

## V. ALTERNATIVES

The *CEQA Guidelines* require the analysis of a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the project's basic objectives and avoid or substantially lessen any of the significant effects of the project. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.<sup>1</sup> CEQA states that an EIR should not consider alternatives "whose effect cannot be ascertained and whose implementation is remote and speculative."

The proposed project has been described and analyzed in the previous chapters, with an emphasis on significant impacts resulting from the project and recommended mitigation measures to avoid these impacts. The following discussion is intended to inform the public and decision-makers of the relative impacts of three potentially feasible alternatives to the proposed project. A discussion of the environmentally superior alternative is also provided.

The following project objectives were initially listed in Chapter III, Project Description of this EIR and are repeated here to inform this evaluation of project alternatives:

- Redevelop an underutilized site to create a vibrant mixed-use development.
- Increase the City's housing supply.
- Create development that enhances the visual and community character of the neighborhood.

The three alternatives to the proposed project discussed in this chapter include the following:

- The **No Project alternative** assumes that the project site 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. The rest of the roof and interior would be reconstructed to allow for adaptive reuse of the building. A redesigned interior would accommodate a café on the corner of 39th Street and Adeline Street as well as 20 residential units.
- The **Partial Project alternative** would preserve the existing 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 90 residential units, including studios, one-, two- and three-bedroom units, live/work units, and work/live units.

---

<sup>1</sup> *CEQA Guidelines*, 2006. Section 15126.6.

All square footages used in this analysis are approximations, and are inclusive of infrastructure, landscaping, open space, and other improvements. If an alternative is approved instead of the proposed project, additional design work would need to be undertaken. Actual square footages could vary slightly from these estimates based on zoning requirements, lot configuration, and structural requirements for the preservation of the existing building's façade.

Following is a discussion of each alternative, and an analysis of the anticipated environmental impacts of each alternative. This analysis compares the anticipated impacts of each alternative to the impacts associated with the proposed project; the discussion includes a determination as to whether or not each alternative would reduce, eliminate, or create new significant impacts. The environmental impacts in the topical areas not discussed below (e.g., air quality, hazardous materials) would be less-than-significant and similar to those associated with the proposed project. Refer to the Initial Study in Appendix B for more detail.

## **A. NO PROJECT ALTERNATIVE**

### **1. Principal Characteristics**

The No Project alternative assumes that the project site would not be subject to immediate development, and would remain generally in its existing condition, though it could require structural reinforcements and potential mitigation of lead and/or asbestos hazards. No construction would take place on the site, and the former light industrial masonry building and parking/service area would remain. Uses within the existing structure, which currently include an Oriental spa, a T-shirt silk-screener, a hair studio/salon, and a vintage automobile restoration service, would continue to operate in the short-term. These uses could change over time, given the general shift from low-intensity industrial and commercial uses to predominantly service-oriented commercial activities in the area around the project site. However, the building's interior is not conducive to many retail uses, and thus the building would likely remain as a mix of low-intensity industrial and commercial uses. The existing structure could include residential (including live/work or work/live) uses in the future, though this sort of adaptive reuse would require significant and costly interior remodeling in order to conform to the building code.<sup>2</sup>

The General Plan designation of the site for both Oakland and Emeryville would remain as Mixed Housing Type Residential and General Commercial, respectively, under the alternative. These designations would allow for future development on the project site, potentially in the form of a project similar to the one currently proposed. However, future development on the site could consist of any number of possible combinations of residential, commercial, and low-intensity industrial uses. The No Project alternative would achieve none of the proposed project's desired objectives. The project site would not be developed with 101 residential units, nor would it include a 1,000 square foot café on the corner of Adeline Street and 39th Street. The site would remain, for the time being, underutilized. In addition, a building considered significant by the City of Emeryville would not be demolished.

---

<sup>2</sup> The City of Emeryville requires a conditional use permit for residential uses in a General Commercial zone. The City of Oakland would not require additional permits for residential uses in a Mixed Housing Type Residential zone. The building codes for both jurisdictions would require that any converted residential units within the structure comply with health and safety requirements for residential uses (e.g. parking requirements and fire code compliance).

