



Request for City Council Committee Action from the Department of Community Planning and Economic Development - Planning Division

Date: August 24, 2006

To: Council Member Gary Schiff, Chair, Zoning & Planning Committee and
Members of the Committee

Referral to: Zoning and Planning Committee

Subject: Determination of the need for an Environmental Impact Statement and the adequacy of the EAW for the proposed Pacific Block Development of the block bounded by Washington Ave. N., 3rd Ave. N, 2nd St. N., and 2nd Ave. N.

Recommendation:

The Committee make the following findings not requiring the preparation of an Environmental Impact Statement for this Project:

1. The Environmental Assessment Worksheet, the "Findings of Fact and Record of Decision" document, and related documentation for the Pacific Block Development Project were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minn. Rules, Parts 4410.1000 to 4410.1700 (1993).
2. The Environmental Assessment Worksheet, the "Findings of Fact and Record of Decision" document, and related documentation for the project have satisfactorily addressed all of the issues for which existing information could have been reasonably obtained.
3. The project does not have the potential for significant environmental effects based upon the above findings and the evaluation of the following four criteria (per Minn. Rules, Parts 4410.1700 Subp. 7):
 - Type, extent, and reversibility of environmental effects.
 - Cumulative effects of related or anticipated future projects.
 - Extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority.
 - Extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies or the project proposer, or of environmental reviews previously prepared on similar projects.

4. The finding by the City that the EAW is adequate and no EIS is required provides no endorsement, approval or right to develop the proposal by the City and cannot be relied upon as an indication of such approval. This finding allows the proposer to formally initiate the City's process for considering the specific discretionary and ministerial permissions necessary for redevelopment, and for the City in this process, informed by the record of the EAW, to identify and encourage the elements for compatible redevelopment, and assure their implementation at this important site.

Consequently, the City makes a negative declaration and does not require the development of an Environmental Impact Statement for the project.

Previous Directives: None

Prepared by: Rebecca Farrar, Senior Planner
Approved by: Barbara Sporlein, Director, Planning
Presenters in Committee: Rebecca Farrar, Senior Planner/Michael Cronin, Consultant

Reviews

• Permanent Review Committee (PRC):	Approval ___ Date _____
• Policy Review Group (PRG):	Approval ___ Date _____

Financial Impact

- No financial impact

Community Impact

- Neighborhood Notification - See attached "Findings" Exhibit C
- City Goals - Not applicable, this process and decision is mandated by the EQB rules
- Comprehensive Plan - Not applicable
- Zoning Code - Not applicable
- End of 60/120-day decision period – Not applicable. EQB Rules 4410.1700 DECISION ON NEED FOR EIS. Subp. 2. Decision-making process. The decision on the need for an EIS shall be made in compliance with one of the following time schedules:
 - A. if the decision is to be made by a board, council, or other body which meets only on a periodic basis, the decision shall be made between three and 30 days after the close of the review period;
- Other - -Not Applicable see Recommended Finding number 4

Supporting Information

See the attached draft "Findings of Fact and Record of Decision" on the Environmental Assessment Worksheet for the Pacific Block Development.

Draft FINDINGS OF FACT AND RECORD OF DECISION

ENVIRONMENTAL ASSESSMENT WORKSHEET

For the Pacific Block Development

Location: the entire block bounded by Washington Avenue N. on the south, by 3rd Avenue N. on the west, by 2nd Street N. on the north, and by 2nd Avenue N. on the east in the City of Minneapolis, Hennepin County, Minnesota

Responsible Governmental Unit: City of Minneapolis

	<u>Responsible Governmental Unit</u>
Contact Person	City of Minneapolis
Title	Rebecca Farrar
Address	Senior Planner Planning Division Community Planning & Economic Development Department City of Minneapolis 210 City Hall 350 South 5th Street
City, state, ZIP	Minneapolis, MN 55415
Phone	612-673-3594
Fax	612-673-2728
E-mail	Rebecca.Farrar@ci.minneapolis.mn.us

	<u>Proposer</u>
Contact person	Pacific Flats, LLC
Title	Walter H. Rockenstein II
Address	Attorney for Pacific Flats, LLC Faegre & Benson LLP 2200 Wells Fargo Center 90 South Seventh Street
City, state, ZIP	Minneapolis, MN 55402-3901
Phone	612-766-7208
Fax	612-766-1600

Final action (refer to Exhibit E): Based on the Environmental Assessment Worksheet, the “Findings of Fact and Record of Decision,” and related documentation for the above project, the City of Minneapolis concluded the following on September 1, 2006:

1. The Environmental Assessment Worksheet, this “Findings of Fact and Record of Decision” document, and related documentation for the Pacific Block Development Project were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minn. Rules, Parts 4410.1000 to 4410.1700 (1993).
2. The Environmental Assessment Worksheet, this “Findings of Fact and Record of Decision” document, and related documentation for the project have satisfactorily addressed all of the issues for which existing information could have been reasonably obtained.
3. The project does not have the potential for significant environmental effects based upon the above findings and the evaluation of the following four criteria (per Minn. Rules, Parts 4410.1700 Subp. 7):
 - Type, extent, and reversibility of environmental effects.
 - Cumulative effects of related or anticipated future projects.
 - Extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority.
 - Extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies or the project proposer, or of environmental reviews previously prepared on similar projects.
4. The finding by the City that the EAW is adequate and no EIS is required provides no endorsement, approval or right to develop the proposal by the City and cannot be relied upon as an indication of such approval. This finding allows the proposer to formally initiate the City’s process for considering the specific discretionary and ministerial permissions necessary for redevelopment, and for the City in this process, informed by the record of the EAW, to identify and encourage the elements for compatible redevelopment, and assure their implementation at this important site.

Consequently, the City makes a Negative Declaration and does not require the development of an Environmental Impact Statement for the project.

I. ENVIRONMENTAL REVIEW AND RECORD OF DECISION

The City of Minneapolis prepared a Mandatory Environmental Assessment Worksheet (EAW) for the Pacific Block Development Project according to the Environmental Review Rules of the Minnesota Environmental Quality Board (EQB) under Rule 4410.4300 Subpart 19 Residential Development and Subpart 31, Historical Places. The project proposes construction of more than 375 attached residential units and demolition of structures within the National Register of Historic Places Minneapolis Warehouse District, and with the exception of the building at 212 Second Avenue North, within the Minneapolis Heritage Preservation Commission's North Loop Warehouse Area District. Exhibit A includes the project summary, and Exhibit B includes the Record of Decision.

II. EAW NOTIFICATION AND DISTRIBUTION

On June 31, 2006, the City caused the EAW to be published and distributed to the official EQB mailing list and to the project mailing list. The EQB published notice of availability in the *EQB Monitor* on July 3, 2006. Exhibit C includes the public notification record and these mailing lists.

III. COMMENT PERIOD, PUBLIC MEETING, AND RECORD OF DECISION

Exhibit D includes the 38 comment letters received. The Zoning and Planning Committee of the Minneapolis City Council considered the EAW and the draft of this "Findings of Fact and Record of Decision" document during its August 24, 2006 meeting. Notification of this public meeting was distributed via the City's standard notification methods and to the official list of registered organizations (refer to Exhibit C).

IV. SUBSTANTIVE COMMENTS RECEIVED AND RESPONSES TO THESE COMMENTS

For the purpose of review and response to the comments received they have been divided into three sections. First, four State agencies made no comment on the EAW nor requested an EIS be prepared for the project, but did request consideration or identified permits that will be required as the project moves forward. Second, five persons or agencies made comments on the adequacy, completeness and accuracy of the EAW and/or requested an EIS be prepared for the development. Last, 29 comments were received from residents and business people in the area of the project opposing approval of either of the project alternatives described in the EAW, but not commenting on the adequacy, completeness and accuracy of the EAW or requesting the preparation of an EIS.

The complete comments are available for review in Exhibit D.

A. State Agency Comments

1. Minnesota Historical Society / State Historical Preservation Officer (SHPO)

SHPO found that buildings in both alternatives exceeded the heights appropriate for both the National and Local Historic Districts, that the rear of the Northwestern Building should not be permitted to be demolished, and that reconsideration should be given to the statement in the EAW in section 25, page 28 a. that an archeological survey is not warranted.

Response. The Minneapolis HPC will specifically address these issues as part of its mandated review of this proposed project. SHPO's comments have been provided to the HPC staff.

2. Minnesota Pollution Control Agency (MPCA)

The MPCA identified the staff contact persons and the permits required as the project proceeds.

Response. These permits and others were identified in section 9 on page 10 of the EAW

3. Minnesota Department of Natural Resources (DNR)

The DNR has reviewed the EAW and had no comments.

Response. Noted for the record

4. Minnesota Department of Transportation (MNDOT)

MNDOT noted any work in MNDOT right of way would require a MNDOT permit

Response. Noted for the record.

B. Comments on the Completeness, Accuracy and Adequacy of the EAW and the Need for an EIS.

5. Metropolitan Council

The Metropolitan Council found the EAW to be incomplete pending additional information on net new wastewater flows and specific connection information and a statement on the consistency of the alternatives with the City's Comprehensive Plan, requested consultation on transit issues and noted the nearby Cedar Lake Regional Trail.

a. Wastewater Flow. The Metropolitan Council while noting the project does not appear to have a negative effect on the wastewater disposal system, did request a net new flow analysis be prepared. They also requested more detail on the proposed connection points than provided in the EAW in section 18 a. "Existing sanitary sewers located in 3rd Avenue N., 2nd Street N., and 2nd Avenue N. receive sewage from the Project Site. The City has indicated that adequate sewer capacity is available to serve the Project."

Response. This information will be developed as the project moves forward and the detailed building designs for the approved project are prepared. This information will be provided to the Metropolitan Council as part of the required MCES permit process as noted in the comment and in Table 8-1 on page 10 of the EAW.

b. Comprehensive Plan. The Metropolitan Council requested the points of conflicts and conformity of the alternatives be explicitly addressed in the EAW.

Response. In Minneapolis the consistency and conflicts with the Comprehensive Plan are identified and conformity with the Plan determined through the City's Land Use Application Review Process. This process provides professional staff comment, public comment at hearings, and final decisions by appointed and elected officials. The request of the Metropolitan Council cannot be competently addressed at this stage of the City's process.

c. Transit issues. The Metropolitan Council identified potential bus stop and bus layover issues adjacent to the project site.

Response. This comment has been provided to the Department of Public Works for their consideration of inclusion in the TDMP for this project.

