

City of Oakland
File No. ER03-002, RZ03-024, GP03-023

INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST

California Environmental Quality Act (CEQA)

1. Project Title: Habitat for Humanity General Plan Amendment, Rezoning, and Development

2. Lead Agency Name and Address:

City of Oakland
Community and Economic Development Agency,
Zoning Division
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612

3. Contact Person and Phone Number:

Robert D. Merkamp, Planner III (510) 238-6283

4. Project Location: 10900 Edes Avenue, Oakland, 10800 Edes Avenue, 732 105th Avenue

5. Project Sponsor's Name and Address:

East Bay Habitat for Humanity (10900 Edes Avenue only)
2619 Broadway
Oakland, CA 612

City of Oakland sponsors the General Plan Amendment for 10800 Edes Avenue and 732 105th Avenue

6. General Plan Designation:

Business Mix

7. Zoning:

R-40, Garden Apartment Residential and M-20, Light Industrial Zone

8. Description of Project:

The proposal includes 26 new single family dwellings at a vacant 1.9 acre site in East Oakland. The site was used as a truck dismantling yard from 1952-1996 and had been used as a nursery prior to that. The 896 to 1,354 square foot homes would have two, three, and four bedrooms, respectively. Each unit would be two stories. The development would also include a private access road and a centralized recreation area.

Currently, the approximately two-acre site contains one parcel, although the proposal includes subdividing the land such that each home would be located on its own approximately 2,160 square foot lot.

This initial study is intended to identify potential environmental impacts associated with all aspects of the project, including construction and operation of the proposed development project, procurement of all necessary zoning, grading, building, and tree removal permits, and any other discretionary permits required by the City of Oakland.

The proposal will require Planned Unit Development, Tentative Tract Map, and Design Review permits from the City of Oakland Zoning Division as well as ultimately building permits. In addition, the plan will require a General Plan amendment and a rezoning of the site.

The applicant is requesting to rezone a portion of the project site from M-20 Light Industrial to the R-40 Garden Apartment Residential zone. They are also requesting that the City of Oakland change the General Plan designation on this parcel from Business Mix to Housing and Business Mix. Along with this request, the City of Oakland is also independently considering whether to change the General Plan designation for the two parcels fronting onto Edes Avenue that are adjacent to the project site (10800 Edes Avenue & 732 105th Avenue) (hereafter referred to as “two parcels”). Staff has not received and is not aware of any proposed projects for these two parcels. No consideration for changing the zoning on the two parcels will be considered at this time (this is discussed further in the Land Use section of this document).

Most of the impacts from the project are less than significant, including potential impacts to air quality, biological resources and transportation/traffic. The project does have three impacts that would be potentially significant absent mitigation. They include impacts from toxic contaminants on the project site, on- and off- site flooding as a result of inadequate curbs and gutters and noise levels in excess of City of Oakland noise standards during project construction. Mitigation measures, however, are incorporated into the project that reduces these impacts to a less than significant level.

The proposal to change the General Plan designation on the two parcels will have no impact. In fact, the City is including the two parcels in the proposed General Plan amendment simply to create a more homogenous block for the General Plan designation while allowing the current businesses to maintain operations and expand. Any potential future residential development on these two parcels will require at a minimum rezoning, filing of development permits and further CEQA review specific to any development proposal.

9. Surrounding Land Uses and Setting:

The project site is located in a neighborhood in East Oakland, near the border of the City of San Leandro. The project site has been previously used for truck dismantling and is located between a predominantly industrial area to the north and single family residential neighborhoods to the southeast and southwest. Edes Avenue bounds the property to the southwest, the rear property lines of single family homes is located to the east, industrial properties across a railroad right of way are located to the northeast, and a vacant lot to the west. Rear yard fences of single family homes are across Edes Avenue. The vacant lot and the industrial properties are zoned for light and heavy industrial uses, respectively, while the remaining adjacent parcels are zoned for single family residential use. Approximately two-thirds of the site is zoned for a mixture of low to medium density residential activities and the remainder of the site is zoned for light industrial use. The entire site and the sites to the west and northwest are designated by the General Plan to have a mix of business activities, including industrial activities.

The two parcels are located to the north of the project site. 10800 Edes Avenue is a vacant property and 732 105th Avenue has a light industrial business with several warehouse type structures on it. The surrounding neighborhood is mixed, with predominantly residential uses to the south and west and industrial uses to the north and east.

10. Other Public Agencies Whose Approval Is Required: N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

On the basis of this initial evaluation:

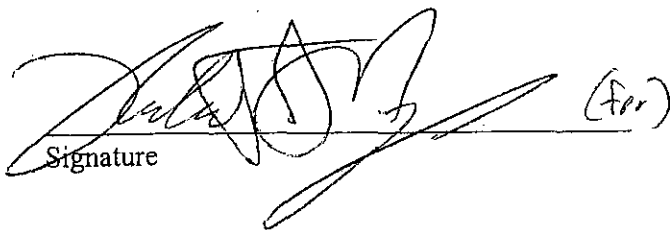
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

 (for)
Signature

9/30/04
Date

Gary V. Patton
Deputy Director, Planning and Zoning

For Claudia Cappio
Development Director

EVALUATION OF ENVIRONMENTAL IMPACTS

CEQA requires that an explanation of all answers except "No Impact" answers be provided along with this checklist, including a discussion of ways to mitigate any significant effects identified. As defined here, a significant effect is considered a substantial adverse effect.

<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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I. AESTHETICS -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|----------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

Comments to Questions I a and b:

The project site is flat and is within a developed urban area. There are no trees located on the project site. In addition, there are no scenic vistas from, to, or through the project site and the project site is not adjacent to a scenic highway. Accordingly, the proposed project will not impact scenic vistas or scenic resources.

Sources:

Project Description and Plans.
Field Survey.