## 2. Analysis of the No Project Alternative

The No Project alternative is evaluated for all the environmental topics analyzed in this EIR.

**a. Land Use.** The No Project alternative would result in no land use changes to the project site. The site would continue to contain the existing masonry building and a parking/service area. Current uses on the site, do not substantially conflict with surrounding uses. However, the project site would remain relatively underutilized compared to other recent development to the north, west, and south on Adeline Street and San Pablo Avenue; most of these projects are high-density mixed-use projects, much like the proposed project. Because existing uses do not include residential or retail uses, the No Project alternative would contribute less activity to the area than the proposed project. However, this alternative would be more in keeping with the height, bulk, and density of the proposed project with the smaller detached one- and two-story single- and multi- family homes to the east of the project site.

**b. Planning Policy.** The No Project alternative would avoid the proposed project's inconsistencies with local planning policies, such as maximum allowed height requirements and demolition of historic resources. While the proposed project would exceed maximum residential densities allowed by the Oakland General Plan and Oakland Planning Code and those recommended by the Emeryville General Plan, the site would remain below these thresholds under the No Project alternative. The alternative would also not exceed the Emeryville General Plan's height limit of 30 feet. In addition, the Emeryville Redevelopment Plan calls for the area that includes the project site to be a primarily commercial district. Under the No Project alternative, the site would remain a mix of commercial and low intensity industrial uses.

Although residential uses could be incorporated at great expense into the existing structure on the project site in the future, the No Project alternative would not conform to the Emeryville General Plan that explicitly encourage incorporating housing into commercial districts and converting underutilized industrial sites to mixed-use or residential developments.

**c. Cultural and Paleontological Resources.** The No Project alternative would preserve, at least in the short term, the structure located within the project site. The analysis in this EIR has determined that the structure is considered a historic resource under CEQA, qualifies as a "significant structure" under the Emeryville Municipal Code, and is a property of "secondary importance" under the Oakland Historic Preservation Element in the Oakland General Plan. The structure is considered a Potentially Designated Historic Property (PDHP) by the City of Oakland, but is not classified as being on Oakland's Local Register of Historic Resources.<sup>3</sup> Although the structure could further deteriorate over time, this alternative would not result in a direct adverse impact to this resource (which would be a significant impact of the project). Because no ground-disturbing activities would occur as part of the No Project alternative, subsurface archaeological, paleontological, and Native American resources that could occur within the project site would not be disturbed.

**d. Transportation and Circulation.** Because the No Project alternative assumes the continuation of existing conditions within the Project site, implementation of this alternative would not result in a substantial increase in traffic in the foreseeable future. Therefore, none of the less-than-significant impacts to intersection level-of-service that would occur as a result of the proposed project would

---

<sup>3</sup> Oakland Cultural Heritage Survey, 1995. Department of Parks and Recreation Building, Structure, and Object Record, 1032-98 39<sup>th</sup> Street/3906 Adeline, Oakland, CA 94608. September 30.

occur as a result of implementation of the No Project alternative. Like the proposed project, the No Project alternative would result in less-than-significant impacts to existing intersection and roadway levels of service, traffic hazards, and public transit. The No Project alternative would avoid less-than-significant impacts associated with construction period traffic.

## **B. PRESERVATION AND ADAPTIVE REUSE ALTERNATIVE**

### **1. Principal Characteristics**

This alternative assumes that the existing structure's façade would be preserved and restored, but that its roof and interior would be replaced and redesigned in order to accommodate a 1,000 square foot café on the corner of 39th Street and Adeline Street and approximately 20 residential units. This alternative would not alter the building's basic dimensions or its visual quality. The residential units would include a mix of unit types, potentially including studios, one-, two-, and three-bedroom units, live/work units, and work/live units (although all unit types may not be represented). The work/live units would be located exclusively within the portion of the project site in Oakland. The existing parking/service area in the northern portion of the project site along Yerba Buena Avenue would remain under its current uses. This alternative would achieve all of the proposed project's goals, albeit at a much smaller scale, and would result in a smaller local population increase than would result from the proposed project.

