

at the expense of existing and affordable housing, especially when it will be market-rate and therefore unaffordable for the diversity of residents that Berkeley has and should keep.

As with our neighbors, we welcome you to come to the proposed development site, meet with the community, and see that the scope of this project and the way that it has been handled is detrimental to the community. We wanted to make sure you were fully informed, as we have been left out of this planning process and did not want this project approved without the ZAB or council even knowing there are additional people living in the impacted units. Since we do not trust the developers, we would really appreciate having some kind of information and warning about what the impacts will be to our house.

Please consider this appeal so that the project does not move forward until our concerns are addressed.

Thank you,

Lena

Benado, Tony

From: Libby Lee-Egan <libbyco@gmail.com>
Sent: Sunday, January 27, 2019 8:55 PM
To: All Council
Subject: Hearst Appeal
Attachments: Screen Shot 2019-01-27 at 8.48.11 PM.png

I'm writing to encourage you to dismiss the appeal for the Hearst Gardens project (aka 1155-1173 Hearst Ave). Here's why:

Myth: Current tenants will be displaced.

Truth: A previous iteration of this project did give current tenants first right of refusal to buy their rehabbed units, but if they didn't have the money they had to leave. I knew about this project and did not support it at that time. The applicant changed the project, downsized, and now the rest of the project will move forward but the rental units will not be rehabbed until the current tenants move. This has been framed by some as a flip flop but I see it as a change of heart in the correct direction. Now I support this project. Opponents who say that the tenants are in danger of displacement are misinformed.

Myth: Independent peer reviews of the hydrology report show it to be inadequate

Truth: My reading of the additional peer reviews is that any disagreement with the original is tepid at best, anyone trying to say otherwise has an agenda. For example, one peer review cites that the original report is lacking an arrow on one of the diagrams, hardly cause for alarm.

Myth: These are mini dorms, and mini dorms are bad

Truth: I'm actually not sure why there is so much panic over "mini dorms." Are the neighbors worried about students moving in? This far from the campus it doesn't seem likely, but also students are not automatically bad neighbors.

Myth: The developer has not budged in response to concerns from the neighborhood

Truth: I've been following this project for some time, and it is barely recognizable from its original form. It's shorter and less dense and better for the current tenants. I'm confident that there is nothing the developer could do to make some people happy, but he's trying anyway.

Myth: This project is unaffordable!

Truth: New condos and market rate rentals still cost less than the down payment on a > \$1 million dollar single family home in this neighborhood.

Myth: This project is out of scale with the neighborhood

Truth: I walk by this street all the time on my way to the library and I am struck by how many apartment buildings there are on Curtis. There are even some 2 and 3 story multi-family dwellings down Hearst toward San Pablo, I've attached an image of one. Apartment buildings and the people who live in them are a great addition to any community and we should enable more citywide.

Myth: PARKING

Truth: This project has amazing proximity to both BART and multiple bus lines and newer residents are less likely to be car dependent. This will attract people who want to live in a walkable and bikeable neighborhood.

Thanks for your time, please dismiss this appeal and allow this project to move forward!



Benado, Tony

From: Rhiannon <pwrbus@pacbell.net>
Sent: Monday, January 28, 2019 10:47 AM
To: All Council; Harrison, Kate; Droste, Lori; Davila, Cheryl; Berkeley Mayor's Office; Kesarwani, Rashi; Bartlett, Ben; Sophie Hahn; Wengraf, Susan; Robinson, Rigel
Subject: Fw: 1155-1173 appeal

1) This project is subject to CEQA under the Subdivision Map Act. The applicant and the City are ignoring the fact that this is a condominium project as stated in the original application and every amended statement afterward:

“Rhoades Planning Group is pleased to present this revised proposal for a new residential condominium and transit/neighborhood-oriented development project located at 11551173 Hearst Avenue.”

Applicant Statement : February 2, 2016

Revised Applicant Statement : October 11, 2016

Revised Applicant Statement : March 6, 2018

Revised Applicant Statement : April 23, 2018

Revised Applicant Statement : June 20, 2018

Both parcels are planned to become condominiums, so CEQA review applies to both parcels.

Any CEQA review must consider the effect of the loss of existing affordable housing on the City's RHNA production. Since the City has already surpassed its requirement for market rate units, and this project consists entirely of market rate units, this is not a housing project under the HAA. How does the City report to ABAG the removal of affordable units or their conversion to market rate?

2) The City's regulations cannot overturn State Statutes, including Costa-Hawkins. Unless the City records any agreement between the landlord and tenants prior to any sale, then those agreements are not binding on any future buyer of the project or the individual condos.

Benado, Tony

From: Julia Cato <otacja@yahoo.com>
Sent: Monday, January 28, 2019 11:40 AM
To: All Council; Berkeley Mayor's Office; City Clerk
Subject: Agenda Item 14 ZAB Appeal 1155-1173 Hearst Avenue

Mayor Arreguin , Council Members, Clerk:

Please do not grant Use Permit #HZIP2016=002W to develop 2 parcels including substantial rehabilitation of the existing 7 dwelling units and construction of 6 new for sale units.

As you know, the purview of the Council is much broader than that of ZAB. Your job is to do what is best for the broader community, as well as to protect the rights of the tenants and their rent controlled units. I do not feel that it is fair to subject tenants to the kind of construction noise and mess that could go on as long as it takes to make the tenants move out.

Furthermore, I worry about imperiling rent controlled units. I also worry about the tenants: once tenants have in good faith moved out for renovations, **too many times they fail to get back in under their original rental agreements, if at all.**

It also frequently seems to happen that once renovation begins, it becomes "economically unfeasible" and then the owners want to demolish the structure, thus taking away even more units from our dwindling supply of rent controlled units.

