P R O P O S E D  M I T I G A T E D  N E G A T I V E  D E C L A R A T I O N

2598-2600 Shattuck Avenue & 2037 Parker Street ("Parker Place")

P U R P O S E:
The purpose of this document (a "mitigated negative declaration" or "MND") is to briefly describe the reasons that this project will not have a significant effect on the environment and therefore does not require the preparation of an environmental impact report under the California Environmental Quality Act (CEQA). This MND was prepared pursuant to CEQA and the CEQA Guidelines (Public Resources Code, Division 13 and California Code of Regulations, Title 14, Chapter 3) for the project described below.

P R O J E C T  D E S C R I P T I O N:
The proposed "Parker Place" project is a mixed-use development with a total of 155 dwelling units, 22,905 square feet of ground-floor commercial space, and 170 to 188 parking spaces. The project includes the following three buildings:

- **2600 Shattuck** – This portion of the project would be a mixed-use building with an underground parking garage, constructed within the exterior walls of the Honda building, which would become the ground floor walls of the new building. The building would contain 123 dwelling units on floors 2-5, 20,284 square feet of commercial space and a 37-space commercial garage on the ground floor, and at least 131 parking spaces in an underground garage. Of these 131 spaces, 103 would be for residents of 2600 Shattuck, 14 would be for employees of ground-floor businesses at 2600 Shattuck, and 14 would be for residents of 2598 Shattuck and 2037 Parker. The underground garage has been designed to accommodate up to 18 additional spaces for residents as needed. Driveways for both garages would be located on Carleton Street. Two spaces for a car sharing service (yet to be determined) would also be provided near the entrance to the commercial garage on Carleton. These vehicles would be accessible to all members of the service, not just project residents, and are therefore not counted toward meeting the project’s parking requirement.

One hundred and twelve of the building’s dwelling units would be located on the C-SA side of the building, in two four-story volumes (built above the commercial ground floor) about 52 feet from the residential neighbors to the west. The remaining 11 units would be located in a row of two-story “micro cottages” (as described by the applicant) along the west (R-2A) side of the building, 15 feet from the west property line and above the ground floor commercial / parking level. Along this side, the roof of the existing building, which would form the podium level for the R-2A units, would be lowered several feet from its current height to meet the R-2A height limit.
• **2598 Shattuck** – This portion of the project would be a 5-story mixed-use building with a U-shaped floor plan forming an internal courtyard opening to the north, 28 dwelling units on floors 2-5, and 2,621 square feet of commercial space on the ground floor. The ground floor commercial space includes a larger space at the corner of Shattuck and Parker, intended for a full-service restaurant, and three small retail spaces on the west side of the building, adjoining a landscaped area shared with the new four-unit building to the west (2037 Parker, see below). The ground floor would also include a manager’s office, laundry room and common room for residents of the building. The applicant has requested a Use Permit to reduce the required off-street parking for the building to 10 spaces, which would be provided in the residential garage at 2600 Shattuck.

• **2037 Parker** – A three-story building with four dwelling units would be built on the western portion of the Honda sales lot on the north side of Parker Street. The existing brick garage on this portion of the site would be demolished. The entries to the new units would be located along a landscaped courtyard or “mews” shared with 2598 Shattuck. Parking would be provided in the residential garage at 2600 Shattuck. The building requires an Administrative Use Permit to exceed the R-2A District’s 28-foot height limit, but otherwise complies with all R-2A requirements.

**PROJECT LOCATION MAP:**
PROPOSED MITIGATED NEGATIVE DECLARATION
November 1, 2011
2598-2600 Shattuck Avenue & 2037 Parker Street
Page 3 of 6

PROJECT SPONSOR: CityCentric Investments, 5715 Claremont Ave., Oakland, CA 94618
(510) 420-6900

PROPOSED FINDING OF NO SIGNIFICANT EFFECT:
The project applicant made or agreed to revisions in the project plans or proposals before this
mitigated negative declaration and initial study were released for public review. These revisions
avoid significant environmental effects or mitigate the effects to a point where clearly no
significant effects would occur. The revisions are listed as mitigation measures below.

