

# CHAPTER II

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## SUMMARY

### A. PROJECT DESCRIPTION

The project site is in the Northgate commercial district immediately north of downtown Oakland, at the south end of the Broadway Auto Row. The site occupies nearly two full city blocks (approximately five acres), bounded by 24th Street to the north, West Grand Avenue to the south, Valley Street to the west and Broadway to the east.<sup>1</sup> The site includes all lots on both blocks, with the exception of one lot housing a Saturn dealer at the southwest corner of Broadway and 24th Street. In addition, a parcel at Broadway and 23rd Street, occupied by the Lucky Goldfish store, is not currently under the control of the project sponsor, but may be acquired and included as part of the project. Existing uses on the site include automobile-related sales and services, surface parking, smaller-scale retail and commercial services, and 16 residential units.

The proposed project would develop up to 475 one-, two-, and three-bedroom residential units and up to 40,000 square feet of ground-floor commercial (retail) on the two blocks, described as Parcel A (south of 23rd Street) and Parcel B (north of 23rd Street). A total of 675 parking spaces (about 545 residential and 130 commercial) would be provided in multi-level, above-grade parking garages at the center of each block, around which the commercial space would be wrapped, so that the garages would be largely obscured from view. The project would demolish the existing buildings on the project site, including the one building (Lucky Goldfish) on the out-parcel not currently controlled by the sponsor, assuming that the sponsor acquires that site. The exterior facades of the two existing structures at the corner of 23rd and Valley Street, one on Parcel A and one on Parcel B, would remain and be incorporated into the project development.

On Parcel A, the project would extend up to seven stories tall. Double-height commercial space would wrap around a central three-story parking garage on Broadway, West Grand Avenue and portions of 23rd Street, with the remaining portion of 23rd Street and Valley Street dedicated to residential lobbies, loading, and an entrance to the three-story parking garage. The third through seventh levels would contain residential units. An approximately 9,500 square-foot courtyard would be constructed on top of the parking garage, and would be accessible to residents from three locations.

Development on Parcel B would replace all of the existing structures on the block, with the exception of the existing Saturn dealership at 24th Street and Broadway (which is not part of the

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<sup>1</sup> Following Oakland convention, the East Bay Hills are characterized as northerly in compass orientation and the Bay as southerly; thus Grand Avenue and streets parallel are considered to run east-west, and Broadway and streets parallel are considered to run north-south.

project site) with commercial and residential uses, a two-story parking garage, and a loading dock. Project buildings would range between six and seven stories tall along Broadway, and five and six stories on the rest of the site. The two-story commercial component on Parcel B would be limited to the Broadway frontage. Townhouse-style residential units, with separate entrances, would be constructed on the first and second levels along the 23rd, 24th and Valley Street frontages of Parcel B. Both the commercial space and street-level dwelling units would wrap around the parking garage, which would have access points on 24th Street for both commercial and residential parkers, and on 23rd Street for residents only. Truck loading would be on 24th Street. As on Parcel A, project open space would be provided atop the garage in the form of a landscaped courtyard of approximately 49,000 square feet; other amenities would include a fitness center, community room, and picnic areas.

Construction would consist of two or three stories of concrete podium containing the retail and parking, with residential steel-stud “stick frame” construction above for most of the residential units. The project would employ different exterior materials and building styles throughout to minimize the massing of the buildings. The proposed architecture includes a combination of modern and traditional design elements, which would be compatible with existing development within the project vicinity. Proposed exterior building materials include stucco, brick veneer, concrete, stone, standing seam metal roof, and fiberglass windows. Colors for the proposed buildings would consist of a range of earth tones, as well as muted reds.

## **B. ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Potentially significant environmental impacts of the project are summarized in Table II-1 at the end of this chapter. This table lists impacts and mitigation measures in three major categories: significant impacts that would remain significant even with mitigation (significant and unavoidable); significant impacts that could be mitigated to a less than significant level (significant but mitigable); and impacts that would not be significant (less than significant). For each significant impact, the table includes a summary of mitigation measure(s) and an indication of whether the impact would be mitigated to a less than significant level. Please refer to Chapter IV, Environmental Setting, Impacts, and Mitigation Measures, for a complete discussion of each impact and associated mitigation.

