

### 3 DRAFT IS-MND TEXT REVISIONS

Chapter 3 presents specific changes to the text of the Draft IS-MND that are being made to correct errors or omissions or clarify information presented in the Draft IS-MND in response to comments received during the public review period. In no case do these revisions result in a greater number of impacts or impacts of a substantially greater severity than those set forth in the Draft IS-MND.

Where revisions to the main text are called for, the page and paragraph are set forth, followed by the appropriate revision. Added text is indicated with underlined text. Text deleted from the Draft IS-MND is shown in strikeout. Page numbers correspond to the page numbers of the Draft IS-MND.

#### 3.1 DRAFT IS-MND TEXT REVISIONS

The Table of Contents, Figures list, of the Draft IS-MND is revised as follows:

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Page 5 figure heading of the Draft IS-MND is revised as follows:

**Figure ~~1b~~3b Site Photos**

Page 6, Section 7, Surrounding Land Uses and Setting, of the Draft IS-MND is revised to include the following corrections:

Nearby land uses include the Missouri Lounge bar and three multi-family residential units above the bar on the southwest corner of San Pablo Avenue and Parker Street, and a Bank of America on the north side of Parker Street beyond; a mix of retail, restaurants, and automobile services to the east along San Pablo Avenue; retail spaces and a church (Covenant Worship Center) to the south along San Pablo Avenue; a commercial office development, including a recording studio (Fantasy Studios), on the west side of Tenth Street; and light industrial and automobile services to the south along Carleton Street. Surrounding building heights vary from one to seven stories, with the majority being one to two stories. There are two street trees along the site's San Pablo Avenue frontage and two on its Tenth Street frontage. Surrounding land uses are visible in the photos in ~~figures~~ Figures 3a and 3b, and are shown in Figure 4.

Page 7 figure heading of the Draft IS-MND is revised as follows:

**Figure 2 Existing Surrounding Land Uses**

Page 8, Section 10 Description of Project, of the Draft IS-MND is revised to include the following corrections:

Figure 5~~Figure 6~~ depicts the proposed site plan. ~~Figure 6~~Figure 7 through Figure 10~~Figure 11~~ depict floor plans and elevations. Table 1 provides project details.

Page 9 figure heading of the Draft IS-MND is revised as follows:

**Figure ~~3~~ Proposed Site Plan**

Page 10, Table 1 Project Summary, of the Draft IS-MND is revised as follows:

Project Component	Proposed per Zone (sf = square feet)		Total (sf)
	C-W	MU-LI	
Lot Area	23,157 sf	45,174 sf	68,331 sf
Building Area			
First Floor	970 sf	8,380 sf	9,350 sf
Second Floor	11,930 sf	16,250 sf	28,180 sf
Third Floor	7,500 sf	15,970 sf	23,470 sf
Total Gross Floor Area	20,400 sf	40,600 sf	61,000 sf (46.9% lot coverage)
Rooftop Equipment			3,812 sf
Vehicle Parking			119 shared
Bicycle Parking			<del>50</del> 46 shared
Landscaping			
Total Landscape Area			9,968 sf
Total Hardscape Area			± 26,311 sf
Total Area			36,279 sf (53.1% lot coverage)

Page 11 figure heading of the Draft IS-MND is revised as follows:

**Figure 4 Proposed Ground Floor Plan**

Page 12 figure heading of the Draft IS-MND is revised as follows:

**Figure 5 Proposed Second Floor Plan**

Page 13 figure heading of the Draft IS-MND is revised as follows:

**Figure 6 Proposed Third Floor Plan**

Page 14 figure heading of the Draft IS-MND is revised as follows:

**Figure 7 Proposed Roof Plan**

Page 15 figure heading of the Draft IS-MND is revised as follows:

**Figure 8 Proposed Building Elevations**

Page 16, Subsection Access and Parking, of the Draft IS-MND is revised to include the following corrections:

Building entryways for pedestrians would be located on the ground floor along San Pablo Avenue and Parker Street. Parking would be provided in a surface lot and on the ground level of the building and would total 119 vehicle parking spaces and ~~50~~46 bicycle spaces. Vehicular access would be provided from driveways on Parker Street and Tenth Street. An emergency vehicle-only access driveway would be provided on San Pablo Avenue. See Table 2 for vehicle and bicycle parking details.

