAL TRANSCRIPT OF PROCEEDINGS

SL6.4
cont'd

1 project had a sensitivity that covered 48 blocks and
2 ended up excavating portions of 22 blocks, and this was
3 right next to this proposed project.

4 So the fact that this EIR spends a tiny
5 paragraph on archeology and moves on and says if
6 something pops up, we'll deal with it, this is a serious
7 inadequacy of the EIR. We could expect to see resources
8 related to early Chinese members of the community, early
9 African-American members. The Cypress Freeway project
10 turned up great information on the very early pioneering
11 African-Americans and some of the community networks
12 that were around in the 19th Century, also some of the
13 other ethnic groups represented, Italians, Portuguese,
14 who worked in Lou King's cannery alongside Chinese
15 workers as well.

16 So there's a potential for significant
17 information there, and, again, it's just doing the
18 developer a favor as well as meeting our legal
19 obligations by having the sensitivity study and planning
20 first prior to construction actually commencing.
21 Thanks.

22 MS. GILMARTIN: Thank you.

23 MS. MARVIN: One more time. Adam Gold?

24 UNIDENTIFIED SPEAKER: He's not here.

25 MS. PAVLINEC: So there are no further

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PARTIAL TRANSCRIPT OF PROCEEDINGS

1 speakers on this item.

2 MS. GILMARTIN: I'd like to thank all of our
3 public speakers tonight for taking the time to come down
4 here and express your views on this important project,
5 and now let's hear board member comments on the draft
6 EIR keeping in mind that staff is going to collect
7 these. There doesn't need to be a motion, so it's
8 really your personal thoughts on the completeness or
9 lack of completeness of the draft EIR.

10 MS. KERSHAW: I'll start. I think the two
11 significant unavoidable impacts in the cultural
12 resources section, there's a policy in the historic
13 preservation element 3.8 which also includes kind of a
14 pallet of suggested mitigation measures when you do have
15 a significant impact, and I notice that only a couple of
16 those are listed and placed here, that has documentation
SL7.1 17 and salvaging materials or something like that, and I
18 would just appreciate having the whole list run through,
19 and if they were determined to be infeasible or
20 inapplicable, having that stated within the document
21 simply for completeness sake.

22 It is an adopted element of the general plan,
23 so I think it's appropriate to discuss those and
24 identify those additional ones if possible that could be
25 applied or why not.

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PARTIAL TRANSCRIPT OF PROCEEDINGS

1 MR. PARISH: I already gave part of my
2 comments on the fact that there was a little bit of the
3 traffic study that was inadequate, and that does sort of
4 affect the design, because if the streets aren't going
SL8.1 5 to be going through, I sort of question the need to take
6 down the elevated tracks where Sixteenth Street -- what
7 the EIR calls the public street there exists.

8 It doesn't look like there's any need to go
9 any further except for emergency vehicle access, and I
10 would think there would be some way to get around that,
11 and the only other comment I have is on the preservation
12 alternative that says that it can't meet the objectives
13 of the project sponsor because it can't be sure that
14 it's going to have enough money to do all the rehab of
15 the station that's required, but we don't have any proof
16 that there's enough to do the rehab of the station under
SL8.2 17 the preferred alternative either.

18 So I'm not a hundred percent confident -- I
19 mean, the numbers may be there, staff may have them, but
20 they're not here before me, so I'm just less than
21 confident that there's enough to really restore the
22 station. So I don't know whether it's worth giving up
23 the baggage wing and the elevated tracks for something
24 that is not assured.

25 MS. ARMSTRONG: Board Member Parish, when you

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PARTIAL TRANSCRIPT OF PROCEEDINGS

1 were saying that there's not enough, are you saying
2 funds to restore?

SL8.2
cont'd

3 MR. PARISH: Yeah. The discussion of the
4 preservation -- says it's not -- it doesn't produce
5 enough money to restore everything that's required, and
6 it does have higher costs to do the other developments,
7 so there would be less tax increment available, so
8 higher cost and less revenue available.