Although a lot of tenant safeguards have been proffered, I am not sure what guarantees will prevail, or what kind of enforcement will be forthcoming. **If you do grant a permit, I suggest that you have the Rent Board monitor the construction and interactions with tenants carefully throughout.**

You must also consider the needs of the neighborhood surrounding the proposed construction. For instance, is my understanding that this project will increase parking difficulties in an area that is already way too congested. There is apparently an issue with shading. There is considerable neighborhood opposition to this construction and I think many of their worries are justified.

Thank you.

Julia Cato, Berkeley Tenants Union, Berkeley Citizens Action, Berkeley Progressive Alliance, CARA

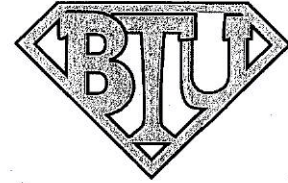
sale dwelling units; and
dismiss the appeal.

"An imbalance between rich and poor is the oldest and most fatal ailment of all republics." Plutarch

"First they ignore you. Then they laugh at you. Then they fight you. Then you win."
--Mahatma Gandhi

Berkeley Tenants Union

2022 Blake Street, Berkeley, CA 94704 | berkeleytenants.org | (510) 982-6696



January 28, 2019

Dear Mayor and City Council,

The Berkeley Tenants Union is an organization dedicated to defending and advancing the rights of Berkeley renters. We advocate for the voice of tens of thousands of tenants throughout Berkeley.

We have been contacted by a tenant that is being impacted by the proposed development at 1155-1173 Hearst Ave. They provided us a picture of confusion and fear that has been caused throughout the process. Other tenants do not want to speak up in fear of retaliation. Displacement has become a real concern for these tenants, whether it be those living in the rent controlled units or the single family dwelling. They have the impression that they are being forced out, as the conditions that will be created during construction will make it impossible to continue residing there. The narrative on what their options are according to them has changed over time, leaving many of them confused and concerned about the viability of their ability to stay in their homes.

This is alarming to us that tenants may be getting the short end of the stick. While we are supportive of the creation of more housing, this cannot happen at the cost of existing tenants. Whatever action you choose to take, we urge you to prioritize the concerns of existing tenants. Clear direction must be given to alleviate the rightful concerns of the tenants.

Sincerely,

The Berkeley Tenants Union

SUPPLEMENTAL COMMUNICATIONS AND REPORTS 3

BERKELEY CITY COUNCIL REGULAR MEETING

DATE OF MEETING: TUESDAY, JANUARY 29, 2019

TIME: 6:00 P.M.

The agenda packet for this meeting was distributed/posted on January 17, 2019. Communications in this supplement were received after 5pm on January 28, 2019. This communication packet was distributed/posted on January 30, 2019.

Consent Calendar

Each item in this supplement follows the corresponding item on the City Council Agenda for this date.

Item #10: Support for AB 68 (Accessory Dwelling Units)

- 36. Claudia Kawczynska
- 37. Cameron Woo

Item #12: Vision Zero: Eliminating Pedestrian, Bicyclist and Traffic Injuries and Fatalities

- 38. Marjorie Alvord

Action Calendar – Public Hearing

Item #14: ZAB Appeal: 1155-1173 Hearst Ave

- 39. Presentation, submitted by the Planning Department
- 40. Tracey Emerson
- 41. Rain Sussman (2)
- 42. Barbara Gilbert
- 43. Terraphase Engineering
- 44. Kamman Hydrology & Engineering

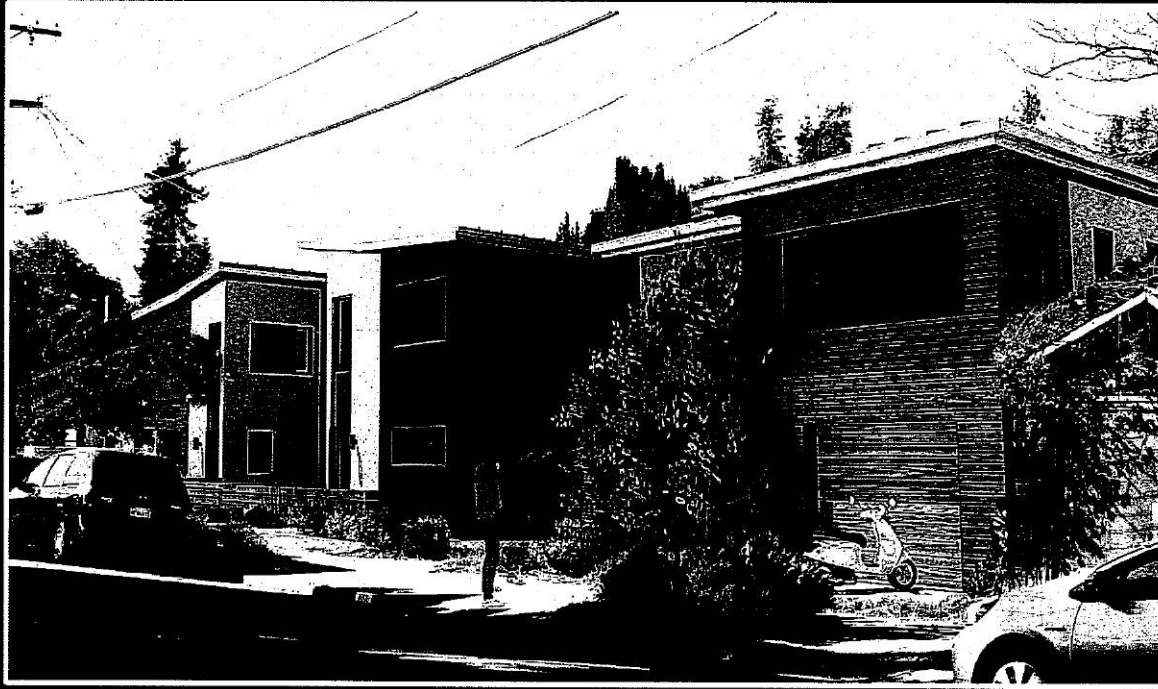
Item #15: Density Bonus Ordinance Revisions - Repeal Existing Section 23C.12.050 (State of California Density Bonus Requirements) and Adopt New Chapter 23C.14 (Density Bonus)