6. Eric Galatz of Leonard Street and Deinard on behalf of the Rock Island Lofts Association.

The Rock Island Lofts are located at 111 Fourth Avenue N. and their Association is opposed to the height of the both the proposed alternatives and the precedent for other tall buildings in the area that the approval could establish.

a. Study of Additional Alternatives Needed. The Association requested an EIS to study alternatives for the development of the block and mitigation techniques to avoid the height and certain other potential significant impacts of the alternatives presented in the EAW.

Response. The height of the proposed tall buildings in both alternatives, and the conflict of these proposed heights with the guidelines of the HPC, the comment of SHPO and the height of surrounding buildings were identified in the EAW as the most important environmental impact of the project. This issue will be directly addressed, appropriate building heights determined, potential alternative designs evaluated and mitigation techniques identified and mandated through the City's HPC and Land Use Application Review Process. This Process provides for a dialogue with the project proposer, recommendations by professional staff, comment from the public and discussion and decisions by appointed and elected officials.

b. Soil and Groundwater Contamination. The Association requests an EIS to develop more information on this environmental hazard at the site and for surrounding properties.

Response. This topic is discussed in section 9 of the EAW beginning on page 12 d. Potential Environmental Hazards Due to Past Site Uses, and concludes on page 15 (4) Plan to Mitigate Project Site Contamination. This section identifies the potential hazards and describes the various MPCA Plans, Permits and Programs the developer of this site is subject to. These plans, permits and programs are also identified in Table 8-1 on page 10 of the EAW. The proposer is engaged with the MPCA to address these hazards at the site.

The statutory and regulatory responsibility to address these hazards rests with the MPCA and to a lesser extent the DNR. Neither of these agencies has requested an EIS be prepared to assist them in addressing these hazards.

c. Cumulative Wastewater and Traffic impacts of the Two Twenty Two and Twinsville developments. The Association requests an EIS to investigate the cumulative affects of the Pacific Flats Development and these developments.

These developments are not "connected" or "phased" developments by the Rules of the EQB. The EQB Rules 4410.2000 Subp. 5. Related actions EIS, provides "An RGU may prepare a single EIS for independent projects with potential cumulative environmental impacts on the same geographic area if the RGU determines that review can be accomplished in a more effective or efficient manner through a related actions EIS. A project must not be included in a related actions EIS if its inclusion would unreasonably delay review of the project compared to review of the project through an independent EIS." The Two Twenty Two development received approval by the City Planning Commission on August 14, 2006. Pending an appeal, this represents the final government decision on this project. Twinsville has not been defined as a project at this time and will probably be of the scale requiring an EAW or and EIS at the time that project is defined.

The wastewater flow from Pacific Flats and the Two Twenty Two projects will be diminutive in the context of the wastewater flows from central Minneapolis and those treated at the St. Paul wastewater treatment plant.

The combined or cumulative affect of the traffic generated by the Pacific Flats and the Two Twenty Two developments has been anticipated by the Public Works Department and they are reviewing and commenting on both projects jointly. See the second page of their comment below at 9, section 7.

d. Noise. The noise modeling reported in section 24 f beginning on page 25 indicates the present condition around the block is in violation of noise standards. An increase of noise of one to two decibels is anticipated due to increased traffic in either the build or no build cases. The Association asks for additional study of mitigation of this effect.

Response. As part of the City's Land Use Application Review Process compliance with State Noise Standards is implemented. As the final building designs for the project are reviewed through this Process, the noise exposure of those living, working and visiting the development can be addressed.

e. Demolition and Construction Dust. The Association seeks the duration, quantities and intensity of the dust generated during the demolition and construction of the project.

Response. That information is not available at the level of detail and point in the design process of the EAW. The topic is discussed in section 24 of the EAW in part d, where the proposer commits to using best management practices to mitigate this inevitable effect of demolition and excavation.

7. Walter Rockenstein on behalf of the Proposer, Pacific Flats LLC

The project proposer found two assertions in the EAW to be erroneous or seriously misleading and asked they be corrected.

a. The EAW states on page 31 "the HPC will determine the appropriateness of the design of all the elements of either alternative in the North Loop Warehouse Area (Local District)". Mr. Rockenstein finds there is no legal basis for HPC review and approval of the 40-story tower of Alternative Two as it is located outside the Local District boundary.

Response. If the development on the parcel excluded from the Local Historic District boundary is solely supported and permitted by the FAR, parking, setbacks, etc. drawn from the excluded site and is therefore truly independent of the development in the Historic District part of the block, he is correct. However, as described in EAW, the development of the excluded parcel is not independent of the development of the remainder of the block in the district. The proposed excluded parcel development in both alternatives could be permitted only because for example, parking is provided in the District, FAR that allows the proposed building is earned in the District and transferred to the excluded parcel, and the building on the excluded parcel extends into the District avoiding the need for setbacks. Because these connections are so fundamental to the development on the excluded parcel, it could be considered part of the development in occurring in the District and therefore this appendage of the development of the block could be reviewed by the HPC as part of the development occurring in the District.

b. There is no legally binding precedent will be created by approval of the taller buildings at this site.

Response. In section 29 on page 33 of the EAW discussing the potential cumulative effects of the alternatives if approved the statement "Approvals of either of the proposed alternatives will set a precedent that may have the

cumulative effect of allowing taller infill buildings in the future throughout this District” is made. Whether or not a legal right is created, an assumed precedent, depending on the facts and conditions on similar sites, could be created in the eyes of some observers by the decision to allow either alternative.

8. Lisa Rahne and Michael Nekich, 111 Fourth Avenue N. The Nekichs assert and find more study and an EIS are needed on the effects of either alternative in fundamentally altering the character and scale of the neighborhood, causing severe damage to the Warehouse District, cutting off sunlight and views of surrounding residents, negatively impacting traffic flow and permitting the same density and height as downtown though not zoned the same as downtown.

Response. Each of these issues will be specifically addressed during the City’s HPC and Land Use Application Review Process for the redevelopment of this site.

9. The City’s Public Works Department shared their comments on the TDMP referenced in the EAW. Public works submitted their comments on the issues and adequacy of the Draft TDMP discussed in the EAW.

Response. These comments enrich the EAW discussion of the traffic impacts and are a welcome addition to the review. Prior to approval of the TDMP the issues will be resolved to the Department’s satisfaction.

C. Comments from Area Residents and Business People in Opposition to the Project and Asking it Not Be Approved, but not Commenting on the Need for an EIS.

Twenty-nine comments stating opposition to approval of the project were received. Many referred to the comment of Elizabeth and Peter Belfiore, 9 North Fourth Avenue as representing their views. All the comments are made part of the record and can be found in Exhibit D for review. The Belfiore comment is the first comment in this section.

Response. The topics of these comments will be specifically addressed during the City’s HPC and Land Use Application Review Process for the redevelopment of this site.

V. ISSUES IDENTIFIED IN THE EAW

The most important environmental issue identified in the EAW was the impact of the project’s design on the character of the national and local historic districts that are the site of the project. This impact will be directly assessed through the City’s HPC approval process.

VI. COMPARISON OF POTENTIAL IMPACTS WITH EVALUATION CRITERIA

In deciding whether a project has the potential for significant environmental effects and whether an Environmental Impact Statement (EIS) is needed, the Minnesota Environmental Quality Board rules (4410.1700 Subp. 6 & 7) require the responsible governmental unit, the City in this case, to compare the impacts that may be reasonably expected to occur from the project with four criteria by which potential impacts must be evaluated. The following is that comparison:

A. Type, Extent, and Reversibility of Environmental Effects

The significant environmental effect identified in the EAW are the project's inconsistency with the provisions of the Guidelines for the North Loop Warehouse Area District, and by the comment of SHPO both alternatives are inappropriate by the Secretary of the Interior's Guidelines for development in the National Register of Historic Places Minneapolis Warehouse Historic District. The extent and mitigation of this conflict, if mitigation is possible, will be considered by the HPC review process, and including a possible appeal to the City Council.

B. Cumulative Effects of Related or Anticipated Future Projects

Mixed-use development at this site is consistent with the overall objective of the Plan and the zoning regulations of the City. The bulk of the proposed structures will be subject to allowance of the bonuses and premiums provided in the Code. The specific design elements of this proposal may be mitigated during the City's HPC and Land Use Approval Review Process. No other project is related to this project.

C. Extent to Which the Environmental Effects are Subject to Mitigation by Ongoing Public Regulatory Authority

The City has discretionary authority through its HPC and Land Use Approval Review Process, and ministerial authority through the permit approvals required for this project, to address, mitigate or avoid the environmental effects identified in the EAW.

D. Extent to which Environmental Effects Can be Anticipated and Controlled as a Result of other Environmental Studies Undertaken by Public Agencies or the Project Proposer, or of Environmental Reviews Previously Prepared on Similar Projects.

The construction this mixed use development on the edge of the downtown of a central city follows a number of similar projects constructed during the last ten years, many of which have been subject to environmental review. This is a known event with known effects.

VII. DECISION ON THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

Based on the Environmental Assessment Worksheet, the “Findings of Fact and Record of Decision,” and related documentation for this project, the City of Minneapolis, the responsible governmental unit (RGU) for this environmental review, concludes the following:

1. The Environmental Assessment Worksheet, this “Findings of Fact and Record of Decision” document, and related documentation for the Pacific Block Development Project were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minn. Rules, Parts 4410.1000 to 4410.1700 (1993).
2. The Environmental Assessment Worksheet, this “Findings of Fact and Record of Decision” document, and related documentation for the project have satisfactorily addressed all of the issues for which existing information could have been reasonably obtained.
3. The project does not have the potential for significant environmental effects based upon the above findings and the evaluation of the following four criteria (per Minn. Rules, Parts 4410.1700 Subp. 7):
 - Type, extent, and reversibility of environmental effects.
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 - Extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies or the project proposer, or of environmental reviews previously prepared on similar projects.
4. The finding by the City that the EAW is adequate and no EIS is required provides no endorsement, approval or right to develop the proposal by the City and cannot be relied upon as an indication of such approval. This finding allows the proposer to formally initiate the City’s process for considering the specific discretionary and ministerial permissions necessary for redevelopment, and for the City in this process, informed by the record of the EAW, to identify and encourage the elements for compatible redevelopment, and assure their implementation at this important site.

Consequently, the City makes a Negative Declaration and does not require the development of an Environmental Impact Statement for the project.