The existing roof is not visible from any pedestrian vantage point. Therefore, the reconstructed roof's visual character is not of great importance, though its replacement could replicate the existing roof's relatively flat orientation so as to remain invisible from the street. Furthermore, demolishing the existing roof would allow for greater flexibility in redesigning the building's interior space, and would permit adaptive reuse from light industrial and commercial uses to retail and residential uses.

The configuration of residential units in this alternative would be similar to the first floor plan of the proposed project (See Figure III-3). A southwesterly hallway parallel to 39th Street could divide north- and south-facing units; other units would face Adeline Street. However, the existing building's dimensions would require the units in this alternative to be larger than those in the proposed project. Units in the portion of the building parallel to 39th Street would be approximately 45 feet deep and up to 25 feet wide, with some variability. Therefore, the average residential units would be approximately 1,100 square feet. Wider work/live and live/work units would be developed to conform to the building's façade along 39th Street and Adeline Street. Pedestrian entrances to the building would be located on 39th Street, Adeline Street, and from the parking area in the northern portion of the site.

The parking/service area in the northern portion of the site could accommodate up to 45 parking spaces, which would meet both Emeryville and Oakland's requirements.<sup>4</sup> Restoration of the façade would consist of structural reinforcement, repair and patching of deteriorated brickwork, replacement of garage doors, replacement of windows, and fabrication and installation of doors to residential units. All important architectural features of the façade – including the masonry/fenestration pattern along 39<sup>th</sup> Street, the parapet at the corner of 39<sup>th</sup> Street, and the roofline – would be preserved and rehabilitated as part of the Preservation and Adaptive Reuse alternative.

---

<sup>4</sup> This calculation is based on the industry-standard assumption of 350 square feet per car. This includes total space requirements for lanes, turns, and stalls.

## 2. Analysis of the Preservation and Adaptive Reuse Alternative

The Preservation and Adaptive Reuse alternative is evaluated for all the environmental topics analyzed in this EIR.

**a. Land Use.** The Preservation and Adaptive Reuse alternative would result in a change of land uses on the site from light industrial and commercial uses to retail and residential uses. The site would continue to contain the former light industrial masonry building, though with a new roof and redesigned interior that could accommodate the change of uses. The parking/service area would remain underutilized. Although the building itself would not expand, the addition of approximately 20 residential units and a café on the corner of 39th Street and Adeline Street would result in incremental intensification of uses on the site compared to existing conditions. The addition of housing units to the project site would not conflict with residential uses to the east, nor would it conflict with the newer residential and mixed-use projects along Adeline Street and San Pablo Avenue to the north, west, and south of the site. The building would remain in scale with the detached one- and two-story single- and multi-family homes to the east.

**b. Planning Policy.** The Preservation and Adaptive Reuse alternative would avoid some of the potential inconsistencies of the proposed project with local planning policies. While the proposed project would exceed maximum residential densities allowed by the Oakland General Plan and Oakland Planning Code and those recommended by the Emeryville General Plan, the site would remain below these thresholds under the Preservation and Adaptive Reuse alternative. The restored building would not exceed the Emeryville General Plan's height limit of 30 feet. In addition, this alternative would conform to the Emeryville General Plan's policies that explicitly encourage incorporating housing into commercial districts, converting underutilized industrial sites to mixed-use or residential developments, and protecting historic resources. It would also fulfill the Oakland Planning Code's designation of the project site as a "housing and business mix" zone where residential and commercial uses are intended to coexist. This alternative would adhere more closely than the proposed project to the Emeryville General Plan's Community Design Policy 16, which states: "The historic industrial-warehouse image found in many parts of Emeryville should be preserved and enhanced through the retention of architecturally significant structures and the addition of architecturally compatible new construction." This alternative would preserve the most important architectural elements of a building designated as a "significant structure" under Emeryville's Municipal Code.