- | | | | | |
|---|--------------------------|--------------------------|----------|--------------------------|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
|---|--------------------------|--------------------------|----------|--------------------------|

Comments:

The project site is currently vacant and consists primarily of overgrown brush, debris and several concrete pads. Any structures that previously existed on the site have been removed. In addition, an approximately six (6) foot high metal fence surrounds the project site, serving as a visual barrier to the site.

The area surrounding the project site consists primarily of one- & two-story single-family homes constructed of wood and stucco. The houses proposed by the project will be a mixture of two, three, and four bedroom single-family homes ranging in size from 896 square feet to 1354 square feet. Prior to construction, the development will be required to obtain design review approval from the City of Oakland for the proposed houses. This process requires the development to meet certain criteria contained in Section 17.136.070 of the Zoning Ordinance relating to the design of residential projects. These criteria are designed to ensure that proposed new residential projects relate to the surrounding area, protect, preserve or enhance desirable neighborhood characteristics, are sensitive to the topography and landscape, and conform to existing plans and development control maps. Accordingly, the proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings.

Sources:

- Project Description and Plans.
- Field Survey.
- City of Oakland Zoning Ordinance.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Comments:

The project site is currently vacant. The development of the proposed 26 new single-family houses would produce a level of light and glare that would not otherwise exist if the project site were to remain vacant. However, the project will be reviewed during the design review process to ensure that any exterior lighting or glare created by the new houses does not adversely impact day or nighttime views in the area or significantly impact surrounding properties. This process requires the development to meet certain criteria contained in Section 17.136.070 of the Zoning Ordinance relating to the design of residential projects. These criteria ensure that lighting associated with residential projects do not create light or glare impacts on adjacent properties. During the design review process the project will be required to incorporate downward directed lighting to direct light downward, away from adjacent properties thereby reducing off-site glare while maintaining sufficient illumination for security and safety. This and other conditions required during the design review process reduce any impact from the project on light or glare to a less than significant impact.

Sources:

- Project Description and Plans.
- Field Survey.

	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
II. AGRICULTURAL RESOURCES -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

The site is located in an urban environment and was used as a truck dismantling yard from 1952-1996. It is not conducive to agricultural use. It is not zoned for agricultural use and is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No Williamson Act contract exists for the site.

Sources:

- Oakland General Plan: Open Space, Conservation, & Recreation Element, October 1995.

<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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III. AIR QUALITY -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

Comments to Questions III a, b, c, d, and e:

The proposed project would develop 26 new single-family houses on the project site. Only projects that develop 200 units or more require environmental review by the Bay Area Air Quality Management District (BAAQMD). Residential projects below that threshold are assumed by BAAQMD not have significant air quality impacts. The Open Space, Conservation, and Recreation ("OSCAR") Element of the Oakland General Plan anticipates certain decreases in air quality in the project area. The proposed project does not exceed that anticipated air quality decrease as it falls below the aforementioned threshold.

The proposed project is a small residential development and would not result in significant emissions of criteria air pollutants. The proposed project is projected to create 249 new vehicle trips, however, the volume of trips anticipated would not result in any measurable increase in overall region-wide emission of criteria pollutants. Thus, the proposed project would not contribute considerably to any cumulative air quality impacts. It is anticipated that additional pollutants would generally be the result of additional car trips yet this project is not expected to generate a significantly high or unacceptable level of pollutants as residential projects below 200 units are assumed to not have significant air quality impacts by the BAAQMD which bases their conclusions on studies of similar sized developments.

The proposed project would expose sensitive receptors – the residents of the new houses –to pollutants, but the concentration of pollutants would be less than significant. The nearest freeway

is approximately ¼ mile away and the land between the project site and the freeway is developed. A railroad right of way lies adjacent to the site on its northeastern edge. The proximity to the railroad would not expose residents to substantial pollutant concentration because:

- Trains (with their related emissions) will only pass the site intermittently; and,
- Emissions from the trains will significantly dissipate in the air before reaching the project site.

The adjacent vacant parcel to the north has a M-20, Light Industrial, zoning designation. The M-20 Zone is “intended to create, preserve, and enhance areas containing manufacturing and related establishments with limited external impact within an open and attractive setting, and is typically appropriate to locations adjacent to residential communities.” (Oakland Planning Code section 17.68.010). As a result, only industrial activities that have limited emissions, noise, and use of hazardous materials are allowed in an M-20 zone. These types of activities would not expose residents to substantial pollutant concentrations. Since the remaining adjacent land uses are residential, any proposed residents of the subject development would not be exposed to substantial pollutant concentrations from surrounding uses.

Source:

OSCAR Element of the City of Oakland General Plan.
City of Oakland Zoning Ordinance.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES - - Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? **X**

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? **X**

Comments to Questions III a, b, c, d, e, and f:

The project site is located within an urbanized area and was used as a truck dismantling yard from 1952-1996. Urban land uses have replaced former biotic habitats and natural vegetation on the site for over 50 years and presently the site consists of overgrown brush, debris and several concrete pads. The project site does not contain and is not located near any wetlands or any riparian or sensitive habitats including aquatic or wildlife habitat. No special status species or trees of significant size exist on the project site. The proposed site is not located within any native resident or migratory wildlife corridors and development of the site will not interfere with the movement of any native resident or migratory wildlife. Thus, the proposed project will not result in any significant impacts to existing biological resources, including, but not limited too, those identified in the local or regional plans, policies, or regulations of the California Department of Fish and Game, the U.S. Fish and Wildlife Service or the U.S. Army Corps of Engineers.

Sources:

- Oakland General Plan: Land Use & Transportation Element, Oakland Environmental Factors Analysis Technical Report 6, October 1995.
- Oakland General Plan: Open Space, Conservation, & Recreation Element, Plant & Animal Resource Technical Report 6, October 1992.
- Oakland General Plan: Open Space, Conservation, & Recreation Element, Water Resources Technical Report 5, March 1993.
- Field Survey.

Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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V. CULTURAL RESOURCES -- Would the project?

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? **X**

Comments to Question V a:

Section 15064.5 of the State CEQA Guidelines states that the term “historical resources” shall include resources included in a local register of historical resources. The proposed site is not listed by the City of Oakland as a Designated Historic Landmark or a Potential Designated Historic Property and is not located within a City of Oakland designated or potentially designated Area of Primary Importance or Area of Secondary Historical Importance. The project site is also not listed on any state or federal list of historic resources or within any federally- or state-designated historic district

Sources:

City of Oakland, Historic Preservation: An Element of the General Plan, adopted March 8, 1994 (Amended July 21, 1998).

State CEQA Guidelines

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|----------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

Comments to Questions V b, c, and d:

There is no evidence of archaeological resources, unique paleontological resources, unique geologic features, or human remains at the site. However, a condition of approval from the City of Oakland for the development of the project shall state that, in the event that any of these resources are encountered during any work at the site, work shall be halted temporarily and a qualified expert shall be consulted for evaluation of the discovery and to recommend future action in accordance with State Law. A condition shall also state that local Native American community shall also be notified and consulted in the event any archaeological remains are uncovered in accordance with State law.

Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Incorporated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- | | | | | |
|---|--------------------------|--------------------------|----------|--------------------------|
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map for the area or based on other substantial evidence of a known fault? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |

Comments to Questions VI a(i), a(ii), a(iii):

The project site is located approximately 1.5 miles from the Hayward fault, and is outside the Alquist-Priolo Geologic Hazards Zone Act Special Studies Zone. Therefore, the project will not be required to meet the development standards and criteria applicable to sites located within the Special Studies Zone.

The California Department of Conservation’s Seismic Hazard Zones Map shows the project site located in a liquefaction zone, which is defined as areas where historic occurrence of liquefaction or local geographical, geotechnical, and groundwater conditions indicate potential for permanent ground displacement such that mitigation would be required to reduce seismic risk to acceptable levels.

The applicant will be required to submit a soils study and engineering analysis report along with detailed engineering drawings and relevant materials to the City of Oakland’s Building Services Division for review and approval prior to commencing grading or construction activities on the project site. The applicant will be required to comply with all applicable City regulations and standards to address potential geologic and soils impacts. Therefore, the proposed project will not result in significant impacts related to unstable soils or create substantial risks to life or property.

Sources:

- Alquist-Priolo Geologic Hazards Zone Act Special Studies Zone Map, Environmental Hazards Element of the Oakland General Plan, 1974.
- California Department of Conservation, Division of Mines and Geology, “Seismic Hazards Zone, Parts of San Leandro Quadrangle” (map), March 15, 2003.
- City of Oakland, CEDA Planning and Building.

	Potentially Significant <u>Impact</u>	Potentially Significant Unless Mitigation <u>Impact</u>	Less Than Significant <u>Incorporated</u>	No <u>Impact</u>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Comments:

The California Department of Conservation’s Seismic Hazard Zones Map shows that the project site is not within an area prone to earthquake-induced landslides. Additionally, Land Stability Maps, maintained by the City of Oakland’s Building Services Division, indicate no recorded landslides near the site. The project site is not exposed to, or influenced by, factors that would increase the potential for these hazards, such as a slope exceeding 15 percent or a history of landslide problems. The project applicant will be required to comply with all applicable City regulations and standards to address potential geologic and soils impacts prior to the issuance of grading or building permits. Therefore, the proposed project will not result in impacts related to unstable earth conditions or geologic substructures.

Sources:

- California Department of Conservation, Division of Mines and Geology, “Seismic Hazards Zone, Parts of San Leandro Quadrangle” (map), March 15, 2003.
- Land Stability Map, City of Oakland, Building Services Division, 1996.

b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
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Comments:

The proposed project will require some grading on site to accommodate the new construction. Because the site is flat, grading is anticipated to be relatively minor. However, to minimize potential runoff from the project site during construction, the proposed project will require standard erosion control measures before issuance of grading or building permits.

The applicant will be required to obtain all necessary grading and excavation permits to ensure that appropriate measures are undertaken with regard to soil displacement from proposed excavation and soil disruption. In addition, the applicant will be required to prepare a construction period erosion control plan and submit the plan to the Building Services Division for approval prior to issuance of a grading or building permit. The plan will be in effect for a period of time sufficient to stabilize the construction site for all phases of the project. The plan will include standard control measures to address construction period erosion on the site by wind or water. Long-term erosion control will be addressed through installation of project landscaping and storm drainage facilities, both of which will be designed to meet applicable regulations. These standard measures typically include, but are not limited to, confining construction operations, especially grading and demolition operations to the dry season as much as possible to avoid erosion of disturbed soils and submission of a final landscaping plan to the Planning Department for review and approval. With these measures in place the proposed project will have a less than significant impact on soil erosion or the loss of topsoil.

Source:

Project Description and Plans.
City of Oakland, CEDA Planning and Building.

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|---|--------------------------|--------------------------|---|--------------------------|
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
| d) Be located on expansive soil creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |

Comments to Questions VI c and d:

According to the USDA Soil Conservation Service Soils Classification, the soils on the project site are classified as Danville Salty Clay Loam, which has certain development limitations related to shrink-swell potential. The site is also located within a liquefaction zone, as shown on the California Department of Conservation’s Seismic Hazard Zones Map. The required geotechnical studies and project engineering prepared for the proposed project will address the development limitations imposed on the project by the soils and location in a liquefaction zone. Before the issuance of grading or building permits, the project applicant will be required to comply with all applicable City regulations and standards regarding potential geologic and soils impacts. As several areas of the City have successfully been developed in a liquefaction zone and on this soil, or on soil with similar limitations, the proposed project will not result in significant impacts related to unstable soils or create substantial risks to life or property.