- 45. Rhiannon

Miscellaneous

Refuse Collection Overcharge
46. Jae and Adena Chung

RECEIVED AT **39**
COUNCIL MEETING OF:



1155-73 HEARST AVENUE
ZP#2016-0028
APPEAL

Background

2

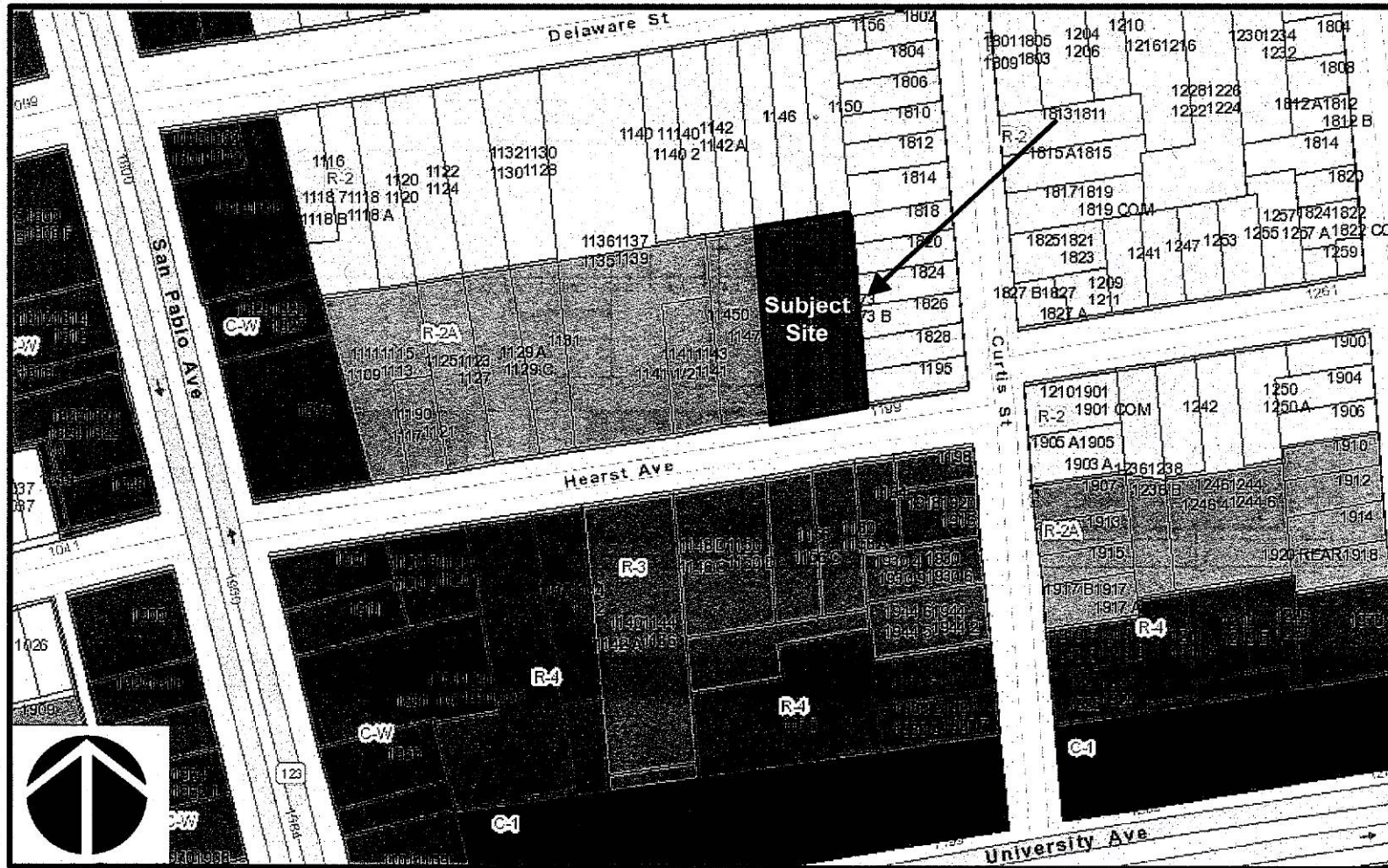
On August 23, 2018, ZAB approved Use Permit ZP #2016-0028 to develop 1155 – 1173 Hearst Street

- Renovate 7 existing dwelling units (three rent-controlled duplexes and one single-family dwelling)
- Construct 3 new, two-story duplexes as a common interest development (i.e. condos)
- 13 Total Units, 13 off-street parking spaces, 4,911-square feet of Useable Open Space