Page 16, Table 2 Project Vehicle and Bicycle Parking Details, of the Draft IS-MND is revised as follows:

Project Component	Proposed per Zone		
	C-W	MU-LI	Total
<b>Vehicle Parking</b>			
Standard (8'x18' to 9'x18')			88
Compact (8'x16' to 9'x16')			14 (12% of all parking)
Clean Air/Vanpool/EV (8'x18' and 8'6"x18')			6
Fuel Efficient (8'x18' and 8'6"x18')			6
ADA Accessible (9'x18')			5
Total			119 shared
<b>Bicycle Parking</b>			
Short-Term	18		
Long-Term		<del>3228</del>	
Total			<del>5046</del> <u>46</u>

Page 17, Subsection Landscape and Open Space, of the Draft IS-MND is revised to include the following corrections:

Landscaping and open space would constitute approximately 15 percent of the project site. Table 3 provides details of the landscape and open space square footage allocation. ~~Figure 11 provides a depiction of the proposed Landscape Plan. Figure 12-11 provides a depiction of the proposed Landscape Plan.~~

Page 18 figure heading of the Draft IS-MND is revised as follows:

**Figure 9 Proposed Landscape Plan**

Page 24 of the Draft IS-MND is revised to include the following corrections:

The visual character of areas surrounding the project site varies, but can generally be characterized by a mix of residential, commercial, and industrial buildings; surface parking lots; and two to four lane streets with intermittent street trees. Surrounding building heights vary from one to seven stories. The commercial buildings along San Pablo Avenue adjacent to, across the street from, and within one block of the project site are generally one and two stories. The building on the southwest corner of San Pablo Avenue and Carleton Street, one block south of the project site, is four stories. There is a four-story apartment building fronting San Pablo, approximately 250 feet northeast of the project site. There is a seven-story commercial building at 2600 ~~Ninth~~ Tenth Street, approximately 225 feet to the west of the project site.

Page 25 of the Draft IS-MND is revised to include the following corrections:

...rear setbacks, the proposed building would be comparable in height and building setbacks to surrounding properties. In addition, the second and third floors would be offset in arrangement such that the second floor roof would contain green space adjacent to San Pablo Avenue and Parker Street. The arrangement of each floor and the inclusion of second floor rooftop landscaping would soften the building mass visible from San Pablo Avenue where the majority of buildings are two stories rather than three. The building façade of the proposed café/retail space along San Pablo Avenue would be two stories, while the third floor of medical office portion of the building would be setback nearly 50 feet from street. The 40-foot, three-story portions of the building would be primarily situated along Parker Street and Tenth Street, with the largest massing along Tenth Street. This would serve to enhance compatibility with the adjacent and surrounding development pattern on San Pablo Avenue (one- and two-story commercial buildings) and Tenth Street, where the seven-story building between ~~tenth~~ Tenth and Ninth ~~streets~~ Streets is visually prominent.

Page 35 of the Draft IS-MND is revised to include the following corrections:

Certain population groups, such as children, the elderly, and people with health problems, are particularly sensitive to air pollution. Sensitive receptors are defined as land uses that are more likely to be used by these population groups and include health care facilities, retirement homes, school and playground facilities, and residential areas. The sensitive receptors nearest to the project include three multi-family residential units on the second floor of the Missouri Lounge located adjacent to the northeast property line at the corner of San Pablo Avenue and Parker Street, residential properties located approximately 200 feet to the east, and a church located approximately 100 feet to the south along San Pablo Avenue. The rear property line of the church is adjacent to the southernmost portion of the proposed surface parking lot.