Exhibits:

- A. Project Description
- B. Record of Decision
- C. Public notification record

- D. Comment letters
- E. Council/Mayor action

EXHIBIT A

Project Description

The Pacific Block Development is a mixed commercial, hotel, office, and residential development totaling approximately 750,000 gross square feet proposed on the block bounded by Washington Ave. N., 3rd Ave. N, 2nd St. N., and 2nd Ave. N. in Downtown Minneapolis. The residential component comprises 450 condominium units in two buildings. The Pacific Block is within the National Register "Minneapolis Warehouse Historic District" and, except for one parcel, is within the "North Loop Warehouse Area", a historic district designated by the City of Minneapolis.

EXHIBIT B

Environmental Review Record for the Pacific Block Development Project Environmental Assessment Worksheet

CHRONOLOGY IN COMPLIANCE WITH THE PROCEDURES OF THE MINNESOTA ENVIRONMENTAL POLICY ACT

<u>DATE</u>	<u>ITEM</u>
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6/30/06	City staff distributes EAW to official EQB mailing list and Project List.
7/3/06	Minnesota Environmental Quality Board (EQB) publishes notice of availability in <i>EQB Monitor</i> . 30-day comment period commences.
8/2/06	End of EAW public comment period.
8/24/06	Zoning and Planning Committee (Z & P) of the City Council considers the "Findings of Fact and Record of Decision" report, provides recommendation to the City Council.

City Council approves Z & P Committee recommendation and makes a finding of Negative Declaration: the EAW is adequate and no EIS is necessary.

Mayor approves Council action regarding EAW

City publishes notice of Council/Mayor decision in Finance and
Commerce. Moratorium on issuance of final permits lifted.

City publishes and distributes Notice of Decision and availability of final "Findings" report to Official EQB List and the Project List

EQB publishes Notice of Decision in *EQB Monitor*.

EXHIBIT C

Public Notification Record

The following describes the public notification process of the Planning Division for the Pacific Block Development Project EAW:

1. The City maintains an updated list based on the EQB Contact List. The Planning Division also distributes copies of the EAW to elected and appointed officials, City staff and others who have expressed interest in the project.
2. A notice of the availability of the Pacific Block Development Project EAW, the dates of the comment period, and the process for receiving a copy of the EAW and/or providing comment was published in the EQB Monitor on July 3, 2006, and provided to the City's Communications/Public Affairs office for notice and distribution.
3. The Planning Division distributed the Notice of Decision with information regarding the final "Findings" document to the EQB Contact List and the project list.
4. The EQB published the Notice of Decision in the *EQB Monitor*.

Attached:

EQB Contact List

Pacific Block Project List

EXHIBIT D

Comments Received on the Pacific Block Development Project EAW

Following are the written comments received on the EAW for this Project



MINNESOTA HISTORICAL SOCIETY

State Historic Preservation Office

July 26, 2006

Ms. Rebecca Farrar
Senior Planner
City of Minneapolis
210 City Hall
350 South 5th Street
Minneapolis, MN 55415

Re: EAW – Pacific Block Development
Minneapolis, Hennepin County
SHPO Number: 2006-2403

Dear Ms. Farrar:

Thank you for providing this office with a copy of the Environmental Assessment Worksheet for the above-referenced project. It has been reviewed pursuant to responsibilities given to the Minnesota Historical Society by the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act and through the process outlined in Minnesota Rules 4410.1600.

We have the following comments on this proposed project:

1. As the EAW indicates, both alternatives significantly exceed the heights appropriate for both the national and local historic district. Buildings of this height should not be built in this area.
2. Rehabilitation of historic buildings in the block should be done in conformance with the Secretary of the Interior's Standards for Rehabilitation. In this respect, the demolition of the rear portion of the Northwestern Building would not meet the Standards.
3. We recommend that a land use history of the block be prepared as a basis for an assessment of the need for a historic archaeological survey of the site.

Contact us at 651-296-5462 with questions or concerns.

Sincerely,

Britta L. Bloomberg
Deputy State Historic Preservation Officer

cc: Greg Mathis, Minneapolis HPC



Minnesota Pollution Control Agency

July 26, 2006

Ms. Rebecca Farrar
City of Minneapolis
Community Planning & Economic Development Department
210 City Hall
350 South 5th Street
Minneapolis, MN 55415

RE: Pacific Block Development
Environmental Assessment Worksheet

Dear Ms. Farrar:

The Minnesota Pollution Control Agency (MPCA) has received copies of the Environmental Assessment Worksheet (EAW) prepared for the above project, prepared by the city of Minneapolis, Responsible Governmental Unit (RGU). The MPCA has not reviewed the EAW for this project. Therefore, the MPCA has no specific comments to provide the RGU. This decision not to review the EAW does not constitute waiver by the MPCA of any pending permits required by the MPCA. Ultimately, it is the responsibility of the project proposer to secure any required permits and to comply with any requisite permit conditions. The enclosed checklist identifies permits that the project may require, together with the most recent contacts at the MPCA.

We remind the RGU that, pursuant to Minn. R. 4410.1700, subp. 5 (Environmental Quality Board Rules), a copy of the RGU's decision on this EAW needs to be sent to the MPCA.

Sincerely,

James E. Sullivan
Project Manager
Environmental Review and Operations Section
Regional Division

JES:mbo

Enclosure

cc: Walter H. Rockenstein II, Pacific Flats, LLC

CHECKLIST

5-2

After a cursory review of the proposed project, the Minnesota Pollution Control Agency (MPCA) staff noted areas that may need additional follow-up and/or a permit from the MPCA. Those specific areas are checked below:

SDS Permit – Sanitary Sewer Extension Permit

A State Disposal System (SDS) Permit is required for any extension of a sanitary sewer. If a sanitary sewer is proposed as a part of this project, an application for the SDS Permit should be made to the MPCA by contacting David Sahli, Municipal Division (MUN), Metro Region, at 651/296-8722.

NPDES/SDS Permit for dredged material disposal.

If disposal of dredged material is anticipated, then Brett Ballavance (Duluth office) at 218/723-4837 or Jaramie Logelin (Duluth office) at 218/529-6257 (northern), or Elise Doucette (MUN/Metro Region) at 651/296-7290 or Jeff Smith (Rochester office) at 507/285-7302 (southern) should be contacted.

NPDES Permit – Construction Stormwater:

A General National Pollutant Discharge Elimination System (NPDES) Permit from the MPCA for construction activities will be required for all projects that disturb one (1) or more acres of land. The NPDES Permit specifically requires Best Management Practices which are detailed in the permit (additional information can be found in the MPCA document *Protecting Water Quality in Urban Area*) to prevent erosion and control sedimentation during construction and a stormwater pollution prevention plan to manage pollutants in storm-water runoff from the site that will occur after construction is complete. As a requirement of the NPDES Permit, storm-water wet-detention ponds must be installed to treat the storm-water runoff whenever a project replaces surface vegetation with one or more cumulative acres of impervious surface. If you have need of technical assistance regarding this, please contact Michael Findorff (MUN/Metro Region) at 651/296-6798 or Todd Smith (MUN) at 651/215-6008. For more general information, please contact the appropriate MPCA Regional Office staff below:

- Brainerd, Lisa Woog at 218/855-5017
- Duluth, Jim Dexter at 218/529-6253
- Detroit Lakes, Joyce Cieluch at 218/846-7387
- Willmar/Marshall, Judy Mader (St. Paul office) at 651/296-7315 or Mark Hanson (Marshall Office) at 507/537-6000
- Rochester, Roberta Getman at 507/280-2996
- Metro, Brian Gove (REM/Metro Region) at 651/296-7597

Industrial Stormwater

- Brainerd, Robin Novotny at 218/828-6114
- Duluth, John Thomas at 218/723-4928
- Detroit Lakes, Jack Frederick at 218/846-0734
- Marshall, Brad Gillingham at 507/537-6381
- Mankato, Teri Roth at 507/389-5235
- Rochester, Dennis Hayes at 507/280-2991
- Rochester, Jeff Smith at 507/285-7302
- Major Facilities, Elice Doucette (MUN/Metro Region) at 651/296-7290
- Willmar, Ben Koplín at 320/231-5321

Septic Tank System

Individual septic tank systems design and construction must comply with Minn. R. 7080. For additional information, contact Mark Wespetal (MUN, Water Policy and Coordination) at 651/296-9322.

Water Quality Certification

Waiver of the Clean Water Act Section 401 Water Quality Certification is required. When wetlands are altered or impacted by filling, drainage, excavation, or inundation as part of the federal Clean Water Act Section 404 permit process, a statement waiving the 401 Certification from our agency must be obtained.

If you have any questions regarding this, please contact Jennifer Olson, of the Regional Division, Business Systems Unit 1, at 651/297-8611. The MPCA requires the project be evaluated for mitigation in accordance with the following hierarchy of preference:

- a. Avoid the impact.
- b. Minimize the impact.
- c. Mitigate the impact through wetland replacement.

Demolition Debris

Demolition debris must be disposed of at a properly permitted disposal facility. For information on the location of one nearest you, please contact the appropriate MPCA Regional Office staff below:

- Brainerd, Curt Hoffman at 218/828-6198
- Detroit Lakes, Roger Rolf at 218/846-0774
- Duluth, Heidi Kroening at 218/723-4795 or Tim Musick at 218/723-4708
- Marshall, Brad Gillingham at 507/537-6381
- Rochester, Mark Hugeback at 507/280-5585
- Metro, Jackie Deneen (MUN) at 651/297-5847

Asbestos

Asbestos may be present in the building(s) that will be demolished, which requires special handling. Please contact Jackie Deneen (MUN) at 651/297-5847 for additional information.

Wells

Abandonment and/or installation of wells must be done by a licensed well driller. Please contact the Minnesota Department of Health 651/215-0823 for additional information.

Above and Below Ground Tanks

The installation and/or removal of ALL above and below ground tanks must be reported to the MPCA before any work begins. Please contact the MPCA Customer Assistance Center at 651/297-2274 or 800/646-6247 for additional information.

Potential Cumulative Effects

The section of the EAW designated for the analysis and discussion of potential cumulative effects is incomplete. Please refer to *Citizens Advocating Responsible Development v. Kandiyohi Board of Commissioners*, 713 N.W.2d 817 (Minn. 2006). The Court held that a "cumulative potential effects" inquiry under Minn. R. 4410.1700, subp. 7, requires a Responsible Governmental Unit to inquire whether a proposed project, which may not individually have the potential to cause significant environmental effects, could have a significant effect when considered along with other projects that (1) are already in existence, are actually planned for, or for which a basis of expectation has been laid; (2) are located in the surrounding area; and (3) might reasonably be expected to affect the same natural resources

Other Issues Identified by Staff

Farrar, Rebecca D.