Sources:

United States Department of Agriculture; Soil Conservation Service; Soil Survey of Alameda County, California, Western Part; 1981.
California Department of Conservation, Division of Mines and Geology, “Seismic Hazards Zone, Parts of San Leandro Quadrangle” (map), March 15, 2003.
Land Stability Map, City of Oakland, Building Services Division, 1996.
City of Oakland, CEDA Planning and Building.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? **X**

Comments:

The project site is located in a built-out, urban area that is accessible to Oakland’s sewer system, which provides wastewater collection service for the City of Oakland. Thus, soils will not be impacted by the use of septic tanks or alternative waste water disposal systems.

Source:

City of Oakland, CEDA Planning and Building.

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	<u>Impact</u>	<u>Incorporated</u>	<u>Impact</u>	<u>Impact</u>

VII. HAZARDS AND HAZARDOUS MATERIALS - -

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? **X**

Comments to Question VIIa:

The proposed project is for 26 new single family dwelling units. Because the proposed project is residential in nature, the routine transport, use or disposal of hazardous materials, or the potential for accidents involving the release of hazardous materials, is not expected.

Some hazardous substances may be used during construction, and could expose workers to potential health hazards. However, the applicant would be required to comply with all applicable federal and State Operational Safety and Health Administration (“OSHA”) regulations regarding worker safety, as is consistent with standard City of Oakland practices. The applicant would also be required to comply with all applicable federal, State and local regulations regarding the handling and disposal of hazardous materials by the City of Oakland Fire Prevention Bureau and Building Services Division.

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	<u>Impact</u>	<u>Incorporated</u>	<u>Impact</u>	<u>Impact</u>

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Comments to Question VIIc:

Some hazardous substances may be used during construction and could expose workers to potential health hazards. However, the applicant would be required to comply with all applicable federal and State OSHA regulations regarding worker safety, as is consistent with standard City practices. Stonehurst elementary school is just under ¼ mile to the east of the site but it is anticipated that standard construction techniques and Best Management Practices (BMP's) regulated by the City of Oakland's Building Services division will reduce any potential use of hazardous materials to a less than significant impact. The applicant would also be required to comply with all applicable federal, State and local regulations regarding the handling and disposal of hazardous materials by the City of Oakland Fire Prevention Bureau and Building Services Division.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Comments to Question VIId:

Site reviews in 1989 found unsafe levels of contaminants including lead, benzo(a)pyrene, Aroclor 1254, and Aroclor 1260 on the project site. These chemicals were found in concentrations great enough to create unsafe building conditions for residential use. This is a potentially serious environmental impact.

In March 2003, a different Initial Study and Negative Declaration was circulated that discussed this issue in more detail. This initial study identified measures that would be used to clean the site and remove the toxic contaminants, specifically by removing and properly disposing of the contaminated soil. A workplan was completed stipulating the hours of cleanup, the methodology for handling materials and the need for continuous monitoring of the site. This Final Removal Action Workplan (RAW) was approved by the State of California in April of 2003, and cleanup has already commenced on project site. In fact, clean up is anticipated to be completed on October 15, 2004. Once the cleanup is complete, the project site will be considered suitable for residential use and the new residences can be constructed. In corporation of the mitigation measure listed below will reduce the potential impact to the public or environment to a less than significant level.

MITIGATION MEASURE 1:

To avoid a potentially significant environmental impact to the public or the environment from the high concentration of contaminants on the project site, no grading or building permits will be issued until the applicant shows the RAW approved by the State of California for clean up of contaminants at the project site has been completed and the work approved, if necessary, by relevant federal, state and/or local agencies.

Sources:

Project Description and Plans.

Final Removal Action Workplan for Soil, East Bay Habitat for Humanity Project, 10900 Edes Avenue, April 21, 2003

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Comments to Question VII e and f:

The project site is located approximately two miles east from the Metropolitan Oakland International Airport, a public use airport. The location of the homes, however, would not result in a safety hazard for residents since the airport's runways are oriented so that take-offs and landings do not occur in the direction of the subject site. Furthermore, a technical appendix on safety included in the Final Environmental Impact Report prepared for the proposed airport expansion projects notes that excluding accidents caused by thunderstorm-induced wind-shear, which is exceedingly rare in Oakland, in the last 20 years no landing crashes have occurred in the United States that resulted in ground fatalities. The author concludes that the risk of such a crash is "statistically invisible."

The project is not located in the vicinity of a private airstrip.

Source:

Project Description and Plans.

Final Environmental Impact Report, Proposed Airport Development Program, Metropolitan Oakland International Airport, Volume 2, 1997.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Comments:

The City of Oakland has prepared a Multi-Hazard Functional Plan ("City Emergency Plan"). This plan details the City of Oakland's plans to evacuate in the event of an emergency. The proposed project will not interfere with the City Emergency Plan, including any evacuation plans and will not adversely affect the City's response and operational procedures in the event of a large scale disaster or emergency situation. The proposal will not impair access to the surrounding area or block existing right of ways.

Source:

Draft Multi-Hazard Functional Emergency Plan of the City of Oakland, 1993.

Project Description and Plans.

h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Comments:

The project site is located in a built-out, urban area and is not intermixed or located adjacent to wildland or open land. Thus, the proposed project will not expose people or structures to significant risk involving wildland fires.

Sources:

Oakland General Plan: Land Use & Transportation Element, March 1998.

Critical Fire Areas Map, Environmental Hazards Element, City of Oakland General Plan, 1974.

<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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VIII. HYDROLOGY AND WATER QUALITY - - Would the project:

a) Violate any water quality standards or waste discharge requirements? **X**

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? **X**

Comments to Questions VIII a and b:

The proposed residential development project will not violate any water quality standards or waste discharge requirements as its operation will not involve waste discharges to bodies of water and it will be required to comply with all applicable stormwater discharge requirements, as discussed in more detail under the comments to Questions VIII c- f.