Page 54-57, Table 12 Consistency with Applicable CAP and General Plan Strategies, of the Draft IS-MND is revised to include the following changes:

Goals, Policies, and Actions	Project Consistency
<b>City of Berkeley Climate Action Plan: Applicable Sustainable Transportation &amp; Land Use Actions</b>	
<p><b>3. Goal: Manage parking more effectively to minimize driving demand and to encourage and support alternatives to driving</b></p> <p>a. Policy: Design and implement parking strategies to create disincentives for driving – especially for single-occupancy commuting – and, where possible, to build revenue for transportation services.</p>	<p><b>Consistent.</b> The project includes a request for reduced vehicle parking spaces by providing <u>50-46</u> bicycle parking spaces. In addition, there are multiple existing alternative transportation opportunities for reduced project-generated vehicle trips including nearby AC transit stops and three BART stations within two miles. The new facility would also provide shuttle service to the nearby BART stations.</p>
<p><b>5. Goal: Accelerate Implementation of the City's Bicycle &amp; Pedestrian Plans</b></p> <p>a. Policy: Continue to expand and improve Berkeley's bicycle and pedestrian infrastructure</p>	<p><b>Consistent.</b> The proposed project would include <u>50-46</u> onsite bicycle parking spaces and pedestrian paths from San Pablo Avenue, Parker Street, and Tenth Street for convenient site access.</p>

Page 69 of the Draft IS-MND is revised to include the following corrections:

**HYD-2 Stormwater Control Measures.** Stormwater control measures shall be developed to maximize on-site infiltration of stormwater and minimize off-site stormwater discharge and to not exceed pre-project flow rates during construction. These stormwater control measures shall be designed such that post-development, off-site peak flow discharge from the project site for discharge rates and durations from 10 percent of the pre-project 2-year peak flow up to the pre-project 10-year peak flow would not be greater than pre-development peak flow discharge. The stormwater control measures may include, as necessary, above-ground retention and/or detention basins, stormwater collection tanks, subsurface infiltration devices such as cisterns with permeable bottoms or perforated pipes, permeable pavement, and vegetated swales. The stormwater control measures required by this mitigation may be used, in whole or in part, to satisfy the erosion and runoff control standards of the NPDES-required SWPPP. In addition, the Project will be subject to standard conditions of the City's Toxics Management Division (TMD) requiring that a Soil and Groundwater Management Plan (SGMP) be submitted to the TMD with the Project's building permit application and be approved by TMD prior to the issuance of the building permits and the City's Soil and Groundwater Management Plan (SGMP). The stormwater control measures identified as necessary to maintain pre-project discharge rates as described above shall be installed during construction to ensure discharge during and at post-construction do not exceed pre-project peak flow rates and to ensure compliance with the identified discharge thresholds. All post-construction stormwater control measures shall be in place prior to issuance of occupancy permits.

Pages 74 of the Draft IS-MND is revised to include the following corrections:

~~There are no land uses traditionally considered shadow-sensitive adjacent to the project site where project shadows would fall. Although the patio of the adjacent bar (the Missouri Lounge) to the north would be shaded by the proposed building, shadow-sensitive areas are typically those outdoor areas associated with residential, institutional or recreational land uses. In addition, the patio area is often shaded intentionally by umbrellas and a tent structure, as well as a six-plus foot fence bordering the subject property. The building would not shade existing solar panels on adjacent properties.~~

Shadow-sensitive areas are typically those outdoor areas associated with residential, institutional or recreational land uses. The second floor of the Missouri Lounge building (adjacent to the north boundary of the project site) contains three multi-family residential units, which are considered shadow-sensitive land uses. Based on the shadow analysis completed for the proposed building, the entire Missouri Lounge building would be shaded by the proposed building during the afternoons (3:00 P.M.) in December. South-facing windows would presumably receive the most sunlight. However, the building does not contain any south-facing windows. There is one window located on the west side of the building on the second floor, which is covered by a five-foot wall extension that currently limits the amount of light coming into the unit from the direction of the proposed project. The three multi-family units have windows that face Parker Street to the north, which would not be affected by the proposed building and seasonal shadows. The Missouri Lounge includes an outdoor patio and storage space that would be shaded seasonally by the proposed building, but it is not considered a shadow-sensitive area. In addition, the patio area is often shaded intentionally by umbrellas and a tent structure, as well as a six-plus foot fence bordering the subject property. The proposed building would not eliminate the efficacy of solar panels that could be placed on the roof of the Missouri Lounge building since the winter afternoon shadows cast on the building would be seasonal.