## **C. ALTERNATIVES**

Chapter V of this EIR analyzes a range of reasonable alternatives to the proposed project, including the No Project Alternative (required by the California Environmental Quality Act (CEQA) for all environmental impact reports), a Full Preservation Alternative, and a Partial Preservation Alternative, the latter two of which also serve as reduced-intensity alternatives).

The Full Preservation Alternative would retain, rehabilitate, and reuse all seven buildings on the project site that are identified as historic resources and would construct approximately 75 percent of the residential units proposed by the project. The Partial Preservation Alternative would retain, rehabilitate, and reuse the three buildings that are identified as historic resources are located at the east corners of the intersection of 23rd and Valley Streets; approximately

90 percent of the residential units proposed by the project would be built. (The commercial square footage is assumed to remain approximately the same under each alternative.)

Both alternatives generally would have similar impacts in most topic areas and would reduce to some extent, impacts related to cultural resources, traffic, air quality, noise, and shadow. The relative changes in parking demand and supply for each of the development alternatives (given the varying number of residential units and developable area for on-site parking within the above-grade garage) would result in the same residential parking ratio (parking spaces per residential unit), a ratio that would be lower (worse) than the ratio resulting from the proposed project. However, no new significant impact would result.

Because the Full Preservation Alternative would not result in the significant, unmitigable impacts identified for Cultural Resources (Impacts E.3 and E.5) with the proposed project, it would be considered the “environmentally superior” alternative. It would not, however, be considered the alternative that would most advance the City’s housing goals for Downtown, revitalization within the redevelopment area, increased sales revenues, and opportunities for temporary (e.g., construction) or permanent employment opportunities in Oakland.

#### **D. AREAS OF CONTROVERSY**

Primary areas of controversy known to the City of Oakland during the preparation of the Initial Study checklist and made known through public and/or agency comments received on the Notice of Preparation (NOP) and during preparation of the EIR include the proposed project’s potential impacts on the following: 1) historic resource impacts on historic structures on the project site, in particular two buildings on Valley Street at 23rd Street and one at Valley and 24<sup>th</sup>, 2) the size of the proposed buildings, particularly to the extent that building height would affect the shadow cast by the project on nearby commercial uses and residential properties on Valley Street, and 3) the project’s potential impacts on existing on-street parking. Any additional environmental issues of concern related to the proposed project are addressed in this EIR or were previously addressed in the Initial Study, Appendix A.

**TABLE II-1  
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>SIGNIFICANT UNAVOIDABLE IMPACTS</u></b>		
<b>E. Cultural Resources</b>		
<p><b>E.3:</b> The project would result in demolition or substantial alteration of seven buildings that qualify as historic resources, as defined in Section 15064.5. These buildings include: 1) 2335 Broadway, 2) 2343 Broadway; 3) 2345 Broadway, 4) 2366-2398 Valley Street, 5) 439 23rd Street, 6) 440-448 23rd Street, and 7) 441-449 23rd Street.</p>	<p><b>E.3a:</b> Record each of the seven affected historic resources in accordance with procedures of the Historic American Building Survey (HABS) through measured drawings, large-format photographs and written histories in a combined document, to be archived locally at the Oakland History Room (OHR) of the Oakland Public Library with copies to OCHS and the Northwest Information Center (NWIC). Portions of the metal facades on 2335-2345 Broadway shall be selectively demolished to determine if any original fabric from the 1920s exists behind them, as visual evidence suggests. If the selective demolition reveals sufficient evidence of historic fabric, all metal facades shall be carefully removed and all original facades photographed for the HABS documentation effort. If no original fabric exists, these buildings shall be photographed as they currently appear.</p> <p><b>E.3b:</b> Prepare a history of the development of automobile sales and repair in Oakland, and the role played by the buildings on the project site in that history, that incorporates oral history, documentary research, and architectural information; this history could utilize non-written media and production techniques, including video photography. The resulting report, in brochure or other form, shall be made available at local libraries and museums.</p> <p><b>E.3c:</b> Incorporate interpretive elements, such as signs and placards that describe the history of the area and the historic buildings to be demolished, into public areas and street frontages proposed as part of the project.</p> <p><b>E.3d:</b> Salvage architectural elements from the historic buildings to be demolished, including hardware, doors, paneling, fixtures, and equipment, and incorporate these elements into new construction where feasible.</p>	<p>SU</p>