SL9.1

9 MS. ARMSTRONG: I think my major concern is in
10 the removal of the tracks over the Sixteenth -- over
11 Sixteenth Street, and I share the same question. If the
12 roads don't go through and there's no development
13 planned there, I'm just wondering why you would want to
14 remove it.

SL9.2

15 So I think that's -- that, and I guess I'm
16 also sort of curious if there's no archeological review
17 prior to really doing a good plan, because if there's --
18 actually, if we know that there's some remains or if
19 there's something that's important for us to see, it --
20 it seems to behoove us that we have a good plan going in
21 so that we're not building over something that may be
22 there.

SL9.3

23 I have only one other comment, and that is
24 that that building is in such poor repair and the roof
25 needs -- that we do need a new roof on it, and I would

PARTIAL TRANSCRIPT OF PROCEEDINGS

1 very much like to ask the developer if they can do
2 something to waterproof that building, and if I could be
3 so bold as to make a recommendation, I would do that.

SL9.3
cont'd

4 MS. GILMARTIN: I think I also can concur with
5 Board Member Armstrong's recognition of the importance
6 of the elevated tracks and the baggage wing to this
7 building. The train station does not exist in and of
8 itself, and in order to seat this thing properly and
9 perpetuate its history with rail, I think it's very
10 important to have those elevated tracks and the baggage
11 wing, and if there is any possible way, I'd like to see
12 them preserved.

SL10.1

13 I also want to bring up the topic of if that
14 isn't possible and it's found that it isn't feasible, I
15 would like to see that those elements not be demolished
16 until there is some sort of a reasonable guarantee that
17 there are funds for the project to go forward.

SL10.2

18 I think that we have seen this on more than
19 one occasion where parts of an historic building that
20 don't suit one developer's fancy are demolished and
21 suddenly they can't come up with the money for the whole
22 project, and the potential for a future developer to
23 avail themselves of tax credits has been taken away.

24 So I would like to see that as a condition of
25 this project, that no demolition happen until the

PARTIAL TRANSCRIPT OF PROCEEDINGS

SL10.2
cont'd

1 project is ready to go forward and funding is in place
2 to do so.

3 I would also -- I am a big fan of, in the
4 cases where we need mitigations and we often need
5 mitigations, I like the mitigations to -- like the
6 punishment to suit the crime, so to speak, and in this
7 particular case, rather than sending off another set of
8 habs photos to the Library of Congress to collect dust,
9 I would like to see mitigations addressing the history
10 of rail in West Oakland and its association with the
11 African-American community, and I think that would be a
12 much improved set of mitigations to see something
13 directly associated with this station, and perhaps the
14 collection of oral histories or other items might be
15 appropriate in that regard.

SL10.3

16 I would also like to see a better study of B's
17 Hotel and the ability to retain that structure. I think
18 it never hurts to have historic properties that are not
19 all wedding cake and beautiful but represent the
20 everyday parts of our lives, and so I would like to see
21 that, and I also concur with Board Member Armstrong's
22 worry that the building be watertight and that the
23 murals inside be protected from damage if they're in a
24 position to be damaged right now.

SL10.4

25 MS. ARMSTRONG: I might add, a blue tarp would

SL10.5

PARTIAL TRANSCRIPT OF PROCEEDINGS

SL10.5
cont'd

1 do wonders.

2 MS. GALLANTE: We have spent several hundred
3 thousand -- I know I'm kind of out of order, but given
4 everybody's concerns, I do just want to say when Holiday
5 Development first purchased this from the railroad, they
6 spent several hundred thousand dollars cleaning out the
7 building, repairing the roof.

8 It is not absolutely watertight, but it is a
9 whole lot better than it was two years ago, and so we
10 have -- trying to somewhat arrest the deterioration that
11 has been occurring, but we will redouble efforts.
12 People break the windows, things happen on an ongoing
13 basis, but there is a lot more stewardship that we're
14 trying to do now than has happened over the past 10 or
15 15 years.