Page 76, Table 13 BMC Development Standards, is revised to include the following corrections:

Standard BMC Sections 23E.64.070-080 and 23E.80.070-080			Proposed Total		Permitted/Required		
			Existing	Addition/ (Reduction)	C-W	MU-LI	C-W
Lot Area (sq. ft.)		68,331	No change		68,331		-
				23,157	41,174		
Gross Floor Area (sq. ft.)		0	61,000		61,000		max
				20,400	40,600		
Floor Area Ratio		0	0.9 <sup>1</sup>	0.9 <sup>2</sup>	1.0 <sup>2</sup>	3.0 max	2.0 max
Building Height	Average (ft.)	0	41 <sup>3</sup>	40	42	40 max	45 max
	Maximum (ft.)	0	44	40	44	40 max	45 max
	Stories	0	3	3	3	3 max	NA
Building Setbacks (ft.)	Front	-	5		5		0 min
	Rear	-	0		0		0 min
	Left Side	-	5		5		0 min

Standard BMC Sections 23E.64.070- 080 and 23E.80.070-080	Existing	Addition/ (Reduction)	Proposed Total		Permitted/Required		
			C-W	MU-LI	C-W	MU-LI	
Right Side	-	27'8"	27'8"		0 min		
Lot Coverage (%)	0	46.9	46.9		NA		
Usable Open Space (sq. ft.)	-	3,660	3,660		Not required		
Parking	Automobile	Open lot	119	119 <sup>4</sup>		131	
				55	64	68	63
Bicycle	Open lot	504 <del>6</del>	50 <sup>5</sup> 46 <sup>5</sup>		45 <sup>5</sup>		
			18	<del>32</del> 28	18	27	

<sup>1</sup> Total Floor Area Ratio (FAR) is calculated based on gross floor area (61,000 square feet) divided by the lot area (68,331 square feet).

<sup>2</sup> FAR for C-W and MU-LI are calculated based on zone-specific gross floor area divided by zone-specific lot area. For C-W: 20,400 square feet / 23,157 square feet. For MU-LI: 40,600 square feet / 41,174 square feet.

<sup>3</sup> Average building height is calculated based on average of C-W and MU-LI building height averages (40 feet and 42 feet, respectively).

<sup>4</sup> The total number of automobile parking spaces is reduced by 10 percent due to the provision of an adequate number of bicycle parking spaces, as per BMC 23E.64.080.J and 23E.80.080.E for C-W and MU-LI, respectively.

<sup>5</sup> Permitted/Required bicycle parking based on square footage alone are 11 and 21 spaces for C-W and MU-LI, respectively. The total number of bicycle parking space is increased to 18 and 27 required spaces for C-W and MU-LI, respectively, due to the 10 percent automobile parking reduction as per BMC 23E.64.080.J and 23E.80.080.E for C-W and MU-LI, respectively.

Page 82 of the Draft IS-MND is revised to include the following corrections:

Some land uses are more sensitive to ambient noise levels than other uses due to the amount of noise exposure and the types of activities involved. For example, residences, motels, hotels, schools, libraries, churches, nursing homes, auditoriums, museums, cultural facilities, parks, and outdoor recreation areas are more sensitive to noise than commercial and industrial land uses. The nearest noise-sensitive receptors to the project site are the three multi-family residential units on the second floor of the Missouri Lounge located adjacent to the northeast property line at the corner of San Pablo Avenue and Parker Street; the Covenant Worship Center, a religious institution located adjacent to the southern property line; a recording studio approximately 55 feet from the western property line, on the west side of Tenth Street; single-family residences approximately 150 feet south of the site on Carleton Street and east of the site, across San Pablo Avenue; and condominiums approximately 180 feet south of the site on San Pablo Avenue.