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

Environmental Impact	Mitigation Measures	Significance After Mitigation
<b><u>SIGNIFICANT UNAVOIDABLE IMPACTS</u></b> (CONT'D.)		
<b>E. Cultural Resources</b> (cont'd.)		
<b>E.5:</b> The proposed project, in combination with cumulative development including new construction and other alterations to historic resources in the project vicinity, could result in cumulative impacts to historic resources.	<p><b>E.3e:</b> Curate all materials, notes, and reports at the Oakland History Room, and submit copies to the NWIC.</p> <p><b>E.3f:</b> Make any or all of the historic buildings proposed for demolition available at no cost to a qualified individual or organization that may wish to relocate one or more of the buildings to a nearby site consistent with the early automotive history of Oakland.</p>	SU
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS</u></b>		
<b>B. Transportation, Circulation, and Parking</b>		
<b>B.2:</b> Traffic generated by the project would affect traffic levels of service at local intersections under future (2010) conditions.	<p><b>B.2:</b> The project sponsor shall contribute its fair share to alteration of the traffic signal cycle length and optimization of the traffic signal timing at the signalized intersection of West Grand Avenue / Telegraph Avenue. Optimization of traffic signal timing shall include determination of allocation of green time for each intersection approach in tune with the relative traffic volumes on those approaches, and coordination with signal phasing and timing of adjacent intersections that are part of signal systems on West Grand Avenue and Telegraph Avenue.</p>	LS
<b>B.3:</b> Traffic generated by the project would affect traffic levels of service at local intersections under cumulative (2025) conditions.	<p><b>B.3a:</b> The project sponsor shall contribute its fair share to alteration of the traffic signal cycle length and optimization of the traffic signal timing at the signalized intersection of West Grand Avenue / Telegraph Avenue. Optimization of traffic signal timing shall include determination of allocation of green time for each intersection approach in tune with the relative traffic volumes on those approaches, and coordination with signal phasing and timing of adjacent intersections that are part of signal systems on West Grand Avenue and Telegraph Avenue.</p>	LS

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT'D.)</u></b>		
<b>B. Transportation, Circulation, and Parking (cont'd.)</b>		
<b>B.11:</b> Project construction would affect traffic flow and circulation, parking, and pedestrian safety.	<p><b>B.3b:</b> The project sponsor shall contribute its fair share to alteration of the traffic signal cycle length, optimization of the traffic signal timing, and provision of protected left turn phases on the northbound and southbound approaches, at the signalized intersection of Broadway / West Grand Avenue. Optimization of traffic signal timing shall include determination of allocation of green time for each intersection approach in tune with the relative traffic volumes on those approaches, and coordination with signal phasing and timing of adjacent intersections that are part of signal system on West Grand Avenue.</p> <p><b>B.3c:</b> The project sponsor shall contribute its fair share to installation of a traffic signals at the unsignalized intersection of 24th Street / Telegraph Avenue. Installation of traffic signals shall include optimizing signal phasing and timing (i.e., allocation of green time for each intersection approach) in tune with the relative traffic volumes on those approaches, and coordination with signal phasing and timing of adjacent intersections.</p> <p><b>B.11:</b> Prior to the issuance of each building permit, the project sponsor and construction contractor shall meet with the Traffic Engineering Division of the Oakland Public Works Agency and other appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project sponsor shall develop a construction management plan for review and approval by the City Traffic Engineering Division. The plan shall include at least the following items and requirements: traffic control, including truck scheduling to avoid peak traffic hours, detour signs and other warning devices as needed, lane closure procedures, and designated construction routes; any transit stop relocations; provisions for construction worker parking management to ensure no impacts to on-street parking; identification of parking eliminations and any relocation of parking for employees and</p>	LS