PLANNING DEPARTMENT
CITY OF SAN FRANCISCO
COMMUNITY DEVELOPMENT
PERMITTING

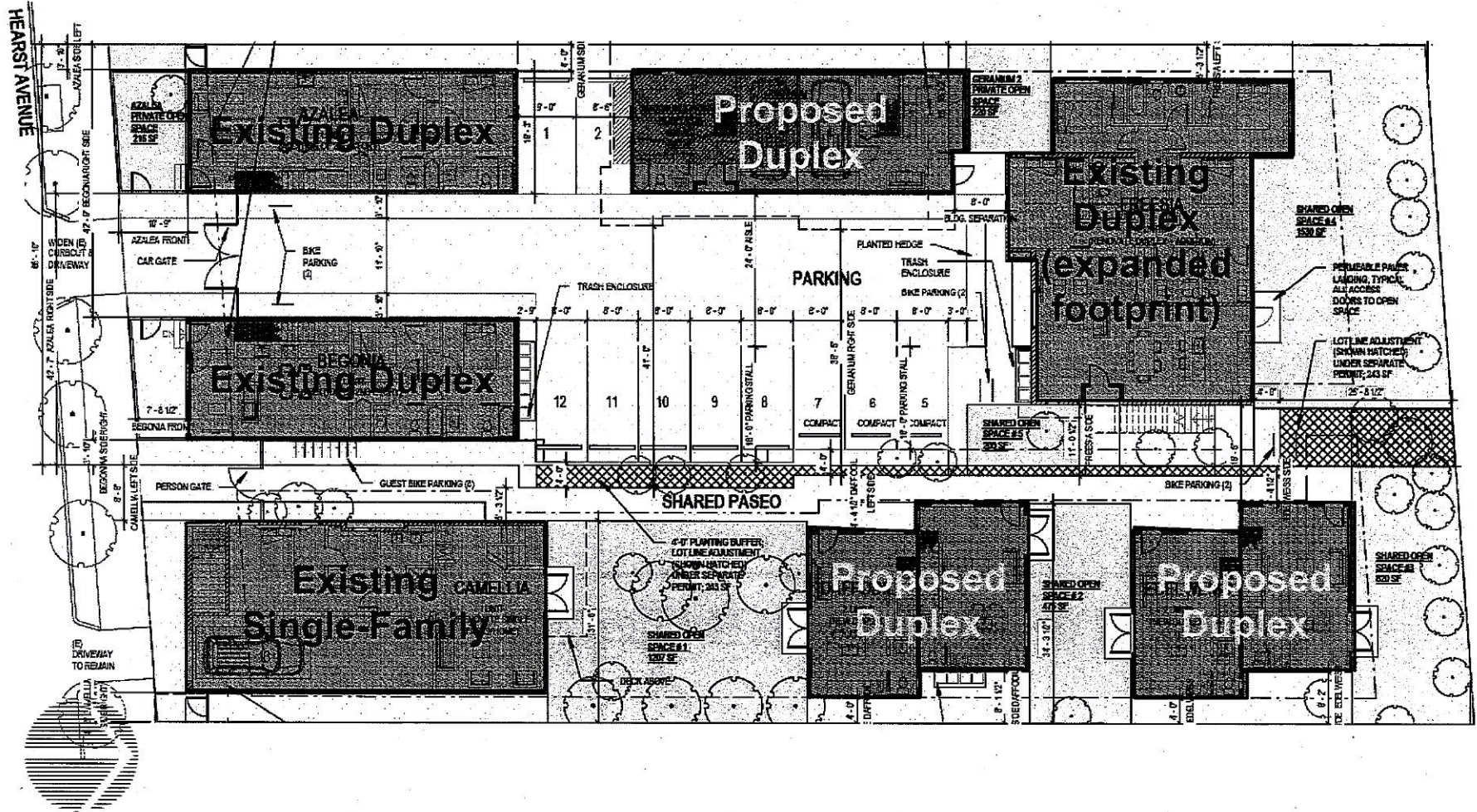
Vicinity/Zoning Map

3



Proposed Site Plan

4



CEQA Categorical Exemptions

5

Classes of projects that have been determined **not** to have a significant effect on the environment and are **exempt** from the provisions of CEQA

CEQA Exceptions

6

Exceptions require a project to go through the CEQA process even if it otherwise meets the criteria of a categorical exemption

Appeal
Point 1:

Project does not qualify for: Class 32 In-Fill Exemption

7

Response:

- Site is adequately served by all required utilities and public services
- Utility Infrastructure = storm drain system on the public right of way
- Rear Yard Ponding & Voluminous water flow ≠ inadequate storm drain

Response 1
continued:

Storm Drain Flow January 16, 2019

8



In front of 1155 - 63 Hearst
View towards northwest



Catchment basin at northeast
corner of
Hearst at San Pablo Avenue

Appeal
Point 2:

Location Based Exception Applies

9

Response:

- Does not apply to Class 32 In-Fill Development Projects
- Area of proposed development not listed in the National Wetlands Inventory www.fws.gov/wetlands/

Appeal
Point 3:

Historic Resource Exception Applies

10

Response:

- Chez Panisse garden not designated as a historical resource
- No cultural resources are associated with this property per California Historical Resources Information System (CHRIS)
- Project subject to the City's standard conditions regarding tribal cultural resources, archaeological resources, human remains, and paleontological resources (COAs 34 – 37)

Appeal
Point 4:

Significant Effect Exception Applies

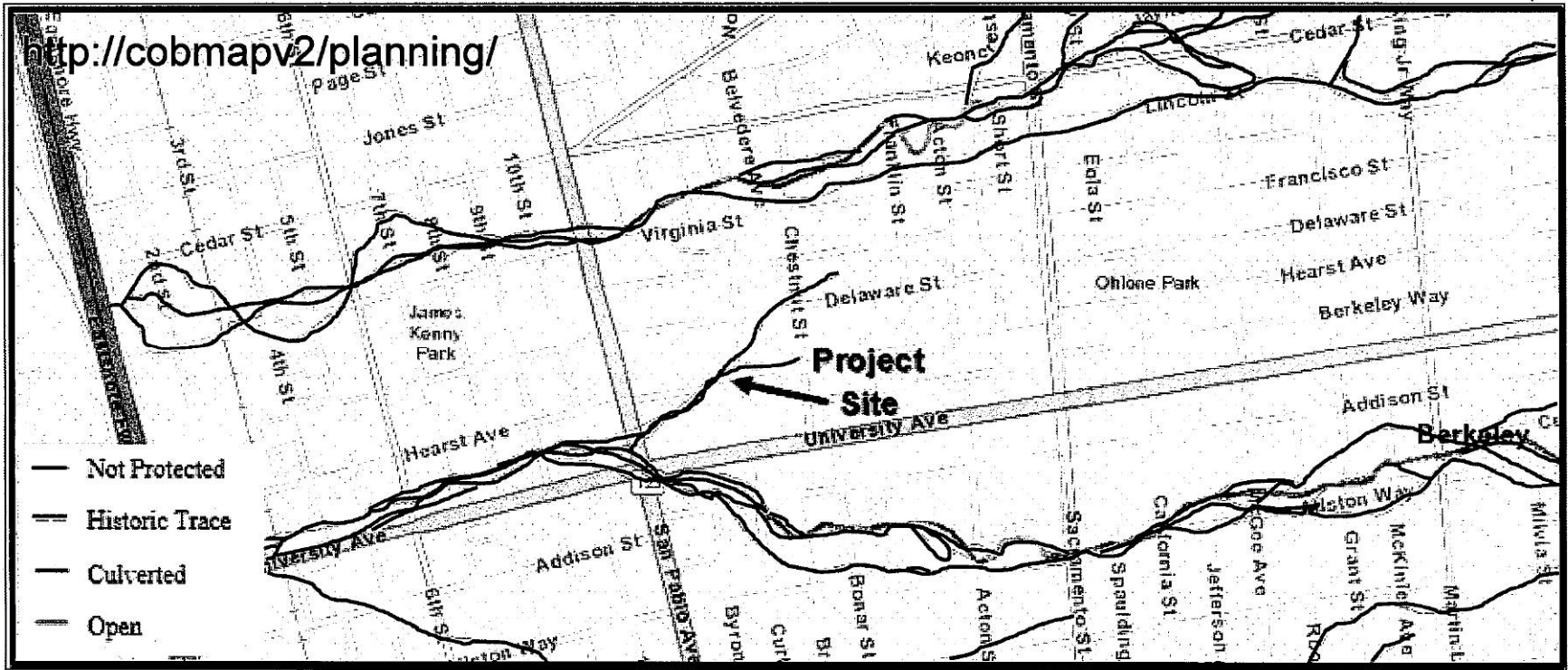
11

A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a **significant effect** on the environment due to **unusual circumstances**

15300.2(c)

Appeal Point 4a: Significant Effect Exception Unusual Circumstance

12



Appeal
Point 4b:

Significant Effect Exception Significant Effect

13

Response:

- A hydrology Assessment prepared concluded drainage issues would improve
 - grass swale from east property line to parking lot
 - drainage channel from parking lot to curb

Appeal
Point 5:

**Appropriate conditions must be
imposed to ensure non-detriment**

14

Response:

- Standard Toxics COAs requiring a Soil and Groundwater Management Plan and Stormwater Requirements
- Public Works conditions regarding sub- and surface waters
- Drainage Plan per Hydrology Assessment with additional design documentation per Peer Review

Recommendation:

Uphold ZAB's decision & Approve project

15

- Meets Purposes of the District
- Meets Housing Element Goals
- Is in compliance with all state and local environmental requirements
- Will incorporate a drainage system that is expected to improve drainage condition in the area
- Subject to standard conditions of approval to ensure non-detriment

**Recommendation
continued:**

Uphold ZAB's decision & Approve project

16

- **Retains existing rent controlled units and protects existing tenants**
 - **Proof of voluntary move out or relocation prior to BP issuance (COA 15)**
 - **Public Notification prior to Construction with tenant rights (COA18)**
 - **Interim Tenant Parking (COA 30)**
 - **Temporary Relocation during any Construction related to Permit (COA 31)**
 - **Neighborhood Construction Meetings (COA 32)**