From: Wayne Barstad [Wayne.Barstad@dnr.state.mn.us]
Sent: Monday, July 31, 2006 7:39 AM
To: Farrar, Rebecca D.
Subject: Pacific Block Development EAW

The DNR has no comment on this EAW. ..wb

Wayne Barstad
Regional Environmental Assessment Ecologist
Central Region
651 772-7940
wayne.barstad@dnr.state.mn.us



Minnesota Department of Transportation

Metropolitan District

Waters Edge
1500 West County Road B-2
Roseville MN 55113-3174

July 31, 2006

Rebecca Farrar
Senior Planner
Planning Division
Community Planning & Economic Development Department
210 City Hall
350 South 5th Street
Minneapolis, MN 55415

SUBJECT: Pacific Block Development
Mn/DOT Review #EAW06-018
Jct CSAH-152, Washington Avenue North
Minneapolis, Hennepin County
Mn/DOT Control Section 2789

Dear Ms. Farrar:

Thank you for the opportunity to review the Environmental Assessment Worksheet (EAW) completed by the City of Minneapolis regarding the above named project. Mn/DOT staff has reviewed the EAW and has the following comment:

Permits:

Any work within or impacting Mn/DOT Right of Way requires a permit. Permit forms are available from Mn/DOT's utility website at the following URL:

www.dot.state.mn.us/tecsup/utility

Please direct any questions regarding permit requirements to Buck Craig (651-582-1447) of Mn/DOT's Metro Permits Section.

If you have any questions concerning this review please contact me at (651) 634-2083.

Sincerely,


Juanita Voigt
Transportation Planner



August 2, 2006

Ms. Rebecca Farrar, Senior Planner
Community Planning & Economic Development Department
City of Minneapolis
210 City Hall
350 South 5th Street
Minneapolis, MN 55415

SUBJECT: *Environmental Assessment Worksheet
City of Minneapolis, Pacific Block Development
Metropolitan Council District 7, Review File No. 19787-1*

Dear Ms. Farrar:

Metropolitan Council staff reviewed the environmental assessment worksheet (EAW) for the Pacific Block Development. Staff reviewed the EAW to determine: *a) its potential for significant environmental impact and need for an EIS; b) the accuracy and completeness of information presented; c) its impact on regional systems and regional policy, and; d) its impact on Council property, activities and/or facilities.* The project, a mixed-use development comprised of commercial, hotel, office and residential development, totals approximately 750,000 gross square feet. The 2.47 acre site is located between 3rd Ave. N. and 4th Ave N. and between 2nd and Washington Streets. The area is within the in the "Minneapolis Warehouse Historic District" and the "North Loop Warehouse Area."

Staff finds this EAW to be incomplete as submitted. Consequently, we are unable to determine at this time whether the project is in conformity with regional system plans and whether an EIS may be needed. We encourage you to withdraw the EAW until the information requested below is provided, or to issue a supplemental EAW to address the missing information. In the following sections, the Council offers comments on the EAW and requests information to assist in making a determination of whether an EIS is necessary for this project.

Information requested:

Item 18 – Water Quality: Wastewaters (Kyle Colvin, Environmental Services, 651- 602-1151)

Information is needed regarding discharge levels and sewer connections. Additional information is needed before the Council can make a final determination regarding the effect of the project on the regional wastewater disposal system. The project does not appear to have a negative effect on the regional wastewater disposal system, based on the EAW wastewater generation projection of 200,000 gallons per day (gpd). An estimate of the current level of discharge should be provided to Metropolitan Council Environmental Services (MCES) so MCES can determine whether this 200,000 gpd represents an increase or decrease in the level of flow discharged to the regional disposal system.

The document is also unclear on how direct sanitary sewer service is to be provided to the site. Will the site be served by City facilities or will there be a direct connection to MCES interceptor 1-MN-310? A permit is required from MCES if sewer service is to be provided through either a new direct connection to the existing MCES interceptor, or through reconnections at existing connection points with the interceptor. To provide current level of discharge information and/or to initiate the permit process, contact Kyle Colvin, at (651) 602-1151.

Item 27a – Compatibility with Plans and Land Use Regulation (Denise Engen, Community Development, 651-602-1513)

The EAW document should more explicitly address where this project conflicts with and conforms to the City's comprehensive plan for land use and historic resources. It does not appear that the project conflicts with regional policy regarding metropolitan systems. However, it is unclear in the EAW how the Pacific Block project conforms or conflicts with the City's comprehensive plan, particularly for planned land use and historic preservation – and if a plan amendment will be sought.

The City's comprehensive plan includes many policies and implementing instruments. In addition, certain elements of the plan, such as land use and historic preservation, also have specific provisions in state statute. (Refer to the Council's *Local Planning Handbook* found online at <http://www.metrocouncil.org/planning/LPH/handbookSep05.pdf>.) State statute also directs that implementing instruments of a city's comprehensive plan may not be in conflict with the plan and may not allow activities in conflict with metropolitan system plans. In Minneapolis, the Historic Preservation Commission (HPC) implements Chapter 599, Heritage Preservation Regulations, of the city code. It is noted in Section 9c of the EAW that the project does not meet guidelines adopted by the HPC for the project area.

If the proposed project is in conflict with the comprehensive plan, either the project or the plan must be amended before site approvals may be issued. This is true for all re-developments in the City and is of particular concern as denser, mixed-use projects continue to be proposed in Minneapolis – especially in historic districts and/or other special areas.

Advisory Comments:

Item 21 – Traffic (Steve Mahowald, MetroTransit, 612-349-7775)

Transit. Transit will be an essential element in this area of Minneapolis, especially as the area grows in population and jobs due to denser redevelopment, such as is proposed in this project. In particular, this section of Washington Ave. is cited in various documents as part of the future primary transit network. The block proposed for redevelopment currently has a bus stop on westbound Washington Avenue, nearside of 3rd Avenue North. This bus stop must be retained in the completed project. As transit use is expected to increase as a result of this project, space should be provided for a future transit shelter. This can be accomplished by providing a sufficient footprint on the public sidewalk, or by providing space for a shelter within the building envelope/design. There is also an on-street transit layover area across the street from the block to be re-developed – on northbound 2nd Avenue North, between Washington and 2nd Street North. This layover area must be retained until a permanent off-street facility can be built to replace it. When the Pacific Block project reaches the approval stage, the developer should work with MetroTransit to incorporate these regional facilities into project design and implementation.

Item 25d – Nearby Resources: Designated Parks, Recreation Areas and Trails (Jan Youngquist, Community Development, 651-602-1029)

The text in this section of the EAW should note that the project is within 2 blocks of the Cedar Lake Regional Trail, which runs along Hennepin Avenue in this area.

August 2, 2006
Ms. Rebecca Farrar
Page 2

In summary, this EAW is incomplete as submitted. If the information for wastewater and the comprehensive plan consistency is provided, staff will be able to complete its review in a timely manner. If you have any questions or need further information with respect to these matters, please contact the technical reviewer indicated in a particular section, or Denise Pedersen Engen, Principal Reviewer, at (651) 602-1513.

Sincerely,



for Phyllis Hanson, Manager
Local Planning Assistance

cc: Jack Jackson, MultiFamily Market Analyst, MHFA
Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Annette Meeks, Metropolitan Council District 7
Keith Buttleman, Environmental Services
Denise Pedersen Engen, Sector Representative/Principal Reviewer
Cheryl Olsen, Reviews Coordinator

LEONARD
STREET
AND
DEINARD

150 SOUTH FIFTH STREET SUITE 2300
MINNEAPOLIS, MINNESOTA 55402
612-335-1500 MAIN
612-335-1657 FAX

ERIC H. GALATZ
612-335-1509 DIRECT
ERIC.GALATZ@LEONARD.COM

August 2, 2006

Ms. Rebecca Farrar, Senior Planner
Minneapolis Planning Division
Community Planning & Economic Development Department
210 City Hall
350 South 5th Street
Minneapolis, Minnesota 55415

**Re: Environmental Assessment Worksheet (“EAW”) for
Pacific Block Development**

Dear Ms. Farrar:

Please accept these comments regarding the July 3, 2006 EAW for the Pacific Block Development on behalf of our clients the Rock Island Lofts Association. The EAW correctly concludes this development is “out of character with the surrounding local and national historic districts and will have a negative visual impact.” EAW, at 31.

Despite this conclusion, the EAW fails to discuss how the developer intends to minimize that negative impact and does not discuss alternative development plans that would eliminate or mitigate the negative impact. In alternative number one, the developer proposes to construct an 18-story and 28-story condominium tower. Both towers are considerably higher than any building in this area. The Association agrees that that the “most important environmental issue identified in the EAW is the impact of the project’s design on the character of the national and local districts that are the site of the project.” *Id.*, at 34.

In addition, the EAW contains incomplete information about other aspects of this development that warrant further information and consideration.

Environmental Inspections

Section 9: Land Use

In this case, the EAW identifies a laundry list of environmental contamination associated with this site and the environmental programs the developer will need to complete. However, in many instances, the EAW does not contain sufficient information to evaluate the extent of the contamination.

For example, the EAW states that the "full extent of groundwater contamination has yet to be identified." EAW, at 14. The EAW states that "VOC contamination, primarily from chlorinated solvents, was detected as this location." The EAW fails, however, to state whether the VOC contamination exceeded either MPCA's Tier 1 SLV or Tier 2 SLV. See id. The EAW should contain this information.

In addition, the EAW states that polynuclear aromatic hydrocarbons ("PAH's") were identified in 9 of the 16 soil borings and that none of "these PAHs, detected individually, exceed MPCA Tier 1 SLVs or MPCA Tier 2 SRVs." Id. The EAW, however, does not address the cumulative effects of the PAHs found. Again, the EAW states that the "full extent of soil contamination has yet to be identified." Id.

The environmental review process is designed to "provide usable information to the project proposer, governmental decision makers and the public concerning the primary environmental effects of a proposed project . . . and [to] reduce delay and uncertainty in the environmental review process." Minnesota Rules 4410.0300, subp. 4(a) and (c). However, in at least two instances, the EAW states that the full extent of contamination has not been identified.

In addition to these shortcomings, the EAW does not contain sufficient information to evaluate whether the development on this site will increase the risk of groundwater contamination, not only on this site, but to the surrounding properties.