16 MS. GILMARTIN: Thank you. I appreciate you
17 jumping in to dissuade some of our fears, but we often
18 see buildings subject not only to benign neglect, but
19 fire in the case when they're unoccupied, and I think
20 that's a big fear.

21 MS. ARMSTRONG: I see that there's a lot of
22 markings, a lot of graffiti on the roof, and if you feel
23 that -- now that the rains are starting, if you feel
24 upon inspection and maybe have an inspection in the next
25 week or so, if there's any leakage, would you mind

PARTIAL TRANSCRIPT OF PROCEEDINGS

SL10.5
cont'd

1 tarping the roof so that we can maintain the last
2 vestiges of this building? Would you agree?

3 MS. GALLANTE: Yes.

4 MS. ARMSTRONG: Thank you.

5 MS. GILMARTIN: I think that concludes board
6 member comments, and I'd like to thank staff and thank
7 the community for coming out tonight.

8 (The proceedings ended at 7:15 p.m.)
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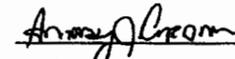
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CERTIFICATION

1
2 I, ANTHONY J. CORDOVA, hereby certify that
3 said proceedings were taken at the time and place
4 therein stated; that said proceedings were reported by
5 me and thereafter prepared under my direction into
6 typewriting, by computer; and that the foregoing is a
7 full, complete and true record of said proceedings.
8
9

10 DATED: October 25, 2004

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12 

13 ANTHONY J. CORDOVA
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SL1. Ms. Shiv

- SL1.1 The commentor requests that the 16th Street Train Station be re-roofed as soon as possible to prevent further deterioration. Please see “16th Street Train Station” in Master Response 4, specifically “Mitigation for Impacts to the 16th Street Train Station.” A new roof has been installed by BUILD, the Project Sponsor for the train station site.
- SL1.2 The commentor requests additional information about the history of the 16th Street Train Station and expresses concern about removal of the Elevated Tracks and the Baggage Wing. For an explanation why all of the Elevated Tracks and the Baggage Wing would not be preserved, please refer to “16th Street Train Station” in Master Response 4, specifically the subsection titled, “Feasibility of Retaining Baggage Wing and All of the Elevated Tracks.”
- SL1.3 The commentor asserts that the analysis of Bea’s Hotel in the Draft EIR should be redone. Please see “Bea’s Hotel” in Master Response 4 for an expanded discussion of this property.
- SL1.4 The commentor feels that the Draft EIR does not adequately address the cultural and historic importance of the area. Please see “16th Street Train Station” in Master Response 4 for an expanded discussion.
- SL1.5 The commentor feels that the relationship of the Project and the surrounding community should be considered. The Project Area vicinity consists of both industrial and residential uses proximate to one another. The Project Area to the west of Wood Street is characterized by large undeveloped lots used for trailer storage, large underutilized industrial-type buildings, and few street amenities such as street trees or sidewalks. This description of the Project Area is illustrated in Views 3 through 7 of Figure 3.3-2 of the Draft EIR. Thus, the existing interface between the Project Area and the existing West Oakland community is neither attractive nor conducive to integrating the Project Area with West Oakland.

The Project would substantially change this relationship and replace the undeveloped storage lots and underutilized and visually degraded industrial uses with a high-density, mixed-use development with buildings ranging from 40- to 90-feet tall. While development plans have not yet been prepared for the entire Project Area, Figure 2-3 on page 2-9 of the Draft EIR presents an illustrative site plan showing a possible layout for the structures, the roadways, and the open space areas. Figures 2-5 and 2-6 on pages 2-22 and 2-25, respectively, depict the internal circulation and the connections to the West Oakland community. From the plan views offered by these diagrams, the Project would introduce land uses, linkages, and street amenities/landscaping that are more attractive and more conducive to integrating the Project Area with West Oakland than the existing conditions.