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

Environmental Impact	Mitigation Measures	Significance After Mitigation
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT'D.)</u></b>		
<b>B. Transportation, Circulation, and Parking (cont'd.)</b>		
<b>B.11</b> (cont'd.)	public parking during construction; notification procedures for adjacent property owners and public safety personnel regarding deliveries, detours, and lane closures; accommodation of pedestrian flow; location of construction staging areas; identification and monitoring of haul routes to minimize traffic and pedestrian impacts and to identify and correct any damage; and a complaint response and tracking process, including identification of an onsite complaint manager.	
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT'D.)</u></b>		
<b>C. Air Quality</b>		
<b>C.1:</b> Activities associated with demolition, site preparation and construction would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions.	<p><b>C.1a:</b> During construction, the project sponsor shall require the construction contractor to implement the following measures required as part of BAAQMD's basic dust control procedures required for sites of less than four acres. These include: watering all active construction areas at least twice daily; covering all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard; paving or application of water three times daily or of (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites; daily street sweeping (with water sweepers) of all paved access roads, parking areas and staging area at construction sites if visible soil material is observed; and daily street sweeping (with water sweepers) if visible soil material is carried onto adjacent public streets.</p> <p><b>C.1b:</b> In accordance with standard City practices, to minimize water quality impacts, the project sponsor shall be required to comply with applicable standards and regulations of the City of Oakland. In addition, the following standard measures shall be implemented to avoid impacts related to stormwater or water quality: grading of unpaved areas shall be done in such a manner as to control surface drainage and redirect surface water away from areas of activity during excavation and construction, and the project shall be required to comply with provisions of the Clean Water Act, if applicable, with regard to preparing a storm water discharge plan.</p>	LS

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT'D.)</u></b>		
<b>D. Noise</b>		
<b>D.1:</b> Construction activities would intermittently and temporarily generate noise levels above existing ambient levels in the project vicinity.	<p><b>D.1a:</b> The project sponsor shall require construction contractors to limit standard construction activities as required by the City Building Department. Such activities are generally limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, with pile driving and/or other extreme noise generating activities greater than 90 dBA limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday, with no extreme noise generating activity permitted between 12:30 and 1:30 p.m. No construction activities shall be allowed on weekends until after the building is enclosed, without prior authorization of the Building Services Division, and no extreme noise generating activities shall be allowed on weekends and holidays.</p> <p><b>D.1b:</b> To reduce daytime noise impacts due to construction, the project sponsor shall require construction contractors to implement the following measures: Equipment and trucks used for project construction shall employ the best available noise control techniques; impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible; where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. External jackets on the tools themselves shall be used where feasible. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible; stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.</p> <p><b>D.1c:</b> To further mitigate potential other extreme noise generating construction impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the City to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control</p>	LS

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

Environmental Impact	Mitigation Measures	Significance After Mitigation
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT'D.)</u></b>		
<b>D. Noise (cont'd.)</b>		
<b>D.1 (cont'd.)</b>	<p>strategies as feasible: Erect temporary plywood noise barriers around the construction site, particularly along the western boundary along Valley Street to shield the adjacent multi-family residential buildings; implement “quiet” pile-driving technology, where feasible, if pile-driving becomes necessary (it is not currently proposed); use noise control blankets on the building structure as the building is erected to reduce noise emission from the site; evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and monitor the effectiveness of noise attenuation measures by taking noise measurements.</p> <p><b>D.1d:</b> Prior to the issuance of each building permit, along with the submission of construction documents, the project sponsor shall submit to the City Building Department a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: a procedure for notifying the City Building Division staff and Oakland Police Department; a plan for posting signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem; a listing of telephone numbers (during regular construction hours and off-hours); the designation of an on-site construction complaint manager for the project; notification of neighbors within 300 feet of the project construction area at least 30 days in advance of pile-driving or other extreme noise-generating activities about the estimated duration of the activity; and a preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.</p>	