The EAW Contains Insufficient Information on Cumulative Impacts

Section 18: Water Quality: Wastewater

In this section, the EAW states that the "estimated maximum daily flow [of wastewater] can be computed by the Metropolitan Council Environmental Services' Service Availability Charge method." EAW, at 19. The EAW concludes that "the maximum average daily flow is estimated to be 200,000." It is difficult to comment on this conclusion because the EAW does not contain the underlying data used for this calculation or the calculation itself. The EAW should include this information.

The EAW concludes that the "additional waste water from the Project is within the plant's volume capacity and will not alter the plant's ability to meet its permit requirements." Id. However, this is just one of many examples where the EAW fails to take into account the cumulative impact of this development and future development in this area.

Cumulative impact "means the impact on the environment that results from incremental effects of the project in addition to other past, present, and reasonably foreseeable future projects regardless of what person undertakes the other projects." Minn. Rules 4410.0200, subp. 11.

The EAW does mention the Eclipse project, but it does not mention the Twinsville or Whole Foods projects. To truly evaluate the cumulative impact of the development projects in this area, the EAW take into account the Twinsville and Whole Foods projects.

Section 21: Traffic (Travel Demand Management Plan "TDMP")

The EAW states that the consultant analyzed traffic operations at eight intersections and identified two peak times—p.m. peak hour (4:30 to 5:30) and the a.m. peak hour. See EAW, at 21. However, the consultant only analyzed two intersections at the a.m. peak hour. It is unclear why this was done. Given that the traffic analysis identified two peak hours, we do not believe it was appropriate for the consultant to cut short its analysis of the a.m. peak hour. Therefore, we believe the EAW contains insufficient information on the impact this development will have on traffic.

In addition, although the TDMP added trips for the Eclipse development, the TDMP, to our knowledge, did not consider the cumulative impact of this development, the Eclipse development, and the Whole Foods and the Twinsville projects. It is difficult to understand why the TDMP included the Eclipse development, but did not include the Whole Foods project and the significantly larger Twinsville project. These four projects, cumulatively, will no doubt have a significant, and likely negative impact, on the traffic in this area. We all would likely agree that traffic congestion is one of the major problems facing downtown Minneapolis. Yet, the TDMP and EAW does not contain sufficient information to evaluate that problem.

We are also concerned that this development anticipates that vehicle access to the hotel would be on 3rd Avenue and that construction on this block could extend up to five years. 3rd Avenue is one of the main routes out of this historic district and onto the freeway. The EAW fails to recognize this fact and evaluate how the hotel traffic will impact the neighborhood's use of 3rd Avenue.

Finally, the EAW states that while the development is under construction "the adjacent parking lanes will be disrupted along each block face." *Id.*, at 23. The EAW does not contain sufficient information to understand when and how long each parking lane will be disrupted. We believe it is obvious that construction in the parking lanes will necessarily slow down traffic.

Section 24: Odor, Noise and Dust

Demolition and Construction Dust

In Section 24, the EAW should describe the duration, quantities or intensity of any odors, noise, or dust generated during construction. *Id.*, at 24. The EAW states that construction on this site will generate dust. The EAW contains no information on the duration, quantities or intensity of the dust generated by this project. This is basic information required by the EAW.

Traffic Noise

The EAW states that a “detailed noise analysis was completed to assess existing traffic noise levels in the Project area and to determine what effect the proposed project will have on future noise levels.” *Id.*, at 25. The noise analysis was not included in the EAW, and it impossible for us to comment on the analysis without having an opportunity to review. In addition, the EAW failed to take into account the Twinsville and Whole Foods projects. Without evaluating the cumulative impact, we believe the EAW contains insufficient information to evaluate the noise impact on this historic neighborhood.

In addition, the EAW concludes that “[n]oise in the proposed residential areas in the Project will exceed daytime and nighttime noise standards. However, the breaks necessary to accommodate the side-street and driveway entrances and the proximity of the development to the roadway would not allow the construction of effective noise barriers.” *Id.*, at 27. The EAW contains no information on alternative design plans that would allow for noise mitigation. We believe it is appropriate for the EAW to discuss alternative design plans that would mitigate the noise impacts.

Forever Changing the Character of the Warehouse Historic District

Section 25: Nearby Resources and Section 26: Visual Impacts

We agree that the most important issue addressed by the EAW is that this development would forever change the character of this historic district. The EAW concludes that this development is “out of character with the surrounding local and national historic districts and will have a negative visual impact.” *Id.*, at 31. Importantly, the City’s Comprehensive Plan encourages that new residential development contribute to the sense of the neighborhood. *See id.*, at 32. However, the proposed design for both condo buildings “is not within conformance of the adopted Warehouse Historic District Guidelines.” *Id.*, at 31. We do not believe the condominium towers would contribute in any way to the sense of this historic neighborhood.

The EAW notes that the “Minneapolis Warehouse Historic district cover[s] 150 buildings.” *Id.*, at 28. We believe the EAW should have compared the height of the 18 story and 28 story condominium towers to the average height of the buildings in this historic district. We believe that comparison would demonstrate how out of character this development truly is.

Instead, the EAW focuses on a nearby, but distinctly different neighborhood. For example, it discusses the Churchill Apartments (33 stories), the Carlyle (39 stories), and the Eclipse (24 and 32 stories). However, anyone familiar with those projects knows that they are part of a separate and distinct neighborhood. Simply put, we do not believe the Churchill Apartments, the Carlyle and the Eclipse are located in the same neighborhood and should not be relied upon to justify the towering condominiums proposed.

Finally, the EAW fails to address the negative impacts the condominium towers would have on the pedestrian experience, and views into and out the historic district. One important characteristic of the district is sunlit streets attributable to the relatively uniform building height of approximately eight stories. The uniformity of height also provides an identity to the district when viewed from a distance. Comparatively, anyone who has walked down First and Hennepin from the post office to the Carlyle knows that sunlight does not exist on that block. This development would destroy the sunlight and downtown views that are characteristic of this historic district.

Conclusion

The EAW correctly concludes that the "most important environmental issue identified in the EAW is the impact of the project's design on the character of the national and local historic districts that are the site of the project." *Id.*, at 34. The EAW also recognizes that "[a]pprovals of either of the proposed alternatives will set a precedent that may have the cumulative effect of allowing taller infill buildings in the future throughout this district." *Id.*, at 33.

We also believe it is important to consider all of the redevelopment that has recently occurred in this historic district. Because those projects were completed without changing the character of this historic district, we are unclear as to why the EAW contains no information on alternative design plans that would protect the character of this historic district or minimize the noise and traffic impacts.

As the EAW notes, if the City allows the towering condominiums, it will likely lead to similar developments in the future. The City will never have an opportunity to go back in time and restore the character of this historic district. Rather, this neighborhood, instead of keeping its historic character, will simply turn into another area in the City where towering condominiums dominate the skyline. The bottom line is that the EAW contains insufficient information on alternative design proposals and how the developer could mitigate "the most important environmental issue identified in the EAW." *Id.*, at 34. As a result, we believe the City does not have sufficient information to determine whether an Environmental Impact Statement ("EIS") is necessary for this project.

An EIS "shall be ordered for projects that have the potential for significant environmental effects." Minnesota Rules 4410.1700, subp. 1. "In deciding whether a project has the potential for significant environmental effects, the following factors shall be considered:

- A. type, extent, and reversibility of environmental effects;
- B. cumulative potential effects of related or anticipated future projects;
- C. the extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority; and
- D. the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proper, including other EISs.

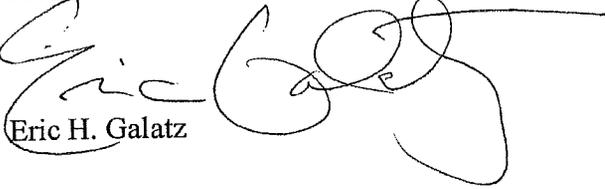
Id., subp. 7. Because this project has the potential for significant environmental effects, the City must order an EIS for this project. The EIS, at a minimum, must further evaluate the following issues:

1. The type, extent, and reversibility of the soil and groundwater contamination;
2. The impact of the proposed condominium towers on the character of the national and local historic districts that are the site of the project;
3. The cumulative potential effects of this project, Twinsville and the Whole Foods project on (a) water quality, (b) traffic, and (c) noise; and
4. The extent to which the environmental effects identified in (1)-(3) are subject to mitigation by ongoing public regulatory authority.

All of the issues identified above warrant further analysis and consideration. Based on the foregoing, we request that the City make a positive declaration on the need for an EIS and include within the scope of the EIS appropriate studies to obtain information on the four issues identified above.

Very truly yours,

LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION


Eric H. Galatz



UNITED STATES | ENGLAND | GERMANY | CHINA

WALTER H. ROCKENSTEIN II
wrockenstein@faegre.com
(612) 766-7208

August 2, 2006

Ms. Rebecca Farrar
Senior Planner, Planning Division
Community Planning & Economic Development Department
City of Minneapolis
210 City Hall
350 South Fifth Street
Minneapolis, MN 55415

BY E-MAIL
AND MESSENGER

**Re: Comments On Pacific Block Development Environmental Assessment
Worksheet By Pacific Flats, LLC**

Dear Ms. Farrar:

The purpose of this letter is to provide comments to the City of Minneapolis (“City”) as the Responsible Government Unit (“RGU”) that prepared the *Pacific Block Development Environmental Assessment Worksheet* (“EAW”) for the Pacific Block Development project (“The Pacific Development” or “Project”). These comments are being submitted on behalf of the Project proposer, Pacific Flats, LLC.

Two assertions in the EAW are either erroneous or seriously misleading. These should be corrected or clarified.

The first inaccuracy is in Item 25(b) on page 31 of the EAW in the discussion of historic resources. The EAW states with respect to both the 28-Story Condo Building Alternative and the 40-Story Condo Building Alternative that “[a]ll rehabilitation and infill construction will require approvals by the HPC.” This statement is incorrect with respect to the 40-Story Condo Building Alternative because, in that alternative, the forty-story tower portion of the Building would be constructed entirely on a lot (the “Gehl-Dolphin Lot”) that is not within the North Loop Warehouse Area (Local District). Therefore, the tower portion would not be subject to review by the Heritage Preservation Commission (“HPC”) and would not require approval of a Certificate of Appropriateness by the City.