The Draft EIR acknowledges that in this transition zone between the Project Area and West Oakland, there can be potential land use and visual compatibility conflicts. In particular, these impacts are discussed in Impact LU-2 on page 3.2-24 and in Impact VQ-3 beginning on page 3.3-15 of the Draft EIR. The proposed Wood Street Overlay Zone would assure a transition in scale from the existing neighborhood to the proposed mixed-use development and would promote an active and pedestrian-scaled street frontage along Wood Street (see page 2-8 and Appendix H of the Draft EIR). Notably, the building frontage along Wood Street would be occupied to enliven the street space and to encourage pedestrian use. Also, uses like parking facilities, which do not support pedestrian circulation or welcome the community into the Project Area, would be limited on Wood Street as part of the proposed Wood Street Overlay Zone.

As discussed in Master Response 2, “Circulation Impacts,” when the I-880 frontage road was constructed as part of the I-880 freeway project, curb returns were provided at 10th Street and 14th Street for connections to the frontage road. About the same time, the City of Oakland conducted the West Oakland Transportation and Economic Development Study (circa 1998) that addressed the question of whether to provide connections between West Oakland and the I-880 frontage road. Because community residents expressed concerns over the potential for cut-through traffic (i.e., motorists traversing West Oakland residential streets to access the frontage road), the City of Oakland decided not to provide connections between the frontage road and Wood Street. Since that decision, concrete barriers have been in place to prevent frontage road access from all streets (except 10th Street, which CWS truck traffic can now use to access the frontage road). Thus, the circulation layout for the Project Area was designed to respect the community’s earlier sentiments. Nevertheless, there are planned pedestrian connections between the Project Area and the West Oakland community along the extensions of 14th, 18th, and 20th Streets.

The public open space, particularly the public plaza proposed for Development Area Nine, is intended to attract and be used by the larger West Oakland and citywide community, as well as by Project residents. Page 2-21 of the Draft EIR describes ideas for the public plaza, such as gatherings and outdoor events like farmers markets, which are inviting and generally desired by the larger community. While it is true that the commercial/retail uses would be available to serve Project residents, other members of the community would not be discouraged or prevented from patronizing these businesses.

The design guidelines contained in the proposed Wood Street Zoning District address street front openings and entries; building frontages, setback and height requirements along the Wood Street frontage; and building massing and articulation. These guidelines represent tangible means of using physical design to promote interaction, rather than isolation, between the Project Area and the West Oakland community.

Further comments and discussions regarding the integration of the Project Area development proposals with the community are expected to occur during the subsequent review of individual Preliminary and Final Development Plans.

SL2. Unidentified Speaker

- SL2.1 The commentor questioned publication of notice in the Tribune, availability of EIRs in CD format, and destruction of EIRs. Notice must be given by publication, or by posting, or by direct mailing to the owners and occupants of property contiguous to the parcels on which the Project is located. For the Wood Street Project Draft EIR, approximately 900 notices were mailed to those who requested special notice, interested groups, and nearby property owners and occupants. In addition, notices were posted with the County Clerk. Notices were also published in the Oakland Tribune. Extensive comments were received, and hearings on the Draft EIR were well-attended, indicating that the notice efforts were successful. The Draft EIR was made available on Compact Disk as well as in print. The Wood Street EIR is currently available at City offices, and will not be discarded or destroyed before Project approval is considered.
- SL2.2 The commentor feels there should be a requirement to preserve historic documents, including those with specifics about the Project Area. Please refer to “16th Street Train Station” in Master Response 4. Please see the proposal for community participation in reuse of the Main Hall in new Mitigation Measures CR-2.5, which would include consideration of displays of such documents.

