

II. SUMMARY

A. PROJECT UNDER REVIEW

This EIR has been prepared to evaluate the environmental impacts of the proposed 39th and Adeline Mixed-Use Project (project) proposed for the redevelopment of 1.12 acres in the City of Emeryville and City of Oakland. A detailed description of the proposed project is provided in Chapter III, Project Description. The key elements of the project are summarized in Table II-1. The uses listed in Table II-1 would be combined on the project site to create a mixed-use development.

B. SUMMARY OF IMPACTS AND MITIGATION MEASURES

This summary provides an overview of the analysis contained in Chapter IV, Setting, Impacts and Mitigation Measures, and Chapter V, Alternatives. CEQA requires a summary to include discussion of: 1) potential areas of controversy; 2) significant impacts; 3) recommended mitigation measures; and 4) alternatives to the proposed project.

1. Potential Areas of Controversy

The potential areas of controversy surrounding the proposed project identified as part of the EIR scoping and Notice of Preparation (NOP) process are each evaluated in Chapter IV of this EIR and are listed below.

- land use compatibility;
- traffic on local roads and highways;
- impacts to historical resources; and
- impacts to neighborhood character.

2. Significant and Less-than-Significant Impacts

Under CEQA, a significant impact on the environment is defined as: a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.¹

As discussed in Chapter IV of this EIR, implementation of the proposed project has the potential to result in adverse environmental impacts in several areas. Impacts associated with the following environmental topics would be significant without the implementation of mitigation measures, but would be reduced to a less-than-significant level if the mitigation measures recommended in this EIR are implemented:

¹ CEQA Sections 21060.5 and 21068.

Table II-1: Project Summary

Project Lane Use	Size/Number of Units	Description
Residential	101 units	The development of 101 residential units in four distinct three-story buildings. The units would include 41 studios (each approximately 500 square feet); 36 one-bedroom units (each approximately 680 square feet); 9 two-bedroom units (each approximately 785 square feet); 5 three-bedroom units (each approximately 1,197 square feet); 4 live/work units (approximately 700 square feet); and 6 work/live units (approximately 700 square feet). The work/live units would be located exclusively within the City of Oakland.
Retail	1,000 square feet	Retail space located at the corner of Adeline Street and 39 th Street. Based on the current project plan, the proposed space would include a café, with patio and outdoor seating.
Parking	119 parking stalls	All parking would be located in the sub-grade parking garage.
Courtyard/Open Space	18,067 square feet	An interior courtyard would be centrally located between the four buildings. In addition, outdoor patio space would be developed adjacent to the retail space.
Circulation and Access	–	Pedestrian access to the site would occur via a main entrance on Adeline Street, a doorway into the proposed retail space at the corner of Adeline Street and 39 th Street, and stairs and gates at the locations of the inter-building pedestrian crossings. Vehicle access to the underground parking structure would occur via a 20-foot-wide driveway at 39 th Street that would connect to the sub-grade parking garage.

Source: LSA Associates, Inc. 2007

- Prehistoric and Historic Archaeological Resources (Including Human Remains)
- Paleontological Resources

Impacts associated with the following environmental topics would be considered less than significant and would not require any mitigation measures based on the identified criteria of significance:

- Land Use
- Planning Policy
- Transportation and Circulation

3. Significant Unavoidable Impacts

As discussed in Chapters IV and VI of this EIR, the proposed project would not result in one significant unavoidable impact to the environment: demolition of the Standard Beverages Limited building on the project site, which is considered a historic resource pursuant to CEQA.

4. Alternatives to the Project

The following alternatives to the project are considered in this EIR:

- The **No Project alternative** assumes that the project would not be developed within the short term; it would remain under its existing General Plan designations for both Oakland and Emeryville (Mixed Housing Type Residential and General Commercial, respectively), which would allow for future development.

- The **Preservation and Adaptive Reuse alternative** would preserve the former light industrial masonry structure's entire façade but demolish the rest of its roof and interior and reconstruct the building's shell according to its current dimensions. A redesigned interior would accommodate a café on the corner of 39th Street and Adeline Street as well as 20 residential units.
- The **Preservation, Adaptive Reuse, and Partial Project alternative** would preserve the former light industrial masonry structure's façade along 39th Street and Adeline Street but develop the project site with retail and residential uses at a similar scale, density, and design as the proposed project. This alternative would include a café on the corner of 39th Street and Adeline Street, as well as a mix of studios, one-, two- and three-bedroom units, live/work units, and work/live units.

C. SUMMARY TABLE

Table II-2 identifies the impacts and mitigation measures for the proposed project. The information in the tables is organized to correspond with environmental issues discussed in Chapter IV. The tables are arranged in four columns: 1) impacts; 2) level of significance prior to mitigation measures; 3) mitigation measures; and 4) level of significance after mitigation. For a complete discussion and analysis of potential impacts and recommended mitigation measures, please refer to Chapter IV.