A Certificate of Appropriateness is only required for “alteration of a landmark, property in an historic district or nominated property under interim protection.” See

Minneapolis Code of Ordinances (“MCO”) § 599.320. By definition, the Heritage Preservation Code only applies to “landmarks” and “historic districts” that have been designated by the City Council. See MCO § 599.110, Definitions. Thus, absolutely no legal basis exists for the assertion that rehabilitation or construction that occurs on the Gehl-Dolphin Lot, which is not located within a historic district designated by the City Council, is subject to HPC review or approval.

The above-quoted statement from the EAW may be unintentionally overbroad. The sentence that follows the discussion of HPC review of the 40-Story Condo Building Alternative states that “[a]fter a report by CPED-Planning staff and hearing from the public, the HPC will determine the appropriateness of the design of all the elements of either alternative in the North Loop Warehouse Area (Local District). (Emphasis added.) This sentence could be read to recognize the limit on HPC authority to review only those project components that occur within the locally-designated district. However, given the inconsistency of these two statements in the EAW and the importance of defining the scope of the City’s review authority for the Project, we request that the EAW be clarified to explicitly state that alteration and construction on the Gehl-Dolphin Lot is not subject to HPC review or approval.

Second, it is also inaccurate as a matter of law to assert that “[a]pprovals of either of the proposed alternatives will set a precedent that may have the cumulative effect of allowing taller infill buildings in the future throughout this District.” See Item 29, “Cumulative Impacts,” on page 33 of the EAW (emphasis added). The City’s decisions regarding approval, denial, or conditional approval of any historic preservation or zoning applications required for the Pacific Development will have little to no “precedential” effect with respect to applications associated with other projects.

Decisions on applications submitted to the HPC are “quasi-judicial.” See *Handicraft Block Ltd. Partnership v. City of Minneapolis*, 611 N.W.2d 16 (Minn. 2000). Quasi-judicial decisions require the City to apply “specific use standards” set by the ordinance “to a particular individual use.” *Honn v. City of Coon Rapids*, 313 N.W.2d 409, 417 (Minn. 1981). Thus, decisions on applications for Certificates of Appropriateness must be based on the particular ordinance standards that apply at the time of the decision and the particular characteristics and circumstances of the individual use and property in question. HPC decisions are inherently case-by-case decisions that apply uniquely to the individual property and project at issue and have little to no “precedential” effect on decisions about other properties and projects. It is odd that the City, as the RGU, would take the legal position in an EAW that its discretion on this or any project is limited by its past quasi-judicial decisions on other projects.

We request that the City’s response to comments on the EAW include correction or clarification of the two issues raised in this letter.

Ms. Rebecca Farrar

Page 3

August 2, 2006

Finally, Pacific Flats, LLC submits that the EAW is extremely thorough and will provide more than adequate information to City staff and officials who will review and decide the various permits required for the Project. No further investigation through an Environmental Impact Statement is warranted.

Sincerely,

A handwritten signature in black ink that reads "Walter H. Rockenstein II". The signature is written in a cursive style with a double underline at the end.

Walter H. Rockenstein II

ROCWH:LANC:jorsa:M1:1344513.02

August 2, 2006

Ms. Rebecca Farrar, Senior Planner
Minneapolis Planning Division
Community Planning & Economic Development Department
210 City Hall
350 South 5th Street
Minneapolis, MN 55415

Re: Environmental Assessment Worksheet (EAW) for Pacific Block Development

Dear Ms. Farrar:

We are residents of the North Loop neighborhood. Since the EAW for the proposed Pacific Flats development raises many unanswered concerns about this project, we believe that a full environmental impact statement (EIS) is called for.

Because we personally have no scientific or engineering expertise, we will not comment directly on the portions of the EAW that deal with potential contamination or water quality. However, we note that the EAW raises many questions in that regard which have not been answered adequately by the developer.

We do want to comment on a few other concerns raised by the EAW.

This development will fundamentally alter the character and scale of the neighborhood.

We believe that there is a clear difference in the character and scale of the North Loop neighborhood north of Hennepin Avenue and between Washington Avenue and the river. Not only are there a number of historic structures, but the more recent structures to date have been built to reflect and honor the scale and design of the historic buildings. This has created an area that is unlike any other in the City of Minneapolis.

The “Minneapolis Downtown 2010” study specifically states that an objective of the City is to “promote building heights and designs that protect the image and form of the downtown skyline, that provide transition to the edges of downtown and that protect the scale and qualities in areas of distinctive physical or historic character.” (Emphasis added.)

If this project is permitted to go forward, we will irretrievably lose the unique character of this neighborhood. Thus, the City should take every step to insure that all relevant information is analyzed.

The Warehouse Historic District will be severely damaged by this proposal.

Related to our concerns about the effect of this design on the character and scale of our neighborhood is our concern about the damage it will do to the Warehouse Historic District (WHD).

The “Minneapolis Downtown 2010” study makes it clear that an objective of the City is to “encourage new buildings adjacent to historic buildings, sites and districts to be compatible in design.” (Emphasis added.) In that context, the Warehouse District is specifically referenced as “one of the few resources that downtown has that cannot be replaced.” There is insufficient evidence in the EAW to conclude that the project design is compatible in design with this district.

Preserving and respecting historic sites and buildings means something more than just not tearing down the buildings’ facades. In this instance, placing two to four-story historic structures on this block up against 28 (or 40), 18, and ten-story structures and a four-story parking ramp is “historic preservation” in name only. The full effect of this proposed design on the historic structures from all angles needs to be explored further.

This development will cut off sunlight and views of surrounding residents.

We believe that the disproportional heights of this development will cut off sunlight from a number of surrounding buildings for a significant portion of the day, especially during the winter months when sunlight already is in short supply in our northern clime.

Moreover, if a development of this scale is permitted for the Pacific Flats block, it is inevitable that adjoining blocks will see proposals for projects of a comparable scale. The result would be to create canyon-like streets devoid of sunlight for much of the day.

In addition, the disproportional height of Pacific Flats will cut off the central downtown views of hundreds of area residents (including views of such landmark structures as the IDS Center and the Wells Fargo tower). This affects the current and future residents of such developments as Rock Island Lofts, 212 Lofts, 5th Avenue Lofts, Renaissance on the River, The Reserve, The Landings, Riverwalk Lofts, and others.

The Minneapolis Zoning Code (Section 551-850), when setting forth the standards for permitting increased heights of buildings in the downtown area, recognizes as important factors: (1) “access to light and air of surrounding properties”; (2) “shadowing of residential properties...”; (3) “scale and character of surrounding uses”; and (4) “preservation of views of landmark buildings...”

We believe that the mock-ups of the views of Pacific Flats in the EAW do not sufficiently depict the effects of the project.

Traffic flow will be severely and negatively impacted.

At a meeting on May 4, we asked the developer's representatives whether a traffic study had been completed. They indicated that a study had been done. (Presumably, this is the study referenced in the EAW.) However, on further questioning, they admitted that their study fails to take into account any traffic from the nearby proposed 222 Hennepin (Whole Foods) project, from any additional development on blocks adjoining Pacific Flats, and from the Twins ballpark and the associated Twinsville development. So the traffic study done for Pacific Flats and referenced in the EAW clearly is deficient in predicting the cumulative impact of this development on traffic in our area.

This quadrant of our neighborhood is hemmed in by the river along one side and by the StarTribune at one end. One of the prime routes out of the neighborhood and onto the freeway is 3rd Avenue North. That street and others already suffer traffic congestion problems during rush hour. The Pacific Flats plan anticipates that the vehicle access to the hotel will be on 3rd Avenue. We also have heard that 3rd Avenue will be closed off at the Twins ballpark. Additional analysis of this situation is necessary.

This neighborhood is not zoned like downtown and should not permit the same density or height as downtown.

The Pacific Flats developer has made much of the fact that there is no specific height limitation on the corner lot of the block where it wants to erect a 40 or 28-story tower. While it might be true technically that there is no specific height limitation in the B4C-1 zoning area, there is a floor area ratio limitation of four, which effectively limits the height to a large extent. Of course, there also are restrictions arising out of the historical district.

If we look at this zoning (B4C-1), in contrast to other downtown zoning areas, we see that this area is anticipated to be far less dense. For example, the B4C-2, B4-1, and B4S-1 areas all permit a floor area ratio of eight; the B4-2 area permits a ratio of 16. Thus, B4C-1 is contemplated to be one-half or one-fourth as dense as other downtown areas.

Under the Zoning Code, a variance only should be granted where there is "undue hardship" unique to a site. There is no such hardship here, as shown by the various lower density developments successfully completed in this vicinity.

Moreover, the Zoning Code (Section 520-30) states that it is adopted (among other purposes): to promote "aesthetics;" to "protect the character and stability of residential, commercial and industrial areas...;" to "provide adequate light, air, privacy and convenience of access to property..."; and to "protect and conserve the values of land,

buildings and other improvements...” The EAW does not contain sufficient information to demonstrate that these purposes would be met by the Pacific Flats project.

Conclusion.

We ask that the City recognize the need for more information and study prior to acting on the proposed project, and order a full EIS. Thank you for considering our comments.

Lisa Rahne Nekich
Michael Nekich
111 – 4th Ave. N., #707
(612)372.5056

The following summarizes Public Works comments with respect to the EAW (section 21, 29 and 30) and the attached Travel Demand Management Plan (TDMP). The following are specific to the TDMP; however, revisions made to address the comments below will require modification to the respective and applicable EAW section.

TDM Plan Review

1. The proposed site plan identifies the construction of corner bump outs. Please discuss and quantify the on-street parking situation (before vs. after). Currently all four curb faces are metered. The removal of metered parking stalls may incur an annual fee due to revenue lost. The cost to remove 1 meter on 2nd Ave and 2nd St is \$1,500 per year, on 3rd Ave is \$1,350 and on Washington St is \$2,000.
2. Page 8, last sentence. Add a period.
3. Page 9, last paragraph. Reference is made that signal timing improvements are needed to be made in order for the key intersections to operate at acceptable levels. The downtown is centrally controlled pre-timed grid. To properly re-time the intersections evaluated, it may be necessary to add a few additional intersections within the re-timing to include all intersections within a particular zone. See TIS Memo Comment 7, below.
4. Page 12, Alternative Transportation Infrastructure. Please provide a table or discussion of the primary bus routes, schedules and service for the roadways immediately adjacent to the project site (Washington, 2nd Ave, 3rd Ave and 2nd St).
5. Page 16. Provide an Item 7. Item 7 should provide requirements relative to the Developers responsibility to work with Commuter Connection on surveying and monitoring the mode split goals, once occupied and two years thereafter.
6. Page 16. The Developer will be responsible for providing funds to re-time all necessary intersections within the study area and any other intersections within the particular interconnect zone. This would include development of the timing plans, and Minneapolis labor to implement and field fine tune. Any signal modifications or infrastructure improvements required to provide acceptable traffic operations will also be 100 percent funded by the Developer.