To characterize existing ambient noise levels at the project site, Rincon Consultants collected one 15-minute noise measurement using an ANSI Type II sound level meter on April 19, 2017. This measurement was taken during the P.M. peak hour, between 4:50 P.M. and 5:20 P.M, on the east side of the project site along San Pablo Avenue. The primary source of noise during the study was automobile traffic on project-area roadways, especially San Pablo Avenue and Parker Street. ~~Figure 12~~ ~~Figure 13~~ shows the noise measurement location, and Table 14 lists the measurement results.

Page 83 figure heading of the Draft IS-MND is revised as follows:

**Figure 10      Noise Measurement Location**

Page 86 of the Draft IS-MND is revised to include the following information:

Section 13.40.070, Prohibited Acts, of the BMC prohibits operating or permitting the operation of any device that creates a vibration, which annoys or disturbs at least two or more reasonable persons of normal sensitiveness who reside in separate residences (including apartments and condominiums) at or beyond the property boundary of the source, if on private property, or at least 150 feet (46 meters) from the source, if on a public space or public right-of-way.

Page 88 of the Draft IS-MND is revised to include the following information

The Federal Transit Administration (FTA) has set guidelines for evaluating human response to vibration, shown in Table 21. The FTA guidelines are based on the frequency of events as well as the receiving uses. Onsite uses and surrounding uses include office and church uses (Category 3), and light industrial uses that are not noise-sensitive. Residential uses exist adjacent to the project site (Category 2). As shown in Table 21, for Category 2 land uses, vibration levels would be significant if they exceed 72 VdB for frequent events, 75 VdB for occasional events, and 80 VdB for infrequent events; Category 3 land uses, vibration levels would be significant if they exceed 75 VdB for frequent events, 78 VdB for occasional events, or 83 VdB for infrequent events.

Page 88 of the Draft IS-MND is revised to include the following information:

Section 13.40.070, Prohibited Acts, of the BMC prohibits operating or permitting the operation of any device that creates a vibration, which annoys or disturbs at least two or more reasonable persons of normal sensitiveness, at or beyond the property boundary of the source if on private property, or at least 150 feet (46 meters) from the source if on a public space or public right-of-way. Medical office and research and development uses do not typically generate substantial vibration. However, construction activities may cause vibration on properties in the immediate vicinity of the project site.

Page 89 of the Draft IS-MND is revised to include the following information:

Table 22 shows the estimated vibration levels at distances that correspond to the nearest vibration-sensitive receptors to construction activity: the three multi-family residential units on the second floor of the Missouri Lounge, located adjacent to the northeast property line at the corner of San Pablo Avenue and Parker Street; the Covenant Worship Center and a retail building on San Pablo Avenue, located 25 feet from a proposed surface parking lot that would be paved by vibratory rollers; a recording studio located on Tenth Street, 55 feet to the west; single-family residences located 150 feet to the south and east; and condominiums located 180 feet to the south.

Page 89, Table 22 Groundborne Vibration Impact Criteria for Human Annoyance, of the Draft IS-MND is revised to include the following information:

Equipment	Approximate VdB <sup>1</sup>			
	25 Feet	75 Feet	150 Feet	180 Feet
Vibratory Roller	94	80	71	69
<u>Large Bulldozer</u>	<u>87</u>	<u>80</u>	<u>74</u>	<u>63</u>
<u>Loaded Trucks</u>	<u>86</u>	<u>79</u>	<u>72</u>	<u>62</u>
Jackhammer	79	65	55	53
Small Bulldozer	58	43	34	32

Page 89 of the Draft IS-MND is revised to include the following corrections and information:

As shown in Table 22, noise-sensitive receptors would experience the strongest vibration during paving activity (from ~~with~~ vibratory rollers) and grading activity (from large bulldozers and loaded trucks), vibration levels could reach up to 94 VdB at the three multi-family residential units atop the Missouri Lounge located north of the project site, the church ~~and retail building~~ south of the project site, and up to 80 VdB at the recording studio west of the site. ~~Although~~ ~~These estimates are conservative because they assume the sustained operation of vibration-generating equipment near along the property lines. Under this assumption, it is still expected that operation of vibratory rollers, construction equipment along the southern property line, adjacent and 25 feet from sensitive receptors (i.e. the three multi-family residential units and church), would generate vibration in excess of the FTA’s daytime threshold of 75-83 VdB for infrequent vibration events at institutional land uses. The use of jackhammers, construction equipment near along the southern-western property line, 55 feet from the recording studio, would generate vibration in excess of the FTA’s daytime threshold of 78 VdB for occasional vibration events at institutional land uses also could result in vibration levels approaching 79 VdB. At~~ Vibration levels at residences, located 150 feet from the project site, vibration levels would reach an estimated 71 VdB, which is below the FTA’s daytime threshold of 72 VdB for frequent events. In addition, vibration levels would not exceed 100 VdB, which is the general threshold where minor damage can occur in fragile buildings. ~~Because~~ ~~The City restricts construction activity to the daytime hours of 7:00 A.M. to 7:00 P.M. on weekdays and 9:00 A.M. to 8:00 P.M. on weekends-Saturdays. No construction activity is permitted on Sundays and Federal holidays. , construction would not exceed the FTA’s threshold of 72 VdB for buildings where people normally sleep. . In addition, vibration levels would not exceed 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.~~

Page 89 of the Draft IS-MND is revised to include the following corrections and information:

The temporary use of vibratory rollers, large bulldozers, and loaded trucks may disturb weekday or Saturday church services and recording activities at Fantasy Studios. Therefore, the project would result in a potentially significant temporary vibration impact. Perceptible vibration could be minimized by use of administrative controls such as notifying neighbors of scheduled construction activities and scheduling construction activities with the highest potential to produce vibration to hours with least potential to affect nearby businesses and residents. The

limited construction hours would ensure that vibration impacts do not occur during evening hours and would eliminate impacts to normal residential sleep hours. Therefore, the following mitigation measure would be required. However, vibration levels from construction activities may adversely affect a church (Covenant Worship Center, 2622 San Pablo Avenue), retail building (2618 San Pablo Avenue), and recording studio (Fantasy Studios, 2600 Tenth Street) next to the project sites. Therefore, the project would result in a potentially significant vibration impact.

Page 89-90 of the Draft IS-MND is revised to include the following corrections and information:

**NOI-1 Construction Vibration Reduction Measures.** Prior to issuance of grading permits, the applicant shall incorporate the following actions into a construction management plan subject to review and approval by the City:

- The applicant or contractor shall ensure that construction activities involving vibratory rollers, large bulldozers, or loaded trucks do not occur during posted services times at the Covenant Worship Center (2622 San Pablo Avenue), currently listed as Sundays at 10:30 AM and 6:00 PM and Wednesdays at 7:00 PM.
- The applicant or contractor shall, to the extent technically and economically feasible, avoid limit the use of vibratory rollers, large bulldozers, or loaded trucks within 75 feet and tampers near of the nearest wall of the Covenant Worship Center, the retail building at 2618 San Pablo Avenue, and or Fantasy Studios (2600 Tenth Street) to no more than 30 vibration events per day.
- The applicant or contractor shall, to the extent technically and economically feasible, limit the use of jackhammers within 25 feet of the nearest wall of the Covenant Worship Center or Fantasy Studios to no more than 70 vibration events per day.
- The applicant or contractor shall provide tenants of the three multi-family residential units atop the Missouri Lounge, the ~~the above noise sensitive receptors~~ Covenant Worship Center and Fantasy Studios with a notification 24 hours prior to vibration-generating construction activities.

Page 90 of the Draft IS-MND is revised to include the following information:

Table 23 shows the modeled noise levels at distances that correspond to ~~the nearest noise-sensitive receptors to~~ near construction activity: the three multi-family residential units atop the Missouri Lounge adjacent to a proposed surface parking lot and 40 feet from the proposed building, Covenant Worship Center at 25 feet from a proposed onsite surface parking lot, Fantasy Studio at 55 feet, single-family residences at 150 feet, and condominiums at 180 feet from the subject property line. This analysis is conservative because construction equipment would not typically operate along the project boundary near sensitive receptors.