Table II-2: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures/Conditions of Approval	Level of Significance With Mitigation
A. LAND USE			
<i>There are no significant land use impacts.</i>			
B. PLANNING POLICY			
<i>There are no significant planning policy impacts.</i>			
C. CULTURAL AND PALEONTOLOGICAL RESOURCES			
<p><u>CULT-1:</u> The proposed project would demolish a building considered to be a historical resource.</p>	<p>S</p>	<p><u>CULT-1:</u> The building shall be documented to Historic American Buildings Survey (HABS) Level 3 standards, according to the Outline Format described in the <i>Historic American Buildings Survey Guidelines for Preparing Written Historical Descriptive Data</i>.² Photographic documentation shall follow the <i>Photographic Specifications – Historic American Building Survey</i>, including 15-20 archival quality large-format photographs of the exterior and interior of the building and its architectural elements. Construction techniques and architectural details shall be documented, especially noting the measurements of structural members, hardware, and other features that tie the architectural elements to a specific date. A copy of the documentation, with original photo negatives and prints, shall be placed in a historical archive or history collection accessible to the general public. Five copies of the documentation with archival photographs shall be produced for distribution to local and regional repositories. One copy shall be provided to the Northwest Information Center of the California Historical Resources Information System, Sonoma State University, Rohnert Park, California. A brochure shall also be prepared that includes a brief historical overview and photographs of the buildings and is made available for distribution to local libraries, museums, and schools.</p> <p>In addition, the project applicant shall make a good faith effort to relocate the building located at 3900 Adeline Street to a site acceptable to the City. Good faith efforts include, at a minimum, the following:</p>	<p>SU</p>

² Pacific Coast Basin Regional Office, U.S. National Park Service 1993.

Table II-2 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures/Conditions of Approval	Level of Significance With Mitigation
CULT-1 <i>Continued</i>		<p>a) Advertising the availability of the building by: (1) posting of large visible signs (such as banners, at a minimum of 3'x 6' size or larger) at the site; (2) placement of advertisements in Bay Area news media acceptable to the City; and (3) contacting neighborhood associations and for-profit and not-for-profit housing and preservation organizations;</p> <p>b) Maintaining a log of all the good faith efforts and submitting that along with photos of the subject building showing the large signs (banners) to the City of Oakland Planning and Zoning Division;</p> <p>c) Maintaining the signs and advertising in place for a minimum of 90 days; and</p> <p>Making the building available at no or nominal cost (the amount to be reviewed by the Oakland Cultural Heritage Survey) until removal is necessary for construction of a replacement project, but in no case for less than a period of 90 days after such advertisement.</p>	
<p><u>CULT-2</u>: Ground-disturbing activities associated with site preparation and the construction of building foundations and underground utilities could disturb archaeological deposits.</p>	S	<p><u>CULT-2</u>: Pursuant to <i>CEQA Guidelines</i> Section 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards. In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible,</p>	LTS

Table II-2 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures/Conditions of Approval	Level of Significance With Mitigation
<p>CULT-2 <i>Continued</i></p>		<p>other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out.</p> <p>Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City, which shall assure implementation of appropriate measure measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist would recommend appropriate analysis and treatment, and would prepare a report on the findings for submittal to the Northwest Information Center.</p>	
<p><u>CULT-3</u>: Ground-disturbing activities associated with site preparation and the construction of building foundations and underground utilities could disturb human remains, including those interred outside of formal cemeteries.</p>	<p>S</p>	<p><u>CULT-3</u>: In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and follow the procedures and protocols pursuant to Section 15064.5 (e)(1) of the <i>CEQA Guidelines</i>. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.</p>	<p>LTS</p>

Table II-2 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures/Conditions of Approval	Level of Significance With Mitigation
<p><u>CULT-4</u>: Ground-disturbing activities associated with site preparation and the construction of building foundations and underground utilities could adversely impact paleontological resources within Pleistocene deposits that underlie the project area.</p>	<p>S</p>	<p><u>CULT-4</u>: Due to the presence of several Pleistocene-aged fossil localities in proximity to the project area, and the uncertain depth of Pleistocene-aged sediments a paleontologist shall be present to monitor initial project ground disturbing activities at or below thirty feet from the original ground surface. A sample of sediment below this depth shall be taken for presence-absence testing of microvertebrate fossils. Subsequent to the initial monitoring and sediment sampling, the paleontologist can then determine if further monitoring, periodic site reviews, or no further monitoring for paleontological resources is appropriate. If significant paleontological resources are discovered all work within a 25 foot radius shall be stopped until a qualified paleontologist has been able to evaluate the find and make recommendations for the protection, excavation, and mitigation of the find. Mitigation for significant paleontological resources shall include monitoring of ground-disturbing activities, data recovery and analysis, preparation of a data recovery report or other reports, and accessioning recovered fossil material to an accredited paleontological repository, such as the University of California Museum of Paleontology. Upon project completion, a report shall be prepared documenting the methods and results of monitoring. This report shall be submitted to the project proponents.</p>	<p>LTS</p>
<p><u>CULT-5</u>: Ground-disturbing activities associated with site preparation and the construction of building foundations and underground utilities could adversely impact paleontological resources within the soil/fill layer that underlies the project area.</p>	<p>S</p>	<p><u>CULT-5</u>: In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in Section 15064.5 of the <i>CEQA Guidelines</i>. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.</p>	<p>LTS</p>

Table II-2 *Continued*

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures/Conditions of Approval	Level of Significance With Mitigation
D. TRANSPORTATION, CIRCULATION AND PARKING			
<i>There are no significant transportation, circulation, and parking impacts.</i>			

Source: LSA Associates, Inc., 2007.