Appendix A – TIS Memo

1. Page 7, and throughout doc. Because all intersections within Mpls operate on a pre-timed grid as a system, there may be a need to include a few additional intersections within the study area to include all intersections within a particular zone suggested for re-timing.
2. Page 11, Table A-5. Are the existing land uses (which reductions in trips are being taken) fully occupied? If not, full trip reductions shouldn't be taken. Also, the existing estimated trips being generated should be factored (i.e., reduced) to account for the fact that existing multi-use and modal trips are occurring. The net result is it seems there should be a greater number of new trips in the "Total" row.
3. Page 11, Table A-5 and first paragraph. The discussion with respect to trip reduction and mode split goals needs to be re worded. The application of trip reductions due to

multi-use destinations or due to multi-modal uses is do to its location (e.g. downtown) and area land uses. These reductions occur regardless of typical TDM strategies. The purpose of the TDM plan is to implement measures that further decrease trip generation from what the industry or ITE is telling us. Please note this distinction. Also, the application of a 35 percent (15 percent multi-use and 20 percent multi-modal) seems a bit high. The neighboring Eclipse TDM was allowed a 15 percent multi-modal reduction factor.

4. Page 11, Table A-5. Provide the ITE land use code and trip rate used.
5. Page 16, Washington Ave/3rd Ave and Washington Ave/2nd Ave. Along with this phasing modification, what would the geometry be? Should the left turn arrow be actuated? Should an exclusive left turn lane be provided?

In review of the intersection traffic volumes, there is a much higher volume of left turning traffic in the northbound direction than southbound at both the 2nd Ave and 3rd Ave intersections. Was this considered in recommending the southbound direction (lower traffic volume) have the protected/permissive phasing? What would the impact be if both the northbound/southbound movements had protected/permissive phasing?

6. Page 17, 1st Paragraph. Are there any feasible measures that could be implemented to increase the left turn storage distance on Washington Ave at 3rd Ave? Could the eastbound left turn storage to 2nd Ave be shortened?
7. We have also reviewed a TDM submitted for the 222 Hennepin Avenue Development located on the block bounded by Washington Avenue and 2nd Street N and 1st Avenue N and Hennepin Avenue N. Due to the proximity of the 222 Hennepin development to Pacific Flats, there is potential for cumulative impacts that are not currently shown in either TDM plan. The 222 Hennepin Avenue TDM plan identified deficient operations at both Washington Avenue/Hennepin Avenue and Washington Avenue/1st Avenue, which ultimately impact the Pacific Flats study.

Although we are not requiring the Pacific Flats TDM be revised to specifically include 222 Hennepin, we are requiring that Public Works' comments on the operational issues be addressed as discussed above by August 8, 2006. Operational deficiencies identified at the 1st Avenue and Hennepin Avenue intersections will be addressed as part of the 222 Hennepin Avenue TDM. However, some coordination must occur.

As part of the work to address the operational issues, Synchro models must be submitted to Scott Tacheny for review and direction on any proposed signal phasing modifications and signal re-timing. This review will also ensure the modeling and optimized signal parameters are consistent between the Pacific Flats TDMP and the 222 Hennepin Ave TDMP such that any potential cumulative impacts can be identified, and/or mitigated.

After review of the traffic models by Minneapolis Staff, further quantification of the required timing and/or infrastructure improvements may be determined.

8. Page 20. Please provide a statement suggesting Minneapolis Public Works evaluate the need for an all-way stop control at the 1st Street N/3rd Avenue N intersection upon completion of the Pacific Flats development.

Appendix B – Parking Memo

1. Figure B-1. Label lots and provide in the legend a description of the lot as it corresponds with tables provided in the memo.
2. Table B-1. Provide a column noted the lot number.
3. Page 6. Please itemize out the intended number of stalls per use being provided with the project (e.g., how many stalls are being designated to the residential use? Are they secure or separated from commercial? How many stalls are for the hotel?, retail, other commercial, etc? How many will be shared amongst uses?) Provide a cross-reference of the stalls intended use against the requirement and demand comparisons.
4. Page 7. What is the residential dwelling unit to parking stall ratio?
5. Page 8, Item 1. Since the on-street parking in the area isn't sufficient to serve the patrons of the commercial space, will patrons be given access to the off-street parking within the project site?
6. Provide discussion of the site plan illustrated bump outs, access points, etc. and the impact to quantity of on-street metered parking stalls. Will any meters need to be removed?

9 North 4th Ave., #102
Minneapolis, MN 55401
612-359-6934
pjbelfiore@yahoo.com

Ms. Rebecca Farrar, Senior Planner
City of Minneapolis
Rebecca.Farrar@ci.minneapolis.mn.us

Re: Pacific Flats Project--Our Comments Sent Via E-Mail to Rebecca Farrar

Dear Ms. Farrar:

We strongly oppose the Pacific Flats project and request that you accept our following comments and pass them on to any city personnel who are part of the decision making process in connection with the Pacific Flats proposals.

Thank you very much.

Sincerely,
Elizabeth and Peter Belfiore

Statement of Elizabeth and Peter Belfiore in Opposition to the Pacific Flats Project

(Note: all references to the Environmental Assessment Worksheet--EAW--are to the EAW of June 27, 2006.)

We strongly oppose the Pacific Flats project because it violates both local and national historic district guidelines, it would architecturally and scenically corrupt historic sections of the City of Minneapolis, it would be unjust to other developers who have been forced to conform to the guidelines, it would increase traffic and other pollution, and it would discourage creative architectural development. Below are some further details of our reasons, divided into two parts: I, our immediate reactions as residents of the warehouse district (Renaissance on the River), and II, a few comments on parts of the EAW.

I--Our Immediate Reactions as Residents

--The projected buildings are not in keeping with the historical character of the North Loop neighborhood, a unique and charming area that we enjoy, and very much want to preserve. The historical character of this neighborhood was one of the reasons why we decided to move here in the first place, and not to the center of downtown. We enjoy, for example, walking to Moose and Sadie's and eating brunch, partly because of the surrounding, small-scale historical buildings. We would not enjoy doing so in the shadow of a skyscraper.

--The project will create a great deal of additional traffic in an already crowded area, and one that will become still more crowded after the new stadium is built.

--It would create a precedent for allowing other skyscraper buildings in the neighborhood, including, possibly, the Reserve right next door to us. It would be difficult and unjust for the City to deny others the right to build skyscrapers in this neighborhood.

--Allowing this development would be unfair to previous developers, who have respected the historical character of the neighborhood.

--The real estate market is already saturated. As a result, prices are going down and it is taking longer to sell units. Development on this scale will only make this situation worse, helping to depress the values of all of our homes.

--We do not think that the neighborhood would gain anything that would begin to compensate for the disadvantages of the project. We do not need another hotel or another furniture store in the neighborhood, or any of the other "amenities" that have been mentioned in connection with this project.

--Allowing this project to continue will discourage more creative architectural projects that respect our Historic Preservation guidelines and also add something new and lovely to the Warehouse District.

II--Comments on Parts of the EAW

--The project would occupy the Pacific Block, which, as the EAW states, "is within the National Register 'Minneapolis Historic District' and, except for one parcel, is within the 'North Loop Warehouse Area', a historic district designated by the City of Minneapolis." (City's cover sheet for the "Environmental Assessment Worksheet June 27, 2006.")

--The project would involve the demolition of all or part of protected buildings on the block. (See, for example, p. 6 of the EAW).

--The project's "Alternative One" and "Alternative Two" would each grossly violate the Historic Preservation Guidelines of the City of Minneapolis. Alternative One would plant a 28-story condo building on one part of the block, and an 18-story condo building on another part of the block. Alternative Two would plant a 40-story condo building on the small, allegedly exempt parcel on the block, and a 10-story condo building on another portion of the block. Both alternatives would thus place buildings grossly out of scale with the surrounding architecture of the neighborhood, and grossly violate Historic Preservation guidelines. Not only is the entire block within the protected area of the National Register, and at least most of the block within the local historic district, but even in the case of Alternative Two, in which a huge 40-story condo building which would be placed on an allegedly exempt parcel within the protected block, the huge tower is of course not only spatially but also physically connected to the rest of the project, which is, as noted, all within the protected block. On the physical connection of the 40-story condo building to the rest of the project, the EAW notes: "As with the 28-story Condo Building, a common 4-story base...would connect the condominium structure to the rest of the development..." (EAW, page 5.) Alternative One at least does not claim the protection of an allegedly unprotected parcel within the protected, historic block.

The physical connection of the 40-story building to the rest of the project is relevant as highlighting the absurdity of denying that the huge 40-story condo building violates local historic district guidelines whether or not the parcel on which it stands is exempt. (According to the developer's cockamamie argument, Alternative Two--the 40-story, 10-story condo building alternative--complies with the local guidelines in that the 40-story condo building would reside on the "10% of the block excluded from the local historic district.") (EAW, page 3.)

Note that the developer concedes that Alternative One (28-story and 18-story condo buildings), its "preferred" alternative, violates historic preservation guidelines of Minneapolis, and that Alternative Two (40-story and 10-story condo buildings) will use a lot that is within the national district. (See, for example, EAW, pages 2-3.)

--An indication of how out of proportion the proposed buildings of the project would be, see, for example, page 9 of the EAW, which notes how the height of the proposed buildings compares with surrounding buildings, which would be dwarfed.

--As the EAW itself states, "The height of the proposed towers in both alternatives [28-story and 18-story condo buildings, and 40-story and 10-story condo building] is out of character with the surrounding local and national historic districts and will have a negative visual impact." (EAW, page 31.)

--On increased traffic and other pollution, the EAW seems quite sketchy; an Environmental Impact Statement would be called for if this project were not already blatantly and fatally flawed in numerous ways.

--The EAW states, concerning the project's purpose, that "The project will increase the opportunity for and diversity of living in downtown Minneapolis." (EAW, Page 7.) A more accurate statement would be: "The project's purpose is to make money by creating more spaces for the well-heeled to settle, whether permanently or for a few days in a boutique hotel." Any doubts concerning our translation of the developer's cynical reference to "diversity" may be resolved by reviewing the EAW, reviewing the project's promotional literature, and attending the developer's presentations. Surely "diversity of living" is not enhanced by, for example, stores selling "upscale furnishings" or "upscale clothing"--as described in a Pacific Flats promotional sheet.