Therefore, there is no substantial evidence, in light of the whole record before the agency, that
the project as revised may have a significant effect on the environment.

MITIGATION MEASURES:

Air Quality:

Mitigation Measure III.1: The project sponsor shall implement the following Basic Construction
Mitigation Measures of the Bay Area Air Quality Management District:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and
unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet
power vacuum street sweepers at least once per day. The use of dry power sweeping is
prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as
possible. Building pads shall be laid as soon as possible after grading unless seeding or
soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or
reducing the maximum idling time to 5 minutes (as required by the California airborne
toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]).
Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with
manufacturer’s specifications. All equipment shall be checked by a certified visible
emissions evaluator.
8. Post a publicly visible sign with the telephone number and person to contact at the lead
agency regarding dust complaints. This person shall respond and take corrective action
within 48 hours. The Air District’s phone number shall also be visible to ensure compliance
with applicable regulations.

Mitigation III.2: All on-site construction equipment (i.e., excluding vehicles) beyond the structural
concrete phase of the project shall be electric.

Cultural Resources:

Mitigation Measure V.1: If an archaeological resource is accidentally uncovered during
demolition or construction activities for the proposed project, the project applicant shall be
required to notify the City of Berkeley immediately and all excavation work within ten feet of the
find shall cease immediately. A qualified archaeologist shall be consulted to determine the necessity for monitoring the remaining excavation and to evaluate any cultural resource exposed during construction. Construction activity shall resume upon consultation with the City of Berkeley and upon implementation of the recommendations of the archaeologist. Cultural resources include, but are not limited to, railroad ties, privies, shell and bone artifacts, ash and charcoal. Identified cultural resources shall be recorded on DPR 523 (historic properties) forms.

**Mitigation Measure V.2:** If a paleontological resource is accidentally uncovered during demolition or construction activities for the proposed project, the project applicant shall be required to notify the City of Berkeley immediately and all excavation work within ten feet of the find shall cease immediately. A qualified paleontologist or archaeologist shall be consulted to determine the necessity for monitoring any excavation and to evaluate any paleontological resource exposed during construction. Construction activity shall resume upon consultation with the City of Berkeley and upon implementation of the recommendations of the paleontologist or archaeologist.

**Mitigation Measure V.3:** In the event that human skeletal remains are encountered during demolition or construction activities for the proposed project, the project applicant shall immediately notify the County Coroner and the City of Berkeley. If the County Coroner determines that the remains are Native American, the Coroner shall contact the California Native Heritage Commission, pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code. In addition, all excavation work within ten feet of the find shall cease immediately.

**Hazards and Hazardous Materials:**

**Mitigation Measure VIII.1:** Prior to issuance of a demolition permit, the applicant shall obtain a J permit from the Bay Area Air Quality Management District.

**Mitigation Measure VIII.2:** Prior to issuance of a demolition permit, the applicant shall submit to TMD a survey of hazardous building components and materials, including, but not limited to, lead paint, polychlorinated biphenyl (PCB), mercury, asbestos, and chemically treated wood. The survey shall include a plan for proper disposal of such materials, and shall be prepared by a qualified professional, as determined by TMD.