**c. Cultural and Paleontological Resources.** The Preservation and Adaptive Reuse alternative would preserve the former light industrial masonry building's façade, which is the most important identified cultural resource on the project site (although important archeological resources could be identified during the construction period). This alternative would rebuild the building's roof and redesign its interior, but its basic dimensions and appearance would remain the same. This EIR has determined that the structure qualifies as a historic resource under CEQA and is a "significant structure" under the Emeryville Municipal Code. The structure's façade, which would be preserved under this alternative, is largely responsible for this designation. In addition, the building has been designated as a property of "secondary importance" under the Oakland Historic Preservation Element in the Oakland General Plan. The structure is considered a Potentially Designated Historic Property (PDHP) by the City of Oakland, but is not classified as being on Oakland's Local Register of Historic

Resources.<sup>5</sup> This alternative would preserve and restore the structure's façade, which is its most significant historic and aesthetic element. Although the façade could further deteriorate over time, this alternative would not result in a direct adverse impact to this resource, including the features that contribute to the building's National Register of Historic Places Status Code of "5S." Because ground-disturbing activities would occur as part of the alternative, subsurface archaeological, paleontological, and Native American resources that could occur within the project site would be disturbed.

**d. Transportation and Circulation.** The Preservation and Adaptive Reuse alternative would result in an increase in trips to and from the project site compared to existing uses. However, the existing parking/service area is underutilized and could accommodate enough off-street parking to conform to both the City of Oakland and the City of Emeryville's parking requirements for residential uses on the project site. In addition, this alternative would produce significantly less car trips than would the proposed project. As a result, implementation of this alternative would result in fewer less-than-significant traffic congestion impacts than the proposed project. Like the proposed project, the Preservation and Adaptive Reuse alternative would result in no significant impacts to existing intersection and roadway levels of service, traffic hazards, and public transit.

## C. PARTIAL PROJECT ALTERNATIVE

### 1. Principal Characteristics

This alternative would retain the existing building's façade along 39th Street and Adeline Street, but develop the rest of the site with retail space and housing in four three-story (plus mezzanine) buildings at a similar scale, density, and design as the proposed project. This alternative would include a 1,000 square-foot café on the corner of 39th Street and Adeline Street, approximately 90 housing units, an underground parking garage, and a courtyard in the center of the site. The residential units would include a mix of studios, one-, two-, and three-bedroom units, live/work units, and work/live units. The work/live units would be located exclusively within the portion of the project site in Oakland. This alternative would achieve all of the proposed project's goals, though with approximately 10 fewer residential units.

As noted above in regard to the Preservation and Adaptive Reuse alternative, the existing structure's roof and interior space do not substantially contribute to its aesthetic value. The roof is relatively flat, utilitarian, and invisible from a pedestrian vantage point, and the interior space would require a substantial reconfiguration to accommodate residential uses. Although the building's façade is largely responsible for its designation as a "significant structure" under the Emeryville General Code, the façade itself contains inconsistencies in both construction and design. Those portions not facing either 39th Street or Adeline Street are made of brittle hollow clay tile, and are both tilting out of plane and structurally unsound.<sup>6</sup> The portions of the façade facing 39th Street and Adeline Street contribute the most to the building's aesthetic value, and are more structurally sound than the building's other exterior walls. For this reason, this alternative preserves and restores only those portions of the façade facing 39th Street and Adeline Street. The rest of the building would be demolished.

<sup>5</sup> Oakland Cultural Heritage Survey, 1995. Department of Parks and Recreation Building, Structure, and Object Record, 1032-98 39<sup>th</sup> Street/3906 Adeline, Oakland, CA 94608. September 30.

<sup>6</sup> Goodman, Zachary, 2007. Architect/Associate Principal, Murakami/Nelson Architectural Corporation. Personal communication with LSA Associates, Inc. November 1.

This alternative would result in an almost identical four-building footprint as the proposed project, with a few alterations. With the exception of the building in the northeastern portion of the site along Yerba Buena Avenue, the first floor would be 18 feet high. These ceiling heights would be greater than those in the proposed project. In addition, the second story of buildings facing 39th Street and Adeline Street would be set back an estimated 3 feet from the first floor in order to avoid causing structural damage to the façade during both construction and operation phases. The second story would incorporate the 25 foot-high façade on the corner of 39th Street and Adeline Street into its design.