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT.)</u></b>		
<b>E. Cultural Resources</b>		
<p><b>E.1:</b> Construction of the proposed project could cause substantial adverse changes to the significance of currently unknown cultural resources at the site, potentially including an archaeological resource pursuant to CEQA Guidelines Section 15064.5 or CEQA Section 21083.2(g), or the disturbance of any human remains, including those interred outside of formal cemeteries.</p>	<p><b>E.1a:</b> An archival cultural resource evaluation shall be implemented prior to the start of construction or other ground-disturbing activities to identify whether historic or unique archaeological resources exist within the project site. The archival cultural resource evaluation, or “sensitivity study,” shall be conducted by a cultural resource professional approved by the City who meets the Secretary of the Interior’s Professional Qualifications Standards for Prehistoric and Historical Archaeology.</p> <p>The purpose of the archival cultural resource evaluation is to:</p> <p>(1) identify documentation and studies to determine the presence and location of potentially significant archaeological deposits;</p> <p>(2) determine if such deposits meet the definition of a historical resource under CEQA Guidelines Section 15064.5 or a unique archaeological resource under CEQA Section 21083.2(g);</p> <p>(3) guide additional archaeological work, if warranted, to recover the information potential of such deposits; and (4) define an archaeological monitoring plan, potentially including pre-construction subsurface archaeological investigation if warranted. If excavation is the only feasible means of data recovery, such excavation shall be in accord with the provisions of CEQA Guidelines Section 15126.4(b)(3)(C). Any additional archaeological work and or monitoring shall be pursuant to a plan approved by the City. If a pre-constructing testing program is deemed necessary by the qualified professional as a result of the archival study, it shall be guided by the archival study and shall use a combination of subsurface investigation methods (including backhoe trenching, augering, and archaeological excavation units, as appropriate).</p> <p>Representatives of established local Chinese-American organizations (including the Chinese Historical Society of America and the Oakland Asian Cultural Center) shall be invited to participate in a focused community review of the archival cultural resource evaluation prior to any subsequent recovery of potential resources or prior to the start of construction, whichever is earlier. The City shall consider the</p>	<p>LS</p>

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT.)</u></b>		
<b>E. Cultural Resources (cont'd.)</b>		
<b>E.1 (cont'd.)</b>	<p>community comments in its review and approval of any plan for additional archaeological work or monitoring.</p> <p>Should an archaeological artifact be discovered on-site during project construction, all activities within a 50-foot radius 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 sponsor and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation, subject to approval by the City of Oakland, which shall assure implementation of appropriate mitigation 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>If historic or unique archaeological resources associated with the Chinese community are identified within the project site and are further determined to be unique, the City shall consult with representatives of an established local Chinese-American organization(s) regarding the potential use of the archaeological findings for interpretive purposes.</p> <p><b>E.1b:</b> In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work would immediately halt and the Alameda County Coroner would be contacted to evaluate the remains, and follow the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City will 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 will cease within a 50-foot radius until appropriate arrangements are made.</p>	

