

C. DEVELOPMENT REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on October 25, 2016 for application 2016-120 relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan is/is not in conformance with the site plan standards of the land use code, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

1. The applicant shall have submitted a final construction management plan, including provisions for pedestrian access, contractor parking, on site only or at an approved satellite location by the Planning Department, no truck deliveries via Hersey St., and construction phasing, and it must have been reviewed and approved by the Department of Public Works and the Planning Authority;
2. The applicant shall have submitted final details for the reconstruction of the ramp on the south side of Hersey Street to meet ADA requirements. Said details shall have been reviewed and approved by the Department of Public Works; Said reconstruction shall be completed, approved, and accepted by the Department of Public Works prior to issuance of a Certificate of Occupancy.
3. The applicant shall provide a certified copy of a lease for use of off-site parking spaces in compliance with *Section 14-334* which Lease shall have been reviewed and approved by the Planning Authority and Corporation Counsel;
4. Said lease shall not allow parking for residential uses, shall be automatically renewable in perpetuity, and shall have been recorded in the Registry of Deeds for _____ County. If said lease expires or is terminated, Inspectional Services shall issue a cease and desist order for violation of the terms of this permit except for those uses supported by the required parking demand per the Zoning Ordinance on site.
5. The applicant shall deliver to the Department of Planning and Corporation Counsel a Covenant/Deed Restriction, signed by the owner of the off-site parking location, 28 Vannah Ave, in recordable form, the content of which is to be approved by Planning and Corporation Counsel; said covenant will require dedication of 5 parking spaces as off-site parking for the 23 Ocean Ave project at 28 Vannah Avenue approved by this permit, in perpetuity.
6. The applicant shall prepare final details for the reconstruction of the missing sidewalk link on the north side of Vannah Avenue between the proposed off-site parking and the site, which details shall have been reviewed and approved by the Department of Public Works; Construction shall have been completed and accepted by the City.

7. Within six months of a certificate of occupancy, for any portion of the project, and on an annual basis thereafter, the applicant shall fund an analysis of parking demand, the efficacy of the parking management plan, and neighborhood impacts for review and approval by the Department of Public works and the Planning Authority. Said analysis shall be prepared by an independent consultant expert in shared parking, to be selected by the Planning Department. Should the analysis indicate that parking demand is not adequately met and/or is creating negative neighborhood impacts, with the approved shared parking and off-site parking arrangement, the applicant shall implement after consultation with planning and traffic the following (**a menu of mitigation measures to address deficiencies** must be negotiated with the Planning Department and Traffic Engineer and agreed by the applicant prior to a vote on this application) measures within 2 weeks of the analysis. Failure to do so will be deemed a violation of this permit and a cease and desist order shall issue. The applicant shall provide revised plans to address the conflict between the proposed cherry tree and stormwater treatment unit at the corner of Ocean Avenue and Hersey Street for review and approval by the City Arborist and the Planning Authority.
8. Snow will be hauled off site, not stored on site.
9. Applicant will support efforts to amend a Parking Ordinance Amendment to require permit parking for on-street vehicles from ____ Hersey St to _Hersey St.
10. Only general office uses is allowed by the permit. Medical offices and other service oriented office uses are not allowed. General office use shall cease at 5pm daily.
11. Applicant shall fund a capacity analysis and report of possible solutions for sewerage and stormwater problems created by the Hersey Street combined sewer and stormwater pipe, to be conducted by the Department of Public works.
12. A transportation Demand, Management Plan (TDM) shall be presented, reviewed and approved by the Department of Planning and shall include free bus passes and measures to achieve carpooling.