Pedestrian, bicycle, and vehicle access to the site under this alternative would be similar to that of the proposed project, though restricted to the façade's existing entrances and garages. Like the proposed project, this alternative would include an underground parking garage accessible to pedestrians, bicycles, and vehicles from an entrance on 39th Street. However, preserving the façade would require garage access ramps to be located at existing vehicle entrances to the building. Because no existing entrances are wide enough for two vehicles to pass side-by-side, vehicle access to the garage would need to be divided into two ramps – one entrance ramp and one exit ramp. There are two existing vehicle entrances separated by a large window in approximately the same location as the proposed garage entrance. These entrances could serve as a suitable alternative to demolishing a portion of the façade in order to accommodate a side-by-side garage entrance/exit. On Adeline Street, an existing garage entrance approximately halfway between 39th Street and Yerba Buena Avenue could be converted to an entrance to a pedestrian walkway between two buildings, much like the proposed project. In addition, the underground garage in this alternative would be set back from the preserved façade so as not to disturb its foundation. The parking garage could accommodate approximately 110 parking spaces. Because there would be fewer residential units than in the proposed project, setting back the underground garage would not cause there to be a significant off-street parking shortage on the project site. However, like the proposed project, this alternative could require a parking variance from the City of Emeryville.

Like in the Preservation and Adaptive Reuse alternative, ground-floor residential units would be restricted by the façade's existing access points and lot widths. For this reason, larger live/work or work/live units, the latter of which would include a commercial storefront, would be more suited to these street-facing spaces. The set back second floor along 39th Street and Adeline Street would also require a smaller overall number of residential units on the project site, compared to the proposed project. However, the approximately 90 residential units in this alternative would consist of roughly the same mix of studios, one-, two-, and three-bedroom units, live/work units, and work/live units.

Restoration of the façade would consist of structural reinforcement, repair and patching of deteriorated brickwork, replacement of garage doors, replacement of windows, and fabrication and installation of doors to residential units. All important architectural features of the façade – including the masonry/fenestration pattern along 39<sup>th</sup> Street, the parapet at the corner of 39<sup>th</sup> Street, and the roofline – would be preserved and rehabilitated as part of the Preservation and Adaptive Reuse alternative.

## **2. Analysis of the Partial Project Alternative**

The Partial Project alternative is evaluated for all the environmental topics analyzed in this EIR. The impacts associated with these topics would be similar to those that would result from implementation of the proposed project, though with fewer impacts to architectural resources.

**a. Land Use.** The Partial Project alternative would have essentially the same land use effects as the proposed project. This alternative would increase the intensity of uses on the site, in a way that exceeds that of the one- and two-story detached homes to the east along 39th Street and Buena Vista Way. However, because the project would provide a mix of residential and commercial uses, it would serve as a buffer between the residential neighborhood to the east of Adeline Street and the large-scale retail centers to the west of San Pablo Avenue. The ground-level café would be compatible with the predominantly residential neighborhood to the east, and would enhance commercial activity and the pedestrian experience along Adeline Street. In addition, trees would be planted along all streets adjacent to the project site, which would enhance the local visual environment. The project's eastern-most buildings would be only two stories high with a setback of approximately five feet, providing a transition to the smaller-scale residential area to the east of the site.

**b. Planning Policy.** Compared to the proposed project, the Partial Project alternative would adhere more closely to the Emeryville General Plan's Community Design Policy 16, which states: "The historic industrial-warehouse image found in many parts of Emeryville should be preserved and enhanced through the retention of architecturally significant structures and the addition of architecturally compatible new construction." This alternative would preserve the most important architectural elements of a building designated as a "significant structure" under Emeryville's Municipal Code. While the proposed project would demolish the existing former industrial building, this alternative would incorporate its façade into new development on the site. The alternative would also avoid inconsistencies with provisions of the Oakland General Plan that seek the protection of historic buildings.