**Mitigation Measure VIII.3:** Prior to issuance of a building permit, construction drawings shall be reviewed and approved by the City’s Toxics Management Division (TMD). The applicant shall provide to TMD a plan (hereinafter “Plan”) for detection, analysis, and removal of any contaminated soil and groundwater or underground storage tanks that may be discovered during construction activities, and this Plan must be approved prior to building permit issuance. TMD shall have authority, based on permit review and/or subsequent detection of contaminated materials, to require additional information and/or actions as necessary to protect construction workers, the community and the environment. Impacted soil and groundwater identified during demolition, grading, or excavation shall be removed, segregated, and covered and disposed of according to the approved Plan. The soil shall be profiled for off-site disposal and be removed from the site within 48 hours. TMD shall be notified upon discovery of any new contamination not previously addressed by the TMD. Otherwise, the developer will follow agreed-upon goals for removal and clean up.
Noise:

Mitigation Measure XII.1: Prior to issuance of a building permit, the applicant shall submit a report to the Building and Safety Division and the Zoning Officer by a qualified acoustic engineer certifying that the interior residential portions of the project will achieve interior noise levels of no more than 45 Ldn (Average Day-Night Levels). If the adopted Building Code imposes a more restrictive standard for interior noise levels, the report shall certify compliance with this standard.

Mitigation Measure XII.2: Prior to the issuance of building permit, the applicant shall develop a site-specific noise reduction program prepared by a qualified acoustical consultant to reduce construction noise impacts to the maximum extent feasible, subject to review and approval of the Zoning Officer. The noise reduction program should include, but shall not be limited to, the following measures:

- Noise barrier at the site boundary adjacent to the abutting residential property, if the acoustical analysis proves such a barrier to be feasible and substantially effective in reducing noise impact at the adjacent residential property.

- Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).

- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, which could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.

- Stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible.

- Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the on-site complaint and enforcement manager, and the City’s Noise Enforcement Officer, in the event of problems.

- An on-site complaint and enforcement manager shall be available to respond to and track complaints. The manager will be responsible for responding to any complaints regarding construction noise and for coordinating with the adjacent land uses. The manager will determine the cause of any complaints and coordinate with the construction team to implement effective measures (considered technically and economically feasible) warranted to correct the problem. The telephone number of the coordinator shall be
posted at the construction site and provided to neighbors in a notification letter. The manager shall notify the City’s Noise Enforcement Officer of all complaints within 24 hours. The manager will be trained to use a sound level meter and should be available during all construction hours to respond to complaints; and

- Prior to the issuance of a building permit, a pre-construction meeting shall be held with the Noise Enforcement Officer and the general contractor/on-site project manager to confirm that noise reduction measures and practices are completed (including construction hours, neighborhood notification, posted signs, etc.).

Transportation / Traffic:

Mitigation Measure XVI.1: Prior to issuance of a building permit, the applicant shall secure the City Traffic Engineer’s approval of a “construction traffic management plan”. Please contact the Office of Transportation at 981-7010, or 1947 Center Street, 3rd floor, and ask to speak to a traffic engineer. In addition to other requirements of the Traffic Engineer, this plan shall include the locations of material and equipment storage, trailers, worker parking, a schedule of site operations that may block traffic, provisions for traffic control, and designated routes for construction-related traffic. The City Zoning Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health, safety, or convenience of the surrounding neighborhood. A current copy of this plan shall be available at all times at the construction site for review by City staff. All contractors shall be required to comply with the provisions of the construction management plan.

INFORMATION REQUIRED PURSUANT TO PUBLIC RESOURCES CODE SECTION 21092.6 AND GOVERNMENT CODE SECTION 65962.5(F):

The project site appears on the State Water Resources Control Board’s “Geotracker” website, an online map of contaminated, or formerly contaminated sites, which is compiled pursuant to Government Code Section 65962.5.

Applicant Information: See above.

Site Address: 2598-2600 Shattuck Avenue & 2037 Parker Street, Berkeley CA 94703

Local agency: City of Berkeley, Planning & Development Department
Assessor's Parcel Numbers: 055-182000101, 055-182100500, 055-182100600, and 055-182100700

Regulation identification number: T0600118745 (Berkeley Honda); RWQCB Case #: 01-3554

Date of list: Geotracker list is updated a continuous basis. Project site is listed as a closed case as of January 12, 2007.

Prepared by: Aaron Sage, AICP, Senior Planner
Phone: (510) 981-7425

Attachment: Initial Study