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT'D.)</u></b>		
<b>E. Cultural Resources (cont'd.)</b>		
<b>E.1 (cont'd.)</b>	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.	
<b>E.2:</b> The proposed project may adversely affect unidentified paleontological resources at the site.	<b>E.2:</b> The project sponsor shall notify a qualified paleontologist of unanticipated discoveries, who 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 CEQA Guidelines. In the event of an unanticipated discovery of a breas, true, and/or trace fossil 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 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.	LS
<b>F. Hazardous Materials</b>		
<b>F.1:</b> Disturbance and release of contaminated soil, groundwater, or building materials during demolition and construction phases of the project could expose construction workers, the public, or the environment to adverse conditions related to hazardous substance handling.	<b>F.1a:</b> A pre-demolition survey for asbestos-containing materials (ACMs) shall be performed prior to demolition of all structures to be demolished. The survey shall include sampling and analysis of suspected ACMs identified in the 1997 and 2000 Phase I investigations and areas that were previously not surveyed (439 23 <sup>rd</sup> Street, 449 23 <sup>rd</sup> Street, and 461 24 <sup>th</sup> Street).	LS

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT'D.)</u></b>		
<b>F. Hazardous Materials (cont'd.)</b>		
<b>F.1 (cont'd.)</b>	<p><b>F.1.b:</b> An asbestos abatement plan developed by a state-certified asbestos consultant shall be prepared. All asbestos-containing materials (ACMs ) shall be removed and appropriately disposed of in accordance with the asbestos abatement plan prior to demolition of the existing buildings in accordance with federal and State construction worker health and safety regulations, the regulations and notification requirements of the Bay Area Air Quality Management District (BAAQMD).</p> <p><b>F.1.c:</b> Prior to the issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the Planning and Zoning Division written documentation that any asbestos-containing materials (ACMs ) have been removed from the project site prior to the start of any demolition activities. A licensed asbestos firm shall conduct the removal of ACMs in accordance with BAAQMD's Regulation 11 Rule 2.</p> <p><b>F.1.d:</b> The project sponsor shall implement a lead-based paint abatement plan, which shall include the following components: development of an abatement specification approved by a Certified Project Designer; a site Health and Safety Plan, as needed; containment of all work areas to prohibit off-site migration of paint chip debris; removal of all peeling and stratified lead-based paint on building surfaces and on non-building surfaces to the degree necessary to safely and properly complete demolition activities per the recommendations of the survey. The demolition contractor shall be identified as responsible for properly containing and disposing of intact lead-based paint on all equipment to be cut and/or removed during the demolition; appropriate removal of paint chips by vacuum or other approved method; collection, segregation, and profiling waste for disposal determination; and appropriate disposal of all hazardous and non-hazardous waste.</p>	

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT'D.)</u></b>		
<b>F. Hazardous Materials (cont'd.)</b>		
<b>F.1 (cont'd.)</b>	<p><b>F.1e:</b> Prior to the issuance of any demolition, grading, or building permit, the applicant shall demonstrate to the satisfaction of the Fire Department, Office of Emergency Services, that the site has been investigated for the presence of lead and does not contain hazardous levels of lead.</p> <p><b>F.1f:</b> In the event that electrical equipment or other PCB-containing materials are identified prior to demolition activities they shall be removed and disposed of by a licensed transportation and disposal facility in a Class I hazardous waste landfill.</p> <p><b>F.1g:</b> The underground storage tank present along the west side of Broadway shall be removed prior to construction activities in the immediate area. The Alameda County Local Oversight Program (LOP) shall be contacted to oversee removal and determine appropriate remediation measures. Removal of the UST shall require, as deemed necessary by the LOP, over-excavation and disposal of any impacted soil that may be associated with such tanks to a degree sufficient to the oversight agency. In the event that additional USTs are encountered the same procedures described above shall apply.</p> <p><b>F.1h:</b> The project applicant shall develop and implement a project-specific worker Health and Safety Plan that contains, at a minimum, a description of contamination; decontamination procedures, the nearest hospital, and emergency notification procedures.</p> <p><b>F.1i:</b> Prior to the issuance of any demolition, grading, or building permit, the applicant shall provide to the Planning and Zoning Division written verification that the appropriate State, Federal, or County authorities have granted all required clearances and confirmed compliance with all applicable conditions imposed by said authorities, for all previous contamination at the site, if applicable.</p>	