We respectfully ask that the City of Minneapolis reject the Pacific Flats project, a project that would severely compromise one of our great historical districts, and diminish the quality of life of the City of Minneapolis.

Sincerely,
Elizabeth and Peter Belfiore

cc: Lisa Goodman, Lynn Berghs, Bob Schmitz

Farrar, Rebecca D.

From: Ted Shogren [shogren@visi.com]
Sent: Tuesday, August 01, 2006 12:55 AM
To: Farrar, Rebecca D.
Cc: rjarosh007@aol.com; 'Reddy, Shantanu (STP)'
Subject: FW: Belfiore Opposition to Pacific Flats Development

Dear Ms. Farrar. Please note that I wholly agree with my neighbors' statement with regard the shameful idea of the Pacific Flats Development project. It will be a huge black spot on the neighborhood, Minneapolis, and the city government. I can not emphasize this enough.

Signed,
Ted Shogren
Renaissance on the River Resident.

From: schmitzmay@aol.com [mailto:schmitzmay@aol.com]
Sent: Monday, July 31, 2006 8:29 PM
To: Andovergrp@aol.com
Subject: Fwd: Belfiore Opposition to Pacific Flats Development

Peter's suggested action.

Bob

-----Original Message-----

From: schmitzmay@aol.com
To: Andovergrp@aol.com
Sent: Sun, 30 Jul 2006 1:27 PM
Subject: Fwd: Belfiore Opposition to Pacific Flats Development

FYI - Peter has a number of suggestions that may be helpful.

Bob Schmitz

-----Original Message-----

From: pjbelfiore@yahoo.com
To: schmitzmay@aol.com
Cc: esb@umn.edu
Sent: Sun, 30 Jul 2006 1:08 PM
Subject: Re: Belfiore Opposition to Pacific Flats Development

Hi, Bob:

Yes, let's be sure that people see whatever objections we have.

I should note that my first sending of our statement came back because of a typo in Farrar's e-mail address--there should be no dot after "Farrar"; however, I then forwarded the whole thing to her again, at <Rebecca.Farrar@ci.minneapolis.mn.us>.

I think that even if a person does not write up their own statement, they could always forward ours to Farrar, saying that they agree. Or they could just e-mail Farrar saying they agree with our statement. The

8/1/2006

point is, redundancy and repetition are good--it seems to me--and of course the additional name of someone opposed to the development is new information.

Wish Betty and I had had the time to be even more thorough, but we tried.

Thanks,

Peter Belfiore

schmitzmay@aol.com wrote:

Peter, don't recall whether I commented on this response to the EAW -- It's very well stated! I've distributed your piece to our e-mail recipient list in the hope that others will respond in-kind.

Thanks!

Bob

-----Original Message-----

From: pjbelfiore@yahoo.com

To: Rebecca.Farrar.@ci.minneapolis.mn.us

Cc: lisa.goodman@ci.minneapolis.mn.us; lberghs@mn.rr.com; schmitzmay@aol.com

Sent: Fri, 28 Jul 2006 8:27 PM

Subject: Belfiore Opposition to Pacific Flats Development

Dear Ms. Farrar:

Please see attached file.

Thank you for your help

Sincerely,

Peter Belfiore

Check out AOL.com today. Breaking news, video search, pictures, email and IM. All on demand. Always Free.

Farrar, Rebecca D.

From: Reddy, Shantanu (STP) [Shantanu.Reddy@guidant.com]
Sent: Wednesday, August 02, 2006 9:52 AM
To: Farrar, Rebecca D.
Subject: Opposition to Pacific Flats Development



Pacific_Flats_2--Peter's_Revis...

> Rebecca:

>
> I am a resident of the Renaissance on the River Development (4th and
> West River Parkway) and my neighbors contacted me about the Pacific
> Flats Development proposal and sent me the attached file.
>
> I agree wholeheartedly with their arguments. Many things they have
> cited are reasons I moved to this area. I don't want to live in the
> shadow of a skyscraper, I love the historical aspect of this area and
> another cookie cutter building violates the spirit of this area. How
> much more traffic do we need and with the slowing housing market, how
> many more condos do we need for people to try to speculate on and
> realize there's little market for them? It seems as many of these
> condos are being bought by flippers and not people interested in
> living in this area? A hotel in this area seems like a ludicrous
> idea. There are beautiful hotels nearby with a lot of history such as
> the Marquette and the Grand and the 601 Graves. These hotels are
> close to the "scene". No one I know would want to stay in a hotel
> where they are proposing with such hotels as I described above
> available.
>
> Bottomline, as a resident and a taxpayer, I am concerned about this
> area being sterilized being squandered by builders who have no
> appreciation for history and the residents of this area and I
> appreciate the fact that you appear to be accepting our comments.
>
> <<Pacific_Flats_2--Peter's_Revision_of_Pacific_Flats_1.doc>>
> Regards,
>
> Shantanu Reddy
> 315 West River Parkway
> Minneapolis, MN

Farrar, Rebecca D.

From: Joseph Rucci [jrucci7@yahoo.com]
Sent: Wednesday, August 02, 2006 11:52 AM
To: Rebecca.Farrar.@ci.minneapolis.mn.us
Subject: Pacific Flats EAW Comments

I am a Owner of a Townhouse, at Renaissance On The River, in the Warehouse District. I am writing to you to express my opposition to the Pacific Flats Project.

The North Loop is a Warehouse District, which makes for a unique neighborhood. I do not want to live near Skyscrapers, that is why I chose to live in the Warehouse District in the North Loop of Mpls.

The number of people that will be moving into the proposed Flats Residence, along with the 222 and the Eclips Developments, will cause more gridlock during rush hour commutes. Also, the height of the proposed Eclipse and 222 developments are not within the height restrictions allowed in the North Loop Warehouse District. Please have the Developers stay within the height restrictions that are set in place for this wonderful Warehouse Neighborhood.

Thank You,

Joseph C. Rucci, Renaissance On The River Owner

Do you Yahoo!?
Get on board. [You're invited](#) to try the new Yahoo! Mail Beta.

Farrar, Rebecca D.

From: RedborisC@aol.com
Sent: Wednesday, August 02, 2006 5:49 AM
To: Farrar, Rebecca D.
Subject: Pacific Flats Project - NOT IN SUPPORT

Dear Ms. Farrar:

We are residents of Renaissance on River and write with grave concerns regarding the Pacific Flats Project proposal to the City. We heard their proposal at a Board meeting of the Renaissance on the River and got to ask questions. This project has no added value to the City of neighborhood.

After reading the letter/email written to you by Elizabeth and Peter Belfiore, we could not describe our thoughts or feelings any better. We support the content of their letter 100%.

Please take into account our views in the decision making process.

Thank you.

Mark and Stephanie Corbey

45 North 4th Avenue 45-103
Minneapolis, MN 55401
612.664.8966

8/2/2006

Farrar, Rebecca D.

From: Mark Dillon [Mark.Dillon@meyers.com]
Sent: Wednesday, August 02, 2006 8:43 AM
To: Farrar, Rebecca D.
Subject: Pacific Flats:

Importance: High

Hi Rebecca,
My wife and I are residents of Rock Island and we are both in agreement with Peter Belfiore's comments regarding the development called Pacific Flats. It strikes us as way out of proportion to the neighborhood and really not in keeping with the character of the neighborhood at all either. Thank you, Mark Dillon & Susan Austrian 111 4th Ave. N., #406 Minneapolis, MN 55401 621-332-2722

Farrar, Rebecca D.

From: schmitzmay@aol.com
Sent: Tuesday, August 01, 2006 5:40 PM
To: Farrar, Rebecca D.
Cc: abaumgarten@meagher.com
Subject: Fwd: Belfiore Opposition to Pacific Flats Development

-----Original Message-----

From: schmitzmay@aol.com
To: pjbelfiore@yahoo.com
Cc: mnekich@mn.rr.com; bhaislet@yahoo.com; mkusy@phd.antioch.edu; fritzkröll@edinarealty.com
Sent: Tue, 1 Aug 2006 5:35 PM
Subject: Re: Belfiore Opposition to Pacific Flats Development

Rebecca, please register that I strongly agree with Peter Belfiore's response to the Pacific Flats EAW and am opposed to the Pacific Flats Project in its current design configurations. We agree with the City's precedent of limiting building height (currently capping out at 6 stories within the confines of this block) in this neighborhood to integrate into the existing architectural environment.

Thank you for registering this position.

***Bob Schmitz
President
Rock Island Lofts Associaiton
111 4th Av N #603
Minneapolis, MN***

-----Original Message-----

From: pjbelfiore@yahoo.com
To: lberghs@mn.rr.com; schmitzmay@aol.com
Sent: Mon, 31 Jul 2006 12:07 PM
Subject: Fwd: RE: Belfiore Opposition to Pacific Flats Development

Note: forwarded message attached.

Attached Message

From: Rebecca.Farrar@ci.minneapolis.mn.us
To: pjbelfiore@yahoo.com
Subject: RE: Belfiore Opposition to Pacific Flats Development
Date: Mon, 31 Jul 2006 09:11:01 -0500

Hi Peter- I received your comments, and yes they are in time for the 30-day comment period for the EAW. Thank you.

8/2/2006

*Becca Farrar
Senior Planner - Development Services
Community Planning & Economic Development (CPED)
City of Minneapolis
Room 300 Public Service Center
250 S. Fourth Street
Minneapolis, MN 55415
ph: 612.673.3594
fax: 612.673.2526
rebecca.farrar@ci.minneapolis.mn.us*

-----Original Message-----

From: Peter Belfiore [mailto:pjbelfiore@yahoo.com]
Sent: Friday, July 28, 2006 8:27 PM
To: Rebecca.Farrar.@ci.minneapolis.mn.us
Cc: Goodman, Lisa R; Lynn Berghs; schmitzmay@aol.com
Subject: Belfiore Opposition to Pacific Flats Development

Dear Ms. Farrar:

Please see attached file.
Thank you for your help
Sincerely,
Peter Belfiore

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Farrar, Rebecca D.

From: Antosz, Nicole (Minneapolis) [Nicole.Antosz@WatsonWyatt.com]
Sent: Tuesday, August 01, 2006 6:02 PM
To: Farrar, Rebecca D.
Subject: FW: Opposition to Pacific Flats Development

Rebecca:

I am a North Loop resident who is in full support of the