

54. Construction and Demolition Diversion. A Waste Diversion Report, with receipts or weigh slips documenting debris disposal or recycling during all phases of the project, must be completed and submitted for approval to the City's Building and Safety Division. The Zoning Officer may request summary reports at more frequent intervals, as necessary to ensure compliance with this requirement. A copy of the Waste Diversion Plan shall be available at all times at the construction site for review by City Staff

At All Times:

55. Exterior Lighting. All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
56. Design Review. Signage and any other exterior modifications, including but not limited to landscaping and lighting, shall be subject to Design Review and Landmarks Preservation Commission approval.
57. Drainage Patterns. The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.
58. Bike Parking. Secure and on-site bike parking for at least 18 bicycles shall be provided for the life of the building.
59. Transit Subsidy Condition. The applicant shall reimburse employees the maximum non-taxable cost of commuting to and from work on public transportation (e.g., monthly passes) if they so commute, and a notice informing employees of the availability of such subsidy shall be permanently displayed in the employee area as per BMC Chapter 9.88.
60. Transportation Demand Management. A Transportation Demand Management compliance report shall be submitted to the Transportation Division Manager, on a form acceptable to the City, prior to occupancy, and on an annual basis thereafter, which demonstrates that the project is in compliance with the applicable requirements and the following:
- A. Transportation Information Display. The applicant shall provide a transportation information display to each remaining Pardee Block business to provide Pardee Block building occupants with information regarding: 1) Albany, Berkeley, Oakland and Emeryville biking and walking maps; 2) directions to BART & AMTRAK; 3) AC Transit and West Berkeley Shuttle route maps, schedules and fares; and 4) NextBus, 511 and car-share contact information. Building management will ensure that all information regarding transit and alternative transportation is kept current, and that this information is provided to all commercial tenants and employees, on an annual basis.
- B. West Berkeley Shuttle. Applicant shall fully participate in either (i) the Berkeley Gateway Transportation Management Association (GTMA), or (ii) another private, non-profit agency responsible for administering a West Berkeley Shuttle to North Berkeley and Ashby BART Stations serving West Berkeley and the members participating in the West Berkeley transportation Management Association (WBTMA). Full participation in either the GTMA or the WBTMA requires (i) a one-time start-up payment of \$20,000 to either the GTMA or

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the WBTMA to establish shuttle services; (ii) annual payments to provide project's fair share of service estimated for initial operating years to be no less than \$20,000 a year; and (iii) participation in the governance of the non-profit on a pro-bono basis.

Prior to the issuance of certificate of occupancy, Applicant shall provide evidence to the Zoning Officer that it has executed a Membership Agreement with either the GTMA or the WBTMA in accordance with the policies, rules and regulations of the organization, and the above.

Applicant, its successors and assignees, shall remain a member of the GTMA or WBTMA, or equivalent, for as long as the GTMA or WBTMA or its successor or assignee operates a shuttle from West Berkeley to BART, or its successors.

- C. CarShare Required. Car share application fees, membership fees, and monthly dues shall be paid in full for all participating employees.
 - D. Alameda County Guaranteed Ride Home program. Encourage enrollment by all qualifying employees in the Alameda County Guaranteed Ride Home program and submit an annual statement indicating number of participating employees.
 - E. Pre-Loaded Clipper Cards. Provide annual transit pass subsidies in the form of pre-loaded Clipper Cards (or other acceptable substitute) for each employee until such time that applicant's fair share contribution to the West Berkeley Shuttle program is made, and service commences and if and when the West Berkeley Shuttle is not in operation.
- 61.** Subject to Review. This permit is subject to review, imposition of additional conditions, or revocation if factual complaint is received by the Zoning Officer that the maintenance or operation of this establishment is violating any of these or other required conditions or is detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood or is detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
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Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) was formulated based upon the findings of the Initial Study-Mitigated Negative Declaration (IS-MND) prepared for the 1050 Parker Street Project (Use Permits #ZP2018-0116 and #ZP2018-0117). The MMRP, which is provided in the following table, lists mitigation measures required and recommended in the IS-MND for the proposed project and identifies mitigation monitoring requirements. The Final MMRP must be adopted when the City makes a final decision on the project.

This MMRP has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts. The MMRP is intended to ensure compliance during implementation of the project.

The MMRP is organized in a matrix format. The first column identifies mitigation measures that were identified in the Final IS-MND. The second column, entitled "Action Required," refers to the monitoring action that must be taken to ensure the mitigation measure's implementation. The third column, entitled "Monitoring Timing," refers to when the monitoring will occur to ensure that the mitigation action is complete. The fourth column, "Responsible Agency," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The "Compliance Verification" column is where the Responsible Agency verifies that the measures have been implemented. These mitigation measures include any minor revisions made as a result of the Response to Comments Document.

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification	
				Initial	Date Comments
HYDROLOGY AND WATER QUALITY					
HYD-1: Hydrology and Hydraulic Mitigation Analysis					
<p>The project shall not increase from pre-project to post-construction conditions peak flow and flow duration to existing gutters, and shall not raise from pre-project to post-construction the hydraulic grade line in existing storm drains at all times throughout the life of the project. The applicant shall demonstrate through a hydrology and hydraulics mitigation analysis to show how this performance standard will be achieved and used to provide the basis of design for the implementing this mitigation.</p> <p>The hydrology and hydraulics mitigation analysis shall be submitted to and approved by the City of Berkeley Department of Planning and Development prior to issuance of required project permits. The analysis shall identify existing and post-construction drainage patterns, magnitudes, and durations within the project limits and also identify existing off-site discharge locations, durations, and magnitudes from the project site. The mitigation actions to meeting the performance standard may include conveyance pipeline (minimum 12-inch diameter, reinforced concrete pipe) in the right-of-way, and the pipe shall not be used to attenuate peak flows. The mitigation method shall be designed to operate in conjunction with MRP Provision C3 requirements. The applicant shall make up front payment for City staff and consultant costs related to reviewing the hydrology and hydraulics mitigation analysis.</p>	<p>Conduct a hydrology and hydraulics mitigation analysis</p>	<p>Prior to the issuance of required project permits</p>	<p>City of Berkeley Department of Planning and Development</p>		
HYD-2: Storm Water Control Measures					
<p>Discharges of any water from the project site shall be controlled at all times and shall not exceed pre-project peak flow or duration in existing storm drains and gutters throughout the project life. Applicant shall design and construct the mitigation method developed through the Hydrology and Hydraulic Mitigation Analysis performed in HYD-1 and as approved by the City. The mitigation actions to meet the performance standards may include conveyance within the right-of-way but storage within the right-of-way is not allowed. The identified method(s) shall be</p>	<p>Develop and install stormwater control measures Verify installation of all stormwater control measures</p>	<p>During construction activities Prior to occupancy clearance</p>	<p>City of Berkeley Department of Planning and Development City of Berkeley Department of Planning and Development</p>		

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<p>completely operational and any facilities located within the right-of-way shall be approved by and dedicated to the City prior to issuance of certificate of occupancy.</p>				
LAND USE AND PLANNING				
LU-1: Rezone				
<p>Demolition permits shall not be issued unless and until a rezone is approved by the City of Berkeley that would change the zoning on the western portion of the medical office building site from Mixed-Use Light Industrial (MU-LI) to West Berkeley Commercial (C-W).</p>	<p>Rezone a portion of the project site</p>	<p>Prior to issuance of demolition permits</p>	<p>City of Berkeley Department of Planning and Development</p>	
NOISE				
NOI-1: Construction Vibration Reduction Measures				
<p>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:</p> <ul style="list-style-type: none"> ▪ The applicant or contractor shall ensure that construction activities involving vibratory rollers, large bulldozers, or loaded trucks that create a vibration disturbance across the Project's shared property line with the Covenant Worship Center (2622 San Pablo Avenue) do not occur during the regular posted services times at the Covenant Worship Center, 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, limit the use of vibratory rollers, large bulldozers, or loaded trucks within 75 feet of the nearest wall of the Covenant Worship Center, or Fantasy Studios (2600 Tenth Street) to no more than 30 vibration events per day, as defined by the Federal Transit Administration and detailed in Table 22 Groundborne Vibration Impact Criteria for Human Annoyance of the MIND. ▪ 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, as defined by the Federal Transit 	<p>Create a construction management plan subject to review and approval by the City</p>	<p>Prior to the issuance of grading permits</p>	<p>City of Berkeley Department of Planning and Development</p>	

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<p>Administration and detailed in Table 22 Groundborne Vibration Impact Criteria for Human Annoyance of the MND.</p> <ul style="list-style-type: none"> The applicant or contractor shall provide tenants of the three residential units atop the Missouri Lounge, the Covenant Worship Center, Fantasy Studios, and residents within a 500-foot radius of the project sites with a notification at least 24 hours prior to vibration-generating construction activities. 	<p>Create a construction management plan subject to review and approval by the City</p>	<p>Prior to the issuance of grading permits</p>	<p>City of Berkeley Department of Planning and Development</p>		
<p>NOI-2: Construction Noise Abatement</p>					
<p>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:</p> <ol style="list-style-type: none"> The applicant or contractor shall equip all internal combustion engine-driven equipment with mufflers that are in good condition and appropriate for the equipment. The applicant or contractor shall use quiet models of air compressors and other stationary noise sources where technology exists. The applicant or contractor shall locate stationary noise-generating equipment as far as feasible from the nearest noise-sensitive receptors. The applicant or contractor shall prohibit unnecessary idling of internal combustion engines. The applicant or contractor shall construct solid plywood fences around the construction site adjacent to operational businesses, including the Covenant Worship Center (2622 San Pablo Avenue). The applicant or contractor shall ensure that construction activities that generate excessive noise that creates noise disturbance across the Project site's shared property line with the Covenant Worship Center (2622 San Pablo Avenue) do not occur during regular posted services at the Covenant Worship Center, currently listed as Sundays at 10:30 AM and 6:00 PM and Wednesdays at 7:00 PM. 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 					

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification Initial Date Comments
<p>7:00 a.m. to 7:00 p.m. on weekdays and between the hours of 9:00 a.m. and 8:00 p.m. on Saturdays, or as stipulated in the conditions of approval if more restrictive. No construction-related activity shall occur on Sunday or any Federal Holiday without explicit permission from the City of Berkeley.</p> <p>8. The applicant or contractor shall notify adjacent businesses, the Covenant Worship Center, and residents within a 500-foot radius of the project sites of the construction schedule in writing at least 7 days before beginning construction. 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 on-site.</p>	<p>Create a construction management plan subject to review and approval by the City</p>	<p>Prior to the issuance of grading permits</p>	<p>City of Berkeley Department of Public Works, Transportation Division</p>	
<p>TRANSPORTATION</p>				
<p>T-1: Reimbursement Agreement to Facilitate Traffic Improvements</p>				
<p>A Reimbursement Agreement shall be established between the applicant and the City prior to the issuance of required project permits. The Reimbursement Agreement shall specify the improvements to be accomplished as set forth below, the timing of the improvements, the proportionate share of improvement costs, the timing of the reimbursement payments, and a mutual commitment to use best efforts to coordinate and expedite the installation of the improvements with the goal of providing them before the project receives its first certificate of occupancy. Upon completion of the traffic improvements, the City shall then reimburse the applicant the City’s pro-rata share of the traffic improvements over a multi-year period as shall be more specifically described in the Reimbursement Agreement.</p>	<p>a. Intersection Improvements. Dedicated westbound and eastbound left-turn lanes at the San Pablo Avenue/Dwight Way intersection, as determined necessary by the City Engineer.</p> <p>b. Signal Installation. Signalization of the San Pablo</p>			

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				Initial	Date Comments
Avenue/Parker Street intersection and coordinated signal timing with the adjacent intersections on San Pablo Avenue.					
T-2: Driveway Safety					
The applicant shall provide 10 feet of red curb on either side of the project driveways on Tenth and Parker Streets to improve sight distance between vehicles exiting the project driveways and motorists and bicyclists on Tenth and Parker Streets. Improvements shall occur prior to certificate of occupancy.	Provide 10 feet of red curb on either side of the project driveways on Tenth and Parker Streets	Prior to occupancy clearance	City of Berkeley Department of Public Works, Transportation Division		

Mitigation Monitoring and Reporting Program

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