The proposed project will not substantially deplete ground water supplies or interfere with groundwater recharge. The project will not draw off groundwater. Water for the project will be supplied by East Bay Municipal Utility District (EBMUD) from sources outside the city limits. In this built-out urbanized area, no groundwater under the city is used as potable water. Therefore, the project will not substantially impact water quality or groundwater supplies.

Source:

Project Description.

City of Oakland CEDA, Building and Engineering Services Divisions.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? **X**

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream

or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

f) Otherwise substantially degrade water quality?

Comments to Questions VIII c, d, e and f:

The project site is within an urbanized area. There are no creeks or waterways on the project site and the proposed project does not involve the alteration of the course of a stream.

The proposed development will substantially increase the amount of impervious surface on the site and that will result in changes to the existing drainage. However, consistent with current regulations, the applicant will be required to submit on-site grading and drainage plans to the Building Division for review before commencement of construction or grading activities on site. These plans will comply with all applicable federal and State stormwater runoff regulations, including the National Pollutant Discharge Elimination System permitting program. The plans will include Best Management Practices (“BMPs”) to reduce the amount of pollutants included in any stormwater runoff. Examples of BMPs, include, but are not limited to straw bale or sanbag barriers and swales. In addition, the plans will ensure that surface runoff during construction and operation of the project is adequately controlled such that the rate or amount of surface runoff from the site will not result in flooding on- or off- site, or exceed the capacity of the stormwater drainage systems. Currently, the right of way in front of the site does not contain curbs, gutters, or other stormwater facilities. Without these facilities, the project could result in off-site flooding and exceed off-site drainage systems. Incorporation of the following mitigation will reduce this impact to less than significant:

MITIGATION MEASURE 2: The project shall include the installation of all infrastructure in the public right of way in front of the project site required to adequately drain stormwater into the City’s main stormwater system. This shall include curbs and gutters along the Edes Avenue right of way and may include an underground storm drain, as determined by the City of Oakland’s Department of Public Works. The applicant shall be required to submit plans for these facilities to the City of Oakland Building Services Division for review and approval.

Sources:

- Project Description and Plans.
- City of Oakland, CEDA Engineering Services Division.
- City of Oakland, Public Works Department

<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? **X**
- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? **X**

Comments to Questions VIII g, h, i:

According to the Flood Insurance Rate Map (FIRM) Floodplain Map, the project site is located within Area C which indicates that the site is neither in a 100-year nor 500-year floodplain. In addition, the project site is not located near a levee or dam. Thus, the proposed project will not expose people, structures, or property to significant risk nor impede or redirect flood flows.

Sources:

Flood Insurance Rate Map (FIRM) Floodplain Map, Panel 25, Federal Emergency Management Administration (FEMA), 1982.
 City of Oakland, CEDA Planning and Building, Engineering Services Division.

- j) Result in inundation by seiche, tsunami, or mudflow? **X**

Comments:

As mentioned in the response to Question VI a(iii) and a(iv), the California Department of Conservation's Seismic Hazard Zones Map shows that the site is not in an area susceptible to landslide or mudslide. In addition, the site is not influenced by factors that would increase the potential for these hazards such as steep slopes or a history of landslide problems.

The Environmental Hazards Zone Element of the Oakland General Plan includes a map showing areas of potential inundation by tsunamis, and the project site is not within such an area.

Source:

Oakland General Plan, Environmental Hazards Element, 1974.
 California Department of Conservation, Division of Mines and Geology, "Seismic Hazards Zone, Parts of San Leandro Quadrangle" (map), March 15, 2003.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. LAND USE AND PLANNING -- Would the project:

- a) Physically divide an established community? **X**

Comments to Question IX a:

The project is located between a predominantly industrial area to the north and single family residential neighborhoods to the southeast and southwest. Therefore, the project would not physically divide an established community because it is located between established residential and commercial communities.

Sources:

Project Description and Plans.

Land Use and Transportation Element, Oakland General Plan, 1998.

b) Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Comments to Question IX b:

Approximately two-thirds of the site is zoned R-40, Garden Apartment Residential Zone, a zone intended for a mixture of low to medium density residential activities. The remainder of the site is zoned M-20, Light Manufacturing Zone. The M-20 zone is intended to create, preserve, and enhance areas containing manufacturing and related establishments with limited external impact within an open and attractive setting, and is typically appropriate for locations adjacent to residential communities. The M-20 Zone does not permit residential activity. As a part of this proposal, the applicant is seeking to rezone the M-20 portion of 10900 Edes Avenue to R-40, which would permit residential uses.

The entire site has a Business Mix General Plan Designation. This designation is intended to have a mix of business activities, including industrial activities. A Business Mix General Plan Designation does not permit residential activity. Accordingly, the applicant has requested a General Plan Amendment to change the designation on the site to Housing and Business Mix. This designation is more conducive to residential activity and is more consistent with the predominant R-40 zoning on the property. A Housing and Business Mix designation under the General Plan allows a variety of uses, including moderately dense residential development, commercial, and light industrial activities. Both R-40 and M-20 zoning is consistent with a Housing and Business Mix designation.

In considering the applicant's request for a General Plan Amendment, the City of Oakland is also considering whether to change the General Plan designation for two adjacent parcels that front onto Edes Avenue (10800 Edes Avenue & 732 105th Avenue). This additional change would create a more homogenous block for this general plan designation while allowing the current businesses to maintain operations and expand. It would also potentially permit additional residential development in the neighborhood. The City of Oakland is not presently proposing to rezone these two parcels and staff has not received, and is not aware of, any proposed projects for the two parcels. Any future residential development on the two parcels would require, at a minimum, rezoning and the filing of necessary development permits. Additional CEQA review would also be required as part of that process to evaluate any potential impacts from the specific development proposed.