SL3. Monsa Nitoto

- SL3.1 The commentor, as the chairperson of the Coalition for West Oakland Revitalization, expresses a desire to own and oversee the 16th Street Train Station and to form a non-profit headquarters adjacent to the site. Please refer to “Mitigation for Impacts to the 16th Street Train Station” in Master Response 4.
- SL3.2 The commentor further explains the desire of Coalition for West Oakland Revitalization to own the 16th Street Train Station. Please refer to “16th Street Train Station” in Master Response 4, specifically the mitigations subsection.
- SL3.3 The commentor reinforces a desire to preserve the history of the 16th Street Train Station. Please see the “16th Street Train Station” in Master Response 4 for discussion of the historical significance of the 16th Street Train Station. Also note Mitigation Measures CR-2.7 and CR-2.8 in “Mitigation for Impacts to the 16th Street Train Station” section of Master Response 4, which present actions that will help commemorate the historical significance of the area.

SL4. Norman Hooks

- SL4.1 The commentor expresses support for the Project and the preservation of the Train Station and asks whether any repairs have been made to the 16th Street Train Station roof. Since the comment does not address the adequacy of the EIR nor the City’s compliance with CEQA, no further response is needed in this document. The merits of the Project will be

discussed at upcoming Planning Commission and City Council hearings on the Project. However, please refer to the Master Response 4, “Mitigation for Impacts to the 16th Street Train Station,” Mitigation Measure CR-2.3, which details actions to preclude deterioration of the train station roof. Also note in “Baseline Condition of the 16th Street Train Station” in Master Response 4 that in early 2001, BUILD retained a contractor to perform weatherization work and installed a new roof.

SL4.2 The commentor is correct in noting that the EIR acknowledges the Train Station as the terminus of the transcontinental railroad (see Section 3.7, Cultural Resources, of the Draft EIR) and that the Project Sponsors are considering some means to recognize the stations history (see Master Response 4).

SL5. Cynthia Shartzter

SL5.1 The commentor expresses support for the Preservation Alternative, which includes preservation of the Elevated Tracks and the Baggage Wing. For an explanation why all of the 16th Street Train Station facilities would not be preserved under the Project, please refer to Master Response 4, “Project Impacts to the 16th Street Train Station.”

SL5.2 The commentor requests information about the historical significance of Bea’s Hotel and about its redevelopment. Please refer to Master Response 4, “Bea’s Hotel” for this discussion. The Draft EIR reports on page 3.7-4 that this structure is a representative architectural example of a Colonial Revival hotel; however, the Oakland Heritage Cultural Survey rated the building a status code of Dc2+ (of secondary importance). In accordance with the City’s policy articulated in Policy 3.8 of the Historic Preservation Element, buildings with this status code are not considered historic resources under CEQA. The Draft EIR does, however, include a project alternative that considers the preservation of Bea’s Hotel (see pages 5-7 through 5-8).

SL6. Anna Naruta

SL6.1 The commentor requests clarification how the proposed demolition of the Elevated Tracks and the Baggage Wing comply with Secretary of Interior Standards. Please refer to “Mitigation for Impacts to the 16th Street Train Station” in Master Response 4, which explains that Secretary of Interior Standards for treatment of historic structures are guidelines that can be applied to any project or any portion of a project, and do not prohibit demolition of other projects or other portions of a project.

SL6.2 The commentor requests more information why the Pacific Coast Canning Company is not considered a historic resource in the Draft EIR. For more information about this determination, please refer to Master Response 4, “Pacific Coast Canning Company.” The Draft EIR reports on pages 3.7-3 and 3.7-4 that this complex was notable and that the cannery’s founder, Lew Hing, was an important figure in local ethnic and industrial history; however, the Oakland Heritage Cultural Survey rated the Pacific Coast Canning

Company buildings a status code of Cb+2+ (of secondary importance). In accordance with the City's policy articulated in Policy 3.8 of the Historic Preservation Element, buildings with this status code are not considered historic resources under CEQA.

SL 6.3 The commentor feels that the archaeological mitigation in the Draft EIR is inadequate and that a preconstruction archaeological sensitivity plan be conducted. The commentor is referred to Master Response 4, "Archaeological Resources," for a discussion on this topic.