**c. Cultural and Paleontological Resources.** The Partial Project alternative would preserve the existing building's 39th Street and Adeline Street façades, which are the most architecturally significant portions of the façade. This alternative would demolish the building's roof and interior, but its basic dimensions and appearance along the first floor frontages of 39th Street and Adeline Street would remain the same. The structure qualifies as a historic resource under CEQA and as a "significant structure" under the Emeryville Municipal Code. The structure's façade, parts of which would be preserved under this alternative, is largely responsible for this designation. In addition, the building has been designated as a property of "secondary importance" under the Oakland Historic Preservation Element in the Oakland General Plan. The structure is considered a Potentially Designated Historic Property (PDHP) by the City of Oakland, but is not classified as being on Oakland's Local Register of Historic Resources.<sup>7</sup> This alternative would preserve and restore the structure's 39th Street and Adeline Street façades, which are a significant aesthetic element and are primarily responsible for the building's National Register of Historic Places Status Code of "5S." Although the façade could further deteriorate over time, this alternative would not result in a direct significant adverse impact to this resource. Because ground-disturbing activities would occur as part of this alternative, subsurface archaeological, paleontological, and Native American resources that could occur within the project site would be disturbed.

**d. Transportation and Circulation.** The Partial Project alternative would result in an increase in trips to and from the project site compared to existing uses, although the alternative would generate slightly fewer trips than the proposed project. Transportation-related impacts would be comparable to

---

<sup>7</sup> Oakland Cultural Heritage Survey, 1995. Department of Parks and Recreation Building, Structure, and Object Record, 1032-98 39<sup>th</sup> Street/3906 Adeline, Oakland, CA 94608. September 30.

those associated with the proposed project. Like the proposed project, the Partial Project alternative would result in less-than-significant impacts to existing intersection and roadway levels of service, traffic hazards, and public transit.

#### **D. OTHER ALTERNATIVES CONSIDERED**

Because the proposed project would only result in one significant unavoidable impact, the alternatives analysis focuses on different configurations of residential and retail uses on the project site, while preserving the key architectural features of the Standard Beverages building. In addition, the site is an appropriate location for redevelopment and intensified uses. Therefore, an off-site alternative was not analyzed in detail. An all-commercial alternative was rejected from detailed analysis because it would result in more substantial traffic impacts compared to the proposed project and would be inconsistent with the evolving mixed-use character of the neighborhood.

#### **E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

CEQA requires that the EIR identify the environmentally superior alternative. The No Project alternative would eliminate most of the impacts associated with the proposed project. The alternative would not result in ground-disturbing activities, demolition of a former industrial structure, new construction, the development of new retail and residential uses in the site, and the significant unavoidable impact to historic architectural resources. In addition, the No Project alternative would maintain current light industrial and commercial uses within the former industrial building, as well as the parking/service area in the northern portion of the site. While the No Project alternative would be the environmentally superior alternative in the context of impact reduction, it would not meet the primary objectives of the project.

*CEQA Guidelines* section 15126(e)(2) requires that an additional alternative be designated as the environmentally superior alternative, if the No Project alternative is identified as the environmentally superior alternative.

That secondary environmentally superior alternative, the Partial Project alternative, would retain the existing building's façade along 39th Street and Adeline Street, but develop the rest of the site with retail space and housing in four three-story (plus mezzanine) buildings at a similar scale, density, and design as the proposed project. This alternative would preserve and incorporate an aesthetic resource with local historic significance, and, compared to the proposed project, would avoid a significant and unavoidable impact to a historic architectural resource.

The Preservation and Adaptive Reuse alternative would result in less substantial impacts to intersection level-of-service than the proposed project. However, the parking/service area would remain underutilized and an opportunity for redevelopment of infill sites located near transit would be lost. Both the City of Emeryville and the City of Oakland have policies that encourage infill housing and mixed use development near services and transit, and development of this type is encouraged by regional planning organizations such as ABAG and the Greenbelt Alliance. Although the Partial Project alternative would have a slightly greater impact on the physical environment within and near the site, it is environmentally superior to the Preservation and Adaptive Reuse alternative from a regional planning perspective.

For the reasons described above, the Partial Project alternative is the secondary environmentally superior alternative after the No Project alternative.