In the area surrounding and including the project site, residential uses sit side by side with industrial activities, which can cause land use conflicts. One purpose of the Housing and Business Mix General Plan designation, however, is to serve as a buffer between primarily residential areas and more intensive industrial uses to minimize potential land use conflicts. By changing the General Plan in this area, the City of Oakland will be creating a transition zone between the existing industrial lands and the single family neighborhoods to the south and west, which it believes will have long term environmental benefits.

Sources:

Project Description and Plans.

Land Use and Transportation Element, Oakland General Plan, 1998.

“Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations”,
 May 6, 1998.

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan? **X**

Comments to Question IX c:

The Open Space, Conservation, and Recreation (OSCAR) Element of the City of Oakland’s General Plan identifies and establishes policies for potentially important natural resources. The OSCAR Element includes maps showing Potential Resource Conservation Areas, native plant communities, areas of wildlife concentration, and potential wildlife corridors. The subject site is not located within any of these areas.

Source:

City of Oakland, Open Space Conservation and Recreation Element of the General Plan, 1996.

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	<u>Impact</u>	<u>Incorporated</u>	<u>Impact</u>	<u>Impact</u>

X. MINERAL RESOURCES -- Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? **X**

- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? **X**

Comments to Questions X a and b:

The project site is located in a built-out, urban area with no known existing mineral resource on site. The development will not require any quarrying, mining, dredging, or extraction of mineral resources on site. Therefore, the proposed project will not substantially deplete or inhibit the extraction of a nonrenewable natural resource, nor will it deplete any nonrenewable natural resource.

Source:

Project Description and Plans.

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No
	<u>Impact</u>	<u>Incorporated</u>	<u>Impact</u>	<u>Impact</u>

XI. NOISE -- Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? **X**

Comments to Questions XI a:

Construction would include the use of heavy equipment, including large grading equipment, and could result in noise levels that exceed standards of the City of Oakland's Noise Ordinance. This would be a significant impact unless mitigated. To mitigate this impact to a less than significant impact the City of Oakland will require the following conditions as a part of the design review permit:

MITIGATION MEASURE 3:

- 1) The contractor shall demonstrate knowledge of the City of Oakland's Noise Ordinance and shall construct in a manner whereby noise levels do not exceed the standards set forth in that ordinance. Contractors may elect any combination of legal, non-polluting methods to maintain or reduce noise to acceptable levels or lower, as long as those methods do not result in other significant environmental impacts or create a substantial public nuisance.

- 2) The project sponsors or contractor shall notify adjacent property owners in writing and in advance of the construction schedule. The notification shall include the name and phone number of a project representative who will address complaints regarding construction activities. The project representative shall respond to complaints in an effective and timely manner.

Source:

Noise Element, Oakland Comprehensive Plan, 1974.
 CCS Planning and Engineering, Aspire School Traffic Impact Analysis, June 26, 2001.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? **X**
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? **X**
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? **X**

Comments to Questions XI b, c, and d:

The Noise Element of the Oakland Comprehensive Plan identifies areas surrounding freeways, rapid transit lines, and airports where noise levels exceed 65 decibels. The project site is not located in any of these areas of potentially significant noise.

The proposed project can be expected to increase ambient noise levels in the immediate residential neighborhood. However, any increase will not raise ambient noise levels to a level that could be considered significant.

The development of the site would result in temporary noise impacts during project construction. The applicant would be required to comply with the Uniform Building Code and standards contained in the noise regulations of the Oakland Planning Code as they apply to demolition and construction specifications prior to issuance of building permits and during construction of the project. In addition, the project applicant would be required to comply with the mitigation set forth in this Initial Study with regard to construction noise impact (Mitigation Measure 3).

Source:

Noise Element, Oakland Comprehensive Plan, 1974.
 CCS Planning and Engineering, Aspire School Traffic Impact Analysis, June 26, 2001.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

 X

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

 X

Comments to Questions XI e and f:

The project site is located approximately two miles east of the Metropolitan Oakland International Airport, a public use airport. The Federal Aviation Administration (FAA) and the State of California's Airport Noise Standards identify a Day-Night Average Noise Level (DNL) or Community Noise Equivalent Level (CNEL) of up to 65 decibels as compatible with residential land uses, which are considered the most sensitive land use type for noise impacts. The Metropolitan Oakland International Airport Final Environmental Impact Report, 1997, maps existing noise levels surrounding the airport as well as projected noise levels for planned airport expansion projects. The project site falls outside of the 65 decibel noise contour for both existing and planned airport operations. Therefore, the proposed project would not expose people in the project area to excessive noise levels.

The project is not located in the vicinity of a private airstrip.

Source:

Project Description and Plans.
 Port of Oakland, Final Environmental Impact Report, Metropolitan Oakland International Airport, 1997.

Potentially Significant	Potentially Significant Unless Mitigation	Less Than Significant	No
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XII. POPULATION AND HOUSING -- Would the project:

Impact Incorporated Impact Impact

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

 X

Comments to Question XII a:

The project would introduce 26 new residences onto a vacant parcel in an urbanized area characterized by a mixture of residential and commercial activities. This should represent an additional 69 new residents to the City of Oakland, assuming all residents of this proposed development are the result of in-migration to the City of Oakland and that ABAG's projected household size of 2.65 residents per household in 2010 remains current. The City of Oakland currently estimates a 3.41% percent residential growth rate in the next 11 years (the General Plan study went out until 2015) with the number of households expanding by 5.06%. The proposed project is consistent with that anticipated growth. While the proposed project will add additional housing units and residents to the area, this will have a less than significant impact as the number of new residents is consist with the City of Oakland's planned residential growth, the area is already developed and the area's infrastructure is capable of handling the increase in population growth (see sections dealing with Traffic and Public Services below).

Sources:

Field Study.

Oakland General Plan: Land Use & Transportation Element, March 1998.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

 X

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

 X

Comments to Questions XII b and c:

The project site does not contain any existing housing or other habitation and thus this would not displace any housing or persons. Indeed, this project would create new housing for this area.