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT'D.)</u></b>		
<b>F. Hazardous Materials (cont'd.)</b>		
<p><b>F.2:</b> Improper disposal of contaminated soil components from the demolition and excavation phases of the project could expose construction workers, the public, or the environment to adverse conditions.</p>	<p><b>F.2a:</b> The sponsor shall perform additional soluble lead analyses of soil prior to on-site reuse or off-site disposal to confirm the acceptability for reuse and/or classification of the soils as a California hazardous waste material. If the soils are classified as a California hazardous waste, the project sponsor shall dispose of the soils at a Class I disposal facility in California or an out of state non-RCRA facility permitted to accept wastes at concentrations of the excavated soils.</p> <p><b>F.2.b:</b> Soil generated by construction activities shall be stockpiled onsite in a safe and secure manner, and sampled prior to reuse or disposal at an appropriate facility. Specific sample procedures (i.e. frequency, etc.) for reuse and disposal shall be determined within a Soil Management Plan.</p> <p><b>F.2c:</b> Per the regulatory standards of the City Environmental Services Division of the Public Works Agency, the project sponsor shall sample the soil on the site to determine whether any further remediation is required. Based on the test results, the project sponsor shall submit any and all applicable documentation and plans required by the Regional Water Quality Control Board, the Alameda County Public Health Department, and the City's Fire Department, Office of Emergency Services, regarding remediation of any remaining contaminated soil and/or groundwater that may be identified on the site. These documents and plans shall be submitted to the Environmental Services Division, and shall demonstrate to the satisfaction of each agency with jurisdiction that all applicable standards and regulations have been met for the construction and site work to be undertaken pursuant to the permit. If warranted, the project sponsor must develop and submit for review by the Environmental Services Division a Soil and Groundwater Management Plan for construction and development activities at the site. The plan shall include, as required, any special health and safety precautions to mitigate worker exposure to contaminated soils, dust control measures to prevent the generation of dust that could migrate off-site,</p>	

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>SIGNIFICANT BUT MITIGABLE IMPACTS (CONT'D.)</u></b>		
<b>F. Hazardous Materials (cont'd.)</b>		
<b>F.2 (cont'd.)</b>	stormwater runoff controls to minimize migration of soils to storm drains, measures to ensure the proper treatment and disposal of groundwater during dewatering activities, steps for ensuring compliance with applicable state and federal regulations governing the transportation and disposal of hazardous wastes, and general protocol for addressing any unexpected hazardous materials conditions in the subsurface encountered during construction.	
<b>F.3:</b> Hazardous materials used on-site during construction activities (i.e. solvents) could be released to the environment through improper handling or storage.	<b>F.3:</b> The use of construction best management practices shall be implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following: follow manufacturer's recommendations on use, storage and disposal of chemical products used in construction; avoid overtopping construction equipment fuel gas tanks; during routine maintenance of construction equipment, properly contain and remove grease and oils; and properly dispose of discarded containers of fuels and other chemicals.	LS
<b><u>LESS THAN SIGNIFICANT IMPACTS</u></b>		
<b>A. Aesthetics</b>		
<b>A.1:</b> The proposed project would not have a substantial adverse effect on a scenic vista, nor would the project substantially damage scenic resources.	None required.	LS
<b>A.2:</b> Implementation of the proposed project would alter, but would not substantially degrade the existing visual character or quality of the site and its surroundings.	None required.	LS
<b>A.3:</b> Implementation of the proposed project would result in an increase in light and glare at the project site.	None required.	LS
<b>A.4:</b> The proposed project, in conjunction with cumulative development, would alter the visual character in the project vicinity.	None required.	LS