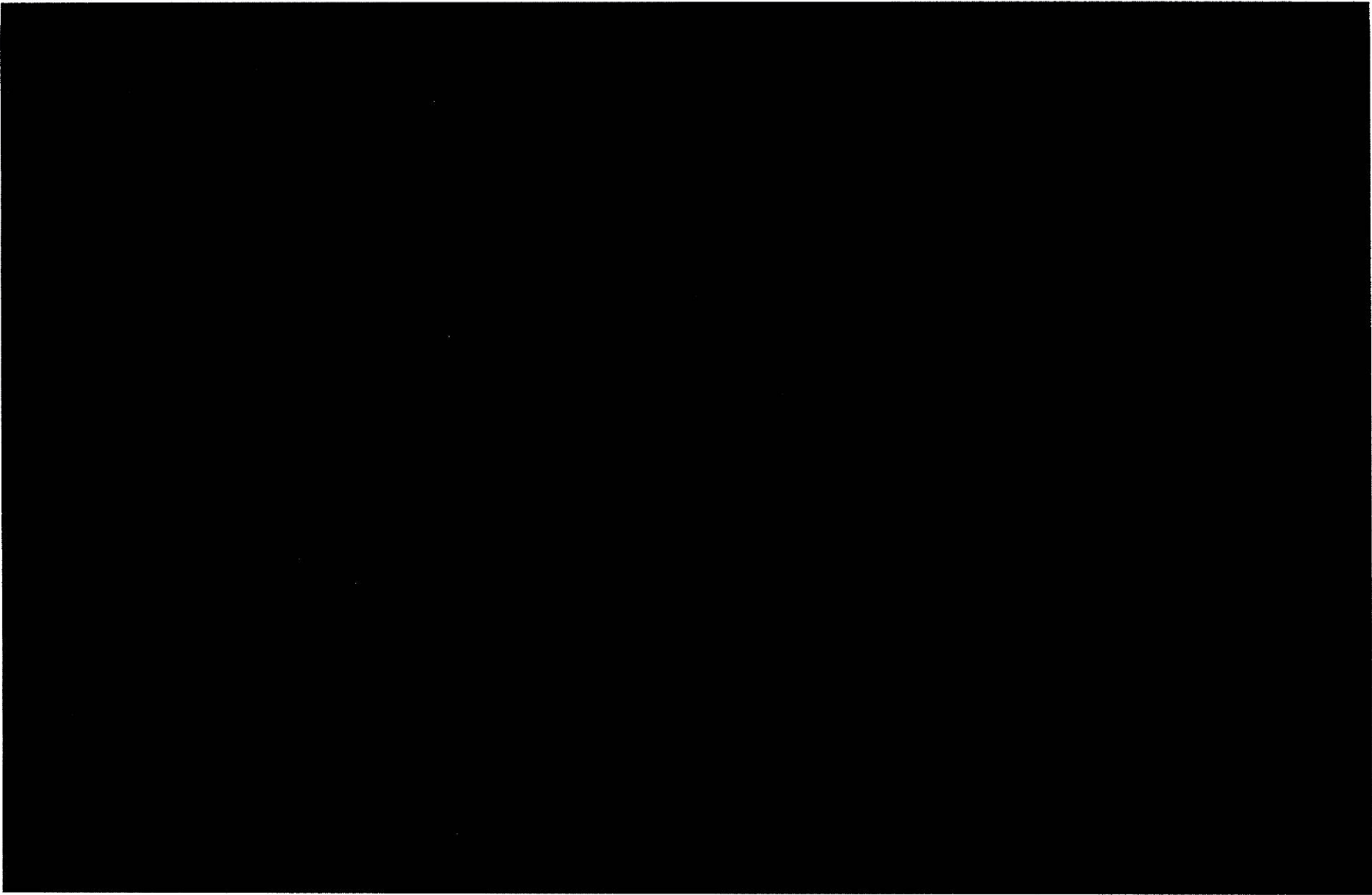
Recommendation
continued:

Uphold ZAB's decision & Approve project

17

Tenant Relocation COA #15:

Tenant Relocation. Prior to building permit issuance for any interior improvements, renovations or addition to any the existing dwelling units building (1955-57 Hearst, 1959 A & B Hearst, 1961-63 Hearst, and 1973 Hearst), the property owner shall provide proof that all tenants within the building have voluntarily vacated or proof that the owner and tenants have come to a written agreement on a plan for relocation. This shall not apply to issuance of building permits for general renovation or repair within these units.



Benado, Tony

From: tracey emerson <emersontracey2003@yahoo.com>
Sent: Monday, January 28, 2019 8:47 PM
To: Berkeley Mayor's Office; Kesarwani, Rashi; Davila, Cheryl; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Droste, Lori; Robinson, Rigel; All Council
Subject: Appeal of Decision of ZAB 8/23/18 re. Use Permit #ZP2016-0028 1155-1173 Hearst Ave. meeting 1/29/19

Dear City Council Members,

I am writing to reiterate my concerns regarding the project, Hearst Avenue Condo Complex. I want to revisit some issues and emphasize the severe impact this project's approval will have on my life. The basis of the appeal is the need for a CEQA study since there is substantial evidence in the record of a fair argument that there may be a significant effect on the environment. However, I feel it is crucial that the City Council be fully aware of other issues including the fact that this community of already existing/ "naturally occurring" affordable housing will disappear. The current tenants, including myself, will become victims of gentrification and displacement. Most importantly, there is a pattern of deception and bad faith on the developer's part. It is imperative that a set of "conditions of approval" are implemented and enforced in order to make current tenancies more secure. The developer must be required to provide answers to the tenants' concerns regarding parking, construction, displacement, voluntary vacancy, and HOA issues.

I have been a tenant at 1157 Hearst Avenue for 10 years. For the past 15 years, the entirety of my career, I have been a public school teacher in low socioeconomic Title 1 schools. Having an undergraduate degree from NYU, a Masters in Education from National University, and 15 years of experience as a teacher in underserved communities, I could teach anywhere. For the past 10 years, I have taught in East Oakland, where I have become a stable academic figure in the lives of parents and children. Throughout my career, I have made numerous sacrifices to teach in areas that are not so fortunate. One of the biggest sacrifices is obviously the salary and in turn, only being able to afford rent in some, not so desirable neighborhoods. When I lived and taught in the South Bronx and Inglewood, friends and family refused to visit me, insisting they were concerned about their safety, gang presence, and lack of space. Today I am fortunate to live in such a beautiful, diverse, intelligent community. My Berkeley apartment is the nicest, safest place I have lived as a public school teacher. Rent control has made it possible for me to continue as a highly qualified educator who refuses to go through the revolving door of teacher turnover. Rent control housing has made it possible for me to survive in this country as an educator.

This project has caused an incredible amount of tension, anxiety, and stress in our Berkeley community. The developer has lied since the beginning of this project. He has

threatened our living situation and security in every meeting. Not only has he been evasive and dishonest throughout the entire process, he has completely disregarded any consideration for the rights of current tenants and neighbors. He has insulted our intelligence, called us "transients", and wordsmithed every revised plan to benefit his pockets. As he announced in the ZAB meeting, this project will eventually displace all current tenants under the falsehood of rehabbing the units, eventually demolishing all standing structures.

Ideally I would like the City Council to appeal the ZAB decision and completely turn down this project. At the least, I would like the City Council to place enforceable, thorough, rigorous "Conditions of approval" regarding tenant security, specifically our ability to maintain our current rent control situations, including parking spaces. There should also be conditions for construction, including adhering to quiet hours. Tenant lives, whether it be parking, noise, or debris should not be affected during construction.