Page 90 of the Draft IS-MND is revised to include the following information:

Although temporary construction noise levels will impact the three multi-family residential units atop the Missouri Lounge, existing City regulations limiting the days and duration of

construction are in place to limit impacts to the extent possible. The limited construction hours would ensure that noise impacts do not occur during evening hours and would eliminate impacts to normal residential sleep hours. The existing Missouri Lounge building, including the residential units, does not contain any south-facing windows. There is one residential window located on the west side of the building on the second floor, which is already blocked by a five-foot wall extension, which would provide some level of noise reduction for the western most unit.

Page 91, Table 23 Noise Levels from Construction Equipment, of the Draft IS-MND is revised to include the following information:

Construction Phase	Equipment	Estimated Noise at 25 feet (dBA Leq)	Estimated Noise at 55 feet (dBA Leq)	Estimated Noise at 150 feet (dBA Leq)	Estimated Noise at 180 feet (dBA Leq)
Site Preparation	Backhoe, dozer, grader	91	<u>84.2</u>	76	74
Grading	Backhoe, dozer, grader	91	<u>84.2</u>	<del>75</del> <u>76</u>	<del>73</del> <u>74</u>
Building Construction and Architectural Coating <sup>1</sup>	Air compressor, backhoe, crane, forklift, generator, welders	81	<u>74.5</u>	75	71
Paving	Backhoe, cement mixer, paver, roller	91	<u>84.2</u>	76	74

<sup>1</sup> Building construction and architectural coating would occur at a greater distance from the nearest receptors than would site preparation, grading, and paving because the proposed building would be set back from the property lines.

Sources: FHWA 2006, Federal Railroad Administration 2012, FTA 2006. See Appendix E for data sheets.

Page 91 of the Draft IS-MND is revised to include the following information:

As shown in Table 23, construction noise levels at the back of the church located 25 feet from the project site would range from an estimated 81 to 91 dBA Leq, depending on the phase of construction, 74.5 to 84.2 dBA Leq at Fantasy Studios, and would decrease to an estimated 71 to 74 dBA Leq at the condominiums located 180 feet south of the project site. The site preparation, grading, and paving phases of project construction tend to create the highest construction noise levels because of the operation of heavy equipment, although only a limited amount of equipment can operate near a given location at a particular time. In addition, construction vehicles traveling on local roadways can generate intermittent noise levels that affect adjacent receptors.

The noise-sensitive receptors in close proximity to the project site, including the three multi-family residential units atop the Missouri Lounge, church, recording studio, single-family residences, and condominiums, are located in commercial and industrial zones, where the City's

thresholds for construction noise are 85 dBA from mobile equipment and 70 dBA from stationary equipment during permitted construction activity hours on weekdays, and 70 dBA from mobile equipment and 60 dBA from stationary equipment during permitted construction activity hours on weekends and holidays. Based on the estimated construction noise levels in Table 23, construction noise would exceed:

- Weekday and weekend/holiday thresholds for mobile and stationary equipment at the multi-family residential units atop the Missouri Lounge
- Weekday and weekend/holiday thresholds for mobile and stationary equipment at Covenant Worship Center
- The weekday threshold for stationary equipment and weekend/holiday thresholds for mobile and stationary equipment at Fantasy Studios and the nearest single-family residences and condominiums

Page 92 of the Draft IS-MND is revised to include the following corrections and information:

**NOI-2 Construction Noise Abatement.** Prior to issuance of grading permits, the applicant shall incorporate the following actions into a construction management plan subject to review and approval by the City:

- 1 The applicant or contractor shall equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- 2 The applicant or contractor shall use quiet models of air compressors and other stationary noise sources where technology exists.
- 3 The applicant or contractor shall locate stationary noise-generating equipment as far as feasible from the nearest noise-sensitive receptors.
- 4 The applicant or contractor shall prohibit unnecessary idling of internal combustion engines.
- 5 The applicant or contractor shall construct solid plywood fences around the construction site adjacent to operational businesses, including and the Covenant Worship Center (2622 San Pablo Avenue).
- 6 The applicant or contractor shall avoid construction activities during posted services at the Covenant Worship Center (2622 San Pablo Avenue), currently listed as Sundays at 10:30 AM and 6:00 PM and Wednesdays at 7:00 PM.
- 7 The applicant or contractor shall ensure that supporting construction activities, including the loading and unloading of materials and truck movements are limited to the hours of 7:00 A.M. to 6:00 P.M. on weekdays and between the hours of 9:00 A.M. and 4:00 P.M. on Saturdays, or as stipulated in the conditions of approval. No construction-related activity shall occur on Sunday or any Federal Holiday.
- 8 The applicant or contractor shall notify adjacent businesses, the Covenant Worship Center, and residents within a 500-foot radius of the project site of the construction schedule in writing. The applicant or contractor also shall

designate a “construction liaison” responsible for responding to any local complaints about construction noise. The liaison shall determine the cause of noise complaints (e.g., starting too early, bad muffler) and institute reasonable measures to correct the problem. The applicant or contractor shall conspicuously post a telephone number for the liaison onsite.

Page 92 of the Draft IS-MND is revised to include the following corrections and information:

Implementation of Mitigation Measure NOI-2 would avoid construction noise during posted services at the adjacent church. During the use of construction equipment, this measure would reduce associated noise to the extent feasible for all nearby sensitive receptors. The impact from construction noise would be less than significant with mitigation incorporated.

Page 109, Table 26 Proposed Project Study Intersection LOS Summary, of the Draft IS-MND is revised to include the following information:

Intersection	Traffic Control	Peak Hour	No Project		Plus Proposed Project		Significant Impact?
			Delay <sup>1,2</sup> (seconds)	LOS <sup>1,2</sup>	Delay <sup>1,2</sup> (seconds)	LOS <sup>1,2</sup>	
<b>Existing Conditions</b>							
5. San Pablo Ave/ Dwight Way	Side-Street stop	PM	41.6	D	45.6	D	No
8. San Pablo Ave/ Parker Street	Side-street stop	PM	3.4 <b>(51.9)</b>	A (F)	<del>23.1</del> <del>110.9</del> <b>(&gt;120)</b> <b>118.5)</b>	A-B <b>(F)</b>	Yes
<b>Pipeline Conditions</b>							
5. San Pablo Ave/ Dwight Way	Signalized	PM	<b>64.1</b>	E	<b>72.0</b>	F	Yes
8. San Pablo Ave/ Parker Street	Side-street stop	PM	10.8 <b>(&gt;120)</b>	B (F)	31.5 <b>(&gt;120)</b>	F-D <b>(F)</b>	Yes
<b>Cumulative (2040) Conditions</b>							
5. San Pablo Ave/ Dwight Way	Signalized	PM	<b>89.6</b> <b>(v/c=1.14)</b>	F	<b>94.1</b> <b>(v/c=1.16)</b>	F	Yes
8. San Pablo Ave/ Parker Street	Side-street stop	PM	<b>&gt;120</b> <b>(&gt;120)</b>	F (F)	<b>&gt;120 (&gt;120)</b>	F (F)	Yes

<sup>1</sup> Average intersection delay and LOS based on the 2010 HCM method. Average delay is reported for signalized intersections. Average and worst-approach delays, respectively, are reported for side-street stop controlled intersections.

<sup>2</sup> Intersections operating at unacceptable levels are shown in **bold**.

Source: Fehr & Peers, 2017.

Page 113, Subsection Bicycle and Pedestrian Circulation, of the Draft IS-MND is revised to include the following corrections and information:

Sections 23E.64.080 and 23E.80.080 of the Berkeley Municipal code require bicycle parking for new non-residential uses at a rate of one space per 2,000 square feet. Thus, the 61,000 square-foot building would require ~~31~~45 bicycle parking spaces. The project would provide about ~~50~~46 bicycle spaces consisting of 18 short-term (i.e., bicycle racks) and ~~32~~28 long-term (i.e., secure bicycle room) bicycle parking spaces. Both the short-term and long-term parking spaces would be located adjacent to the main lobby. The proposed bicycle parking supply would exceed the City of Berkeley requirements.