Source:

Project Description and Plans.

Oakland General Plan: Land Use & Transportation Element, March 1998.

Potentially Significant Potentially Significant Unless Mitigation Less Than Significant No

XIII. PUBLIC SERVICES - - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

- | | | | | |
|-----------------------|--------------------------|--------------------------|--------------------------|----------|
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| b) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

Comments to Questions XIII a, b:

There are two fire stations located approximately one mile from the proposed project: Station #27 on Pardee Drive near the intersection of Hegenberger Road and Airport Drive, and Station #20 at 98th Avenue and International Boulevard. This is considered adequate in terms of proximity to emergency services and should not require new facilities. The project is located in beat 31Z of the 6th Police District. This police district handles a large number of crimes although this particular beat represents a small fraction of them. An analysis of police data collected from the City of Oakland's website shows that from January 1, 2004 to September 28, 2004, 3705 calls were placed to respond to criminal activity of some sort. Of those, just 222 (approximately 6%) were located in this beat. Given this low demand for service relative to the rest of the district the City of Oakland finds this project to have no real impact on it's ability to provide timely emergency services.

Source:

GIS Map of City of Oakland's Fire Stations
 GIS Map of City of Oakland's Police Calls

- | | | | | |
|-------------|--------------------------|--------------------------|----------|--------------------------|
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |

Comments to Questions XIII c, d:

There are four parks and recreation centers of varying size within ½ mile of the project site and the proposed project would create a common open space area of approximately 4,000 square feet that would serve as a small local park for the residents. In addition, four schools (including a Junior High School and a High School) within ½ mile of the project site. The 26 houses could be expected to generate 69 new residents (assuming all residents of this project are in-migrants to the City of Oakland and that the projected ABAG population of 2.65 people per household in 2010). It is anticipated that the additional housing and residents will place more slightly more demand on these services but that it will be less than significant due to the small numbers of houses proposed.

Source:

Project Description and Plans.

- | | | | | |
|-----------------------------|--------------------------|--------------------------|----------|--------------------------|
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
|-----------------------------|--------------------------|--------------------------|----------|--------------------------|

Comments to Questions XIII e:

The proposed project will be located in an urban area already served by public services and utilities. There is an eight-inch sewer line, a 18-inch storm conduit, and a 12" water main located in the 105th Avenue right-of-way adjacent to the project site. As identified in the Community Services document that assessed the impacts of future growth and development in the City, the proposed project will not impose a burden on public services including the sewer systems, drainage systems, or gas and electrical services. The proposed project will not limit capacity for solid waste disposal nor significantly change the ability for fire suppression. In fact, all these services have capacity to serve the proposed 26 new housing units.

Source:

Oakland General Plan: Land Use & Transportation Element, Community Services Analysis, Technical Report 5, October 1995.
 City of Oakland, CEDA Engineering Services Division, as-built sewer maps.
 Memorandum from East Bay Municipal Utility District, May 14, 2001.
 Project Description and Plans.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIV. RECREATION - - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|----------|--------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |

Comments to Questions XIV a and b:

The proposed project would create a common open space area of approximately 4,000 square feet that would serve as a small local park for the residents. In addition there are four City of Oakland parks and recreation facilities within a ½ mile radius of the project site to serve the residents as well as several regional parks within a three mile radius. It is anticipated that the additional housing will place more demand on these services but that it will be less than significant due to the small number of houses proposed.

Source:

Project Description and Plans.

Potentially Significant	Potentially Significant Unless Mitigation	Less Than Significant	No
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XV. TRANSPORTATION/TRAFFIC - - Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

Comments:

A traffic study was prepared by DKS Associates in April of 2004. The study analyzed the major intersection nearest the project at 105th Avenue and Edes Avenue. Traffic was observed and currently was found to operate at level of service (LOS) C (stable flow with acceptable delays) during AM Peak Hours and LOC B (minimal delay) during PM peak hours. The Traffic Impact Analysis for this project projects 249 new daily vehicle trips with 20 during the morning peak hour and 26 trips during the evening peak hour. The addition of the proposed project is projected to not change the LOS.

For intersections in the City of Oakland, LOS D or better is considered acceptable and LOS E or F is considered unacceptable. Intersection impacts are considered significant if the project traffic would cause the intersection level of service to drop below LOS D. As the proposed project would retain the existing LOS of C in the AM peak hours and B in the PM peak hours at the study intersection, this intersection would continue to operate at acceptable levels of service upon project buildout. Accordingly, the project would not cause a significant impact to congestion at intersections.

Source:

DKS Associates, Trip Generation Analysis, April 19, 2004.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways ?

Comments:

The project would not exceed a level of service standard established by the county congestion management agency for designated roads and highways. At 249 trips, the project was found, through a traffic study prepared by DKS Associates, to not affect the LOS of the nearest intersection. The affect on other intersections could be considered to be less as the traffic generated from this site would become more diffuse (due to different destinations of vehicle occupants) as you traveled farther from the project site.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Comments:

The project would not impact air traffic patterns. The project site is approximately two miles east of the Metropolitan Oakland International Airport and is not within the vicinity of a private airstrip. The runways at Oakland International Airport are oriented in a north-south pattern and this area should not see over flight from aircraft using the airport.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Comments:

The proposed project is the development of 26 new single family dwellings. The development will be consistent with and comply with the requirements of the City of Oakland Municipal Code, including the Planning Code and the City of Oakland General Plan. The proposed project is permitted under the R-40 zoning on the property and proposed for the property, and the applicant has requested a General Plan Amendment to address potential inconsistencies with the existing General Plan designation and to ensure the project is compatible with surrounding land uses. Accordingly, the project would not increase hazards due to a design feature or incompatible uses.

e) Result in inadequate emergency access?

Comments:

There are two fire stations located approximately one mile from the proposed housing development: Station #27 on Pardee Drive near the intersection of Hegenberger Road and Airport Drive to the West, and Station #20 at 98th Avenue and International Boulevard to the Northeast.