SL 6.4 The commentor reiterates interest in an archaeological survey report being conducted prior to construction, since the Project would lie in the vicinity of the Cypress freeway, where many historic resources were discovered during its construction. Please refer to Master Response 4, "Archaeological Resources," for a discussion on this topic. Also note that information on the Cypress Freeway Replacement Project was available and reviewed by the EIR authors in preparing the Draft EIR. The mitigation measure proposed to address the potentially significant archaeological resources is a practical approach and one that is routinely recommended by professional archaeologists. This same approach has been recommended and successfully implemented throughout the Bay Area in areas that have a potential to discover archaeological resources.

SL7. Board Member Kershaw

SL7.1 The Board member requests that all mitigation measures be clearly outlined. Please refer to "16th Street Train Station" in Master Response 4, specifically the subsection, "Mitigation for Impacts to the 16th Street Train Station." (Note Mitigation Measures CR-2.2 and CR-2.6, which respond directly to the Board member's question about salvaging materials from structures proposed for demolition.)

SL8. Board Member Parish

SL8.1 The Board member states that the traffic study is inadequate. Please refer to Master Response 2, "Project Impacts," regarding circulation impacts, and Master Response 4, "16th Street Train Station," regarding project impacts and mitigation to the 16th Street Train Station.

SL 8.2 The Board member is concerned about the funding for the 16th Street Train Station preservation. Please refer to Master Response 4, "Mitigation for Impacts to the 16th Street Train Station," specifically new Mitigation Measures CR-2.5 and CR-2.6.

SL9. Board Member Armstrong

SL9.1 The Board member states that she is concerned with the removal of the Elevated Tracks. Please refer to "16th Street Train Station" in Master Response 4, specifically subsection "Project Impacts to the 16th Street Train Station," which explains why a portion of the Elevated Tracks would be demolished as part of the Project.

SL9.2 The Board member asks if there will be archaeological review of the Project. Please refer to Master Response 4, “Archaeological Resources.”

SL9.3 The Board member requests that the developer re-roof and/or waterproof the Main Hall of the 16th Street Train Station. Please refer to “16th Street Train Station” in Master Response 4, specifically the subsection, “Mitigation for Impacts to the 16th Street Train Station,” new Mitigation Measure CR-2.3. Also note in “Baseline Condition of the 16th Street Train Station” in Master Response 4 that in early 2001, BUILD retained a contractor to perform weatherization work and installed a new roof.

SL10. Board Member Gilmartin

SL10.1 The Board member requests that the Elevated Tracks and Baggage Wing be preserved. For an explanation why all of the Elevated Tracks and the Baggage Wing would not be preserved, please refer to Master Response 4, “Project Impacts to the 16th Street Train Station.” The Preservation Alternative considers an alternative under which the Elevated Tracks and Baggage Wing would be preserved.

SL10.2 Please refer to Master Response 4, “Mitigation for Impacts to the 16th Street Train Station.”

SL10.3 The Board member requests tangible mitigation that addresses the history of rail in West Oakland. Please refer to “16th Street Train Station” in Master Response 4, specifically the subsection, “Mitigation for Impacts to the 16th Street Train Station.” Please note the Board member’s suggestion to collect oral histories has been included in new Mitigation Measure CR-2.7.

SL10.4 The Board member requests an improved analysis of Bea’s Hotel and the weatherproofing of the Main Hall. Please refer to “Bea’s Hotel” in Master Response 4 and Mitigation Measure CR-2.3 in subsection “Mitigation for Impacts to the 16th Street Train Station,” which details actions to waterproof the roof. Also note in “Baseline Condition of the 16th Street Train Station” in Master Response 4 that in early 2001, BUILD retained a contractor to perform weatherization work and installed a new roof.

SL10.5 The Board member notes that the Project Sponsor has already taken measures to repair the roof of the Main Hall. She also requests that if any leakage occurs, the Project Sponsor will repair it. Please refer to “16th Street Train Station” in Master Response 4, specifically the subsection, “Mitigation for Impacts to the 16th Street Train Station,” new Mitigation Measure CR-2.3.