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

Environmental Impact	Mitigation Measures	Significance After Mitigation
<b><u>LESS THAN SIGNIFICANT IMPACTS (CONT'D.)</u></b>		
<b>B. Transportation, Circulation, and Parking</b>		
<b>B.1:</b> Traffic generated by the project would affect existing traffic levels of service at local intersections.	None required.	LS
<b>B.4:</b> Traffic generated by the project would affect existing traffic levels of service on freeway segments in the project area.	None required.	LS
<b>B.5:</b> Traffic generated by the project would affect traffic levels of service on freeway segments in the project area under future (2010) conditions.	None required.	LS
<b>B.6:</b> Traffic generated by the project would affect traffic levels of service on freeway segments in the project area under cumulative (2025) conditions.	None required.	LS
<b>B.7:</b> ( <i>Non-CEQA Impact</i> ) The proposed project would increase the demand for parking in the project area.	None required.	LS
<b>B.8:</b> ( <i>Non-CEQA Impact</i> ) The proposed project would contribute to the cumulative increase in parking demand in the project area.	None required.	LS
<b>B.9:</b> The project would increase ridership on public transit providers serving the area.	None required.	LS
<b>B.10:</b> Development of the proposed project would not conflict with existing pedestrian and/or bicycle facilities.	None required.	LS
<b>C. Air Quality</b>		
<b>C.2:</b> The project would result in an increase in ROG, NOx and PM emissions due to project-related traffic and on-site area sources.	None required.	LS
<b>C.3:</b> Project traffic would increase localized carbon monoxide concentrations at intersections in the project vicinity.	None required.	LS
<b>C.4:</b> Emissions generated by vehicular activity within the parking structures could result in a localized increase in carbon monoxide concentrations within the garage and adjacent areas and affect employees of the garage.	None required.	LS

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>LESS THAN SIGNIFICANT IMPACTS (CONT'D.)</u></b>		
<b>C. Air Quality (cont'd.)</b>		
<b>C.5:</b> The project, together with anticipated future cumulative development in Oakland and the Bay Area in general, would contribute to regional air pollution.	None required.	LS
<b>D. Noise</b>		
<b>D.2:</b> Noise from project-generated traffic and other operational noise sources such as mechanical equipment, truck loading/unloading, etc., could exceed the Oakland Noise Ordinance standards and affect nearby residential receptors.	None required.	LS
<b>D.3:</b> The project would locate noise sensitive multifamily residential uses in a noise environment characterized as “conditionally unacceptable” for such uses by the City of Oakland.	None required.	LS
<b>D.4:</b> The proposed project, together with anticipated future development in the Northgate commercial district area as well as Oakland in general, could result in long-term traffic increases that could cumulatively increase noise levels.	None required.	LS
<b>E. Cultural Resources</b>		
<b>E.4:</b> The proposed project would construct a new mixed-use, multi-story development adjacent to historic resources including the building at 2355 Broadway and the 25th Street Garage District.	None required.	LS
<b>F. Hazardous Materials</b>		
<b>F.4:</b> Project operations would generate general commercial, household, and maintenance hazardous waste.	None required.	LS
<b>F.5:</b> Development proposed as part of the project, when combined with other foreseeable development in the vicinity, could result in cumulative hazardous materials impacts.	None required.	LS

**TABLE II-1**  
**SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES** (cont'd.)

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Significance After Mitigation</b>
<b><u>LESS THAN SIGNIFICANT IMPACTS (CONT.)</u></b>		
<b>G. Shadow</b>		
<b>G.1:</b> The project would create additional shadow on adjacent blocks to the west, north, and east, including casting shadow on contributing buildings in an Area of Potential Importance, but would not introduce landscaping conflicting with the California Public Resource Code not cast shadow that impairs the use of any public or quasi-public park, lawn, garden, or open space; and not likely cast shadow on buildings using passive solar heat, solar collectors for hot water heating, or photovoltaic solar collectors..	None required.	LS
<b>G.2:</b> The project may require approval of a discretionary “exception” or variance by the City, but would be consistent with City polices and regulations addressing the provision of adequate light.	None required.	LS
<b>G.3:</b> The project, along with other foreseeable development in the vicinity, could result in cumulative shadow impacts.	None required.	LS