There are a limited number of roadways that can be used to access the project site, and each requires crossing an active rail right-of-way. From the West, the use of Edes Avenue (or Knight Street) requires crossing the Coast Main Line, while the use of 105th Avenue from the Northeast requires crossing the Niles Subdivision Main Line. Though freight schedules fluctuate, Union Pacific (UP) staff estimate that each of these rail lines carries approximately 35 trains per day. Emergency access to or egress from the site could be delayed if a train were blocking one or both of the roadways. The potential for both roadways to be blocked would occur if one train was waiting for another to pass. However, UP staff report that typically a conductor receiving instruction from a dispatcher to wait for another train to pass will stop short of a roadway intersection to avoid blocking it. In addition, Oakland's Fire Services and Police Services Agencies have access to a UP dispatch telephone number and the ability to direct trains to be stopped or "cut" in the case of an emergency. Therefore, the likelihood that both access roadways are blocked at once in the case of an emergency is low.

Urban residential development began in the area at least 60 years ago. Staff is not aware of any catastrophe that has occurred in the area as a result of constrained emergency access. The limited number of access points to the neighborhood and the presence of railways are existing conditions that are neither created nor exacerbated by the proposed project. The project does not directly or indirectly obstruct or delay access. However, by bringing new residents to the area, the project has the potential to expose them to the existing hazard of delayed emergency access to or egress from the site. This potential impact is rendered less than significant because of the following:

1. Oakland's emergency services agencies will contact a railway dispatcher to stop or break a train if needed to allow emergency access into or egress from the area.
2. The applicant will be required to obtain Fire Marshall approval prior to obtaining a building permit for the project and incorporate all recommended on-site measures to comply with the Fire and Building Codes.

Emergency response practices and required compliance with Fire and Building Codes reduce the potential of the project to result in inadequate emergency access to a less than significant level.

Sources:

Negative Declaration for Aspire School, 460 105th Avenue

	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

Comments:

The applicant is proposing 26 single family residences ranging in size from 2 to 4 bedrooms. The proposed project is located in a R-40 (Garden Apartment Residential) zone, which requires 1.5 parking spaces per unit, or 39 spaces. The applicant proposes to provide 2 parking spaces per unit as well as 10 additional spaces for a total of 62 parking spaces. There will be additional opportunities for parking within the subdivision on the surface streets. Accordingly, as proposed the project will have more than adequate parking capacity.

Sources:

Project Description and Plans.
City of Oakland parking standards.

	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Comments:

The City of Oakland Planning Code and General Plan do not impose alternative transportation requirements on residential projects in a R-40 zone or a Housing and Business Mix General Plan designation. Policies, plans or programs concerning alternative transportation apply to non-residential uses. Accordingly, the project would not conflict with adopted policies, plans, or programs supporting alternative transportation.

	<u>Potentially Significant Impact</u>	<u>Potentially Significant Unless Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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Impact Incorporated Impact Impact

XVI. UTILITIES AND SERVICE SYSTEMS - - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

Comments to Questions XVI a, b, c, d, e, and f:

The proposed project will be located in an urban area that is already served by public utilities. An 8" sanitary sewer line is located underneath Edes Avenue and will serve the project. The proposed project will not limit capacity for solid waste disposal nor be inconsistent with the Regional Water Quality Control Board or federal, state, and local statutes and regulations related to solid waste. Any necessary infrastructure improvements that may be required to service the proposed project will be required by the affected public utilities prior to issuance of service connections, as applicable. Thus, the proposed project will not result in significant impacts with respect to utilities and service systems. Existing landfills contain adequate capacity to absorb trash generated by this proposal.

Sources:

Project Description and Plans.
City of Oakland, CEDA Engineering Services Division, as-built sewer maps.

Potentially Significant <u>Impact</u>	Significant Unless Mitigation <u>Incorporated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Comments to Question XVIIa

The project site is located within an urbanized area and was used as a truck dismantling yard from 1952-1996. Urban land uses have replaced former biotic habitats and natural vegetation on the site for over 50 years and presently the site consists of overgrown brush, debris and several concrete pads. The project site does not contain and is not located near any wetlands or any riparian or sensitive habitats including aquatic or wildlife habitat. No special status species or trees of significant size exist on the project site. The proposed site is not located within any native resident or migratory wildlife corridors and development of the site will not interfere with the movement of any native resident or migratory wildlife. Thus, the proposed project does not have the potential to degrade the quality of the environment, reduce the habitat of a fish or wildlife species, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major period of California history or prehistory.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Comments to Question XVIIb

The proposed project is the development of 26 single-family houses in an existing urbanized area. The project site is surrounded by a predominately industrial area to the north, a vacant lot to the west and single family residential neighborhoods to the south and east. The project area is not overdeveloped and the addition of the proposed project will not create significant impacts, including but not limited too air quality or traffic impacts. The project will not encourage additional residential development as it is located in an area designated for a mix of business activities, including industrial activities, and any future residential project would require land use designation changes. In fact, the proposal to change the General Plan designation on the two parcels could result in additional residential development, but any such development would require, at a minimum, rezoning, filing of development permits and further CEQA review. Accordingly, the project is not cumulatively considerable.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Comments to Question XVIIc

The project site was found to have certain chemicals in concentrations great enough to create unsafe building conditions for residential use. In April 2003, the State of California approved a Final Removal Action Workplan (RAW) to cleanup these contaminants. Cleanup under the RAW has already commenced and is anticipated to be completed on October 15, 2004. Upon completion of the cleanup the project site will be considered suitable for residential use and the new residences can be constructed. Under Mitigation Measure 1 (as described above), no grading or building permits will be issued until the applicant shows that the RAW has been completed and the work approved by relevant agencies. Accordingly, the project, with the incorporation of Mitigation Measure 1, does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.