Please consider the effects this project will have on the current tenants and the surrounding community. This project will greatly impact my ability to continue living and working in the Bay Area. Given the lack of affordable housing in Berkeley and the Bay Area, when, not if displaced, I will not be able to find comparable affordable housing. I will have to leave my beloved neighborhood and more than likely, the school where I've been teaching for a decade, building relationships, and helping families in East Oakland.

Thank you,
Tracey Emerson

Benado, Tony

From: Rain Sussman <rain.sussman@gmail.com>
Sent: Tuesday, January 29, 2019 8:42 AM
To: City Clerk
Subject: 1155 Hearst appeal - easy reference document gets right to key issues

Dear Mayor Arreguin and City Council Members,

For your convenience, I've created a .pdf of the section of tonight's agenda packet that pertains to 1155 Hearst, and added brief comments using "sticky notes." This is an easy way to navigate through the document and find the disputed information.

Some of my sticky notes include links to video footage - these links are not clickable, but must be cut and pasted into your browser.

To view this document, follow link below, download the document, and view in Acrobat. Comments will not show up if you simply view it as a web document.

<https://documentcloud.adobe.com/link/track?uri=urn%3Aaaid%3Ascds%3AUS%3A2504a60f-e099-4006-ac54-ec29938425f7>

Here are [instructions](#) if you wish to print the document with my comments for your easy reference tonight.

Feel free to contact me if you have any questions, and many thanks for your thoughtful attention to this case.

Warmly,

Rain

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Rain Sussman, LCSW
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Benado, Tony

From: Rain Sussman <rain.sussman@gmail.com>
Sent: Tuesday, January 29, 2019 9:27 AM
To: Robinson, Rigel; Hahn, Sophie
Cc: All Council
Subject: 1155 Ave Hearst - Goals of CEQA study

Dear Council Members Hahn and Robinson,

Thank you so much for meeting with me and my father yesterday re. the 1155 Hearst Ave appeal.

To clarify, this is what we expect to see as part of an EIR as required by CEQA. We are pursuing a CEQA determination to ensure that these necessary steps are followed in order to prevent increased flooding or safety risks, not to stop the project.

A site-specific geotechnical and groundwater evaluation shall be conducted to assess surface and subsurface conditions and groundwater dynamics to characterize existing conditions and to avoid impacts of the proposed development on surrounding properties and to identify engineering controls necessary to avoid future risks. The project shall be required to perform an enhanced geotechnical and groundwater investigation that will address the following elements:

- To identify the alignment, depth and fill material properties associated with the buried creek located under the proposed development site.
- To describe soil characteristics, subsurface drainage conditions and local groundwater dynamics so that existing groundwater release preferential pathways (due to the buried creek) are identified and are not impacted during construction of the project.
- The results of the evaluation and site-specific information collected regarding on-site soil properties and groundwater characteristics shall be used to support the design of engineering controls necessary to avoid risks associated with construction and potential future risks including existing flooding in the vicinity of the project.
- The evaluation would include a process to ensure coordination, review and consideration of site-specific information provided by neighboring properties to the geotechnical engineer and/or hydrogeologist performing the investigation.
- The proposed development drainage plan shall be re-assessed and revised accordingly once site specific data is collected and shall incorporate recommendations from the enhanced geotechnical and groundwater investigation. The revised drainage plan shall be peer-reviewed. [The proposed development drainage plan in its current form is not considered final but is provisional pending the collection of the above site-specific data.]

We will pursue all avenues to ensure completion of a geotechnical & groundwater evaluation that meets all of the above criteria. This project clearly qualifies for an exception to the CEQA infill exemption, due to 1) an unusual circumstance on the site in the form of a buried creek and 2) substantial evidence of a fair argument that there may be a significant effect on the environment (in other words, lots of photos, video, and testimony on the record attesting to recurrent, severe seasonal flooding). The applicant has indicated that he will not complete a thorough geotechnical evaluation unless he is forced to, and the COB has demonstrated that they will not require one. We are entrusting the City Council to do the right thing.

Thank you for your careful consideration of this case.

Warmly,

Rain Sussman

--

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Benado, Tony

From: bgilbertca@aol.com
Sent: Tuesday, January 29, 2019 10:50 PM
To: All Council
Subject: 1155-1173 Hearst

Mark Rhoades is threatening you. He is basically saying "Approve this project or else I'll build something worse that will hurt the tenants more!" It is not clear that he can do this.

Councilmember Hahn has made a brilliant compelling case. Follow her lead on this.

Sincerely, Barbara Gilbert

***Barbara Gilbert
Vincente Avenue
Berkeley, CA 94707-1520***

***Phone: 510-559-8216
E-mail: bgilbertca@aol.com***

**Appeal of Decision of Zoning Adjustments
Board Dated August 23, 2018
Concerning Use Permit #ZP2016-0028;
Property Address: 1155-1173 Hearst
Avenue**

RECEIVED AT
COUNCIL MEETING OF:

JAN 29 2019

OFFICE OF THE CITY CLERK
CITY OF BERKELEY

**Berkeley City Council Hearing
January 29, 2019**

CEQA APPLIES

- The City incorrectly assumes the project falls under the residential infill categorical CEQA exemption.
- But the project is excepted from that exemption and is subject to CEQA.
 - A project is excepted from the exemption when it is located in a sensitive site **or is subject to unusual circumstances.**
(<http://resources.ca.gov/ceqa/guidelines/art19.html#15300-2>)
 - A project is subject to unusual circumstances if **1) there is substantial evidence of an unusual circumstance; and 2) there is substantial evidence in the record of a fair argument that there may be a significant effect on the environment.**
(*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1105; *World Bus. Acad. v. California State Lands Comm'n* (2018) 24 Cal.App.5th 476, 499)

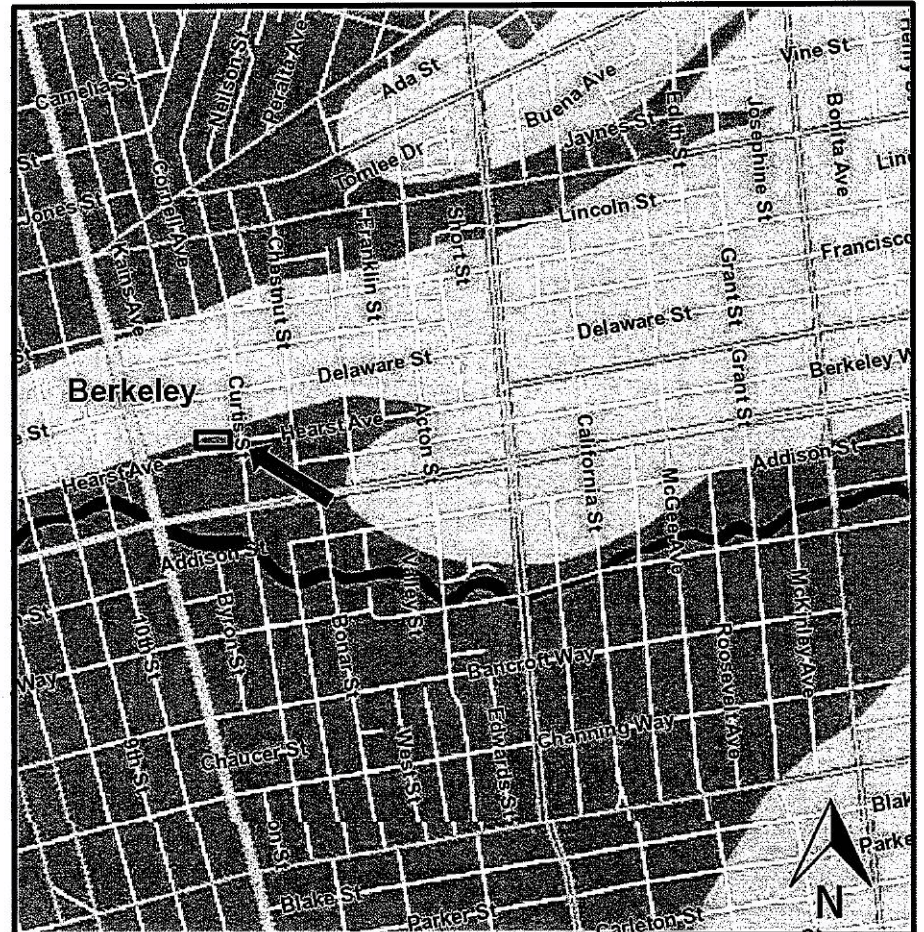
UNUSUAL CIRCUMSTANCES EXIST AND THERE IS EVIDENCE SUPPORTING A FAIR ARGUMENT OF A SIGNIFICANT EFFECT ON THE ENVIRONMENT

- Unusual circumstances exist because the development site is **located over a non-engineered buried branch of Strawberry Creek** causing site-specific flooding/drainage concerns.
- **City staff agree unusual circumstances exist under CEQA** stating: “a party challenging an agency’s categorical exemption determination on the basis of the unusual circumstances exception ... generally [must] show ... **unusual circumstances, ...’ which I think we all could agree would apply to this project ...”** (Senior Planner Leslie Mendez)
- The City disregards the possible effects of the project in light of the non-engineered buried creek. There are inadequate analyses to conclude that there will not be a significant environmental effect. However, there is substantial evidence that there is a reasonable possibility of impact. The **evidence strongly supports a fair argument there may be a significant effect.**

Buried Strawberry Creek Tributary Located Under Proposed Development Site



Source: Oakland Museum Watershed Map – Strawberry Creek
(<http://creeks.berkeley.edu/content/oakland-museum-watershed-map-strawberry-creek>)



Source: Association of Bay Area Governments Resilience Program Liquefaction Susceptibility Map (<http://gis.abag.ca.gov/website/Hazards/?hlyr=liqSusceptibility>)

Project Site Hydrologic Concerns

- **Unique site conditions: buried creek directly under development site (northern branch of Strawberry Cr. – delineated in numerous maps)**
 - **Directly related to existing site flooding and groundwater constraints**
- **The Urban Creeks Council determined this northern branch of Strawberry Cr. was previously filled with non-engineered soil and debris and the area was classified as “filled wetlands” and as “seismically unstable and subject to liquefaction”**
- **ABAG mapping also shows area is susceptible to liquefaction**

Project Site Hydrologic Concerns (cont.)

- **No record of engineered fill, culvert, or storm drain installation**
- **Shallow groundwater comes up to the surface and causes flooding during even modest storm conditions as subsurface is saturated**
- **Increase in impervious cover (site runoff co-efficient will increase) and loss of existing detention/sub-surface storage**
- **Site-specific soils and groundwater data is needed (no geotechnical investigation provided and the applicant's assessment to date has only considered surface runoff)**
- **Sub-surface and groundwater flow dynamics have not been evaluated and project would exacerbate existing flooding conditions and could impact sub-surface flow pathways (this concern was also identified in a previous site assessment by Greg Kamman, PG, CH)**
- **Site is subject to risk of subsidence (subsidence experienced in directly adjacent properties)**

Lack of Subsurface Drainage Evaluation

- **An enhanced geotechnical and shallow groundwater investigation is necessary to characterize subsurface soil and drainage conditions to avoid impacts to groundwater release preferential pathways as a result of the project.**
- **Site-specific evaluation of subsurface conditions is needed to determine & mitigate impacts of the proposed development on the surrounding properties.**
 - **(Information on site soil properties and groundwater dynamics is also needed to support design of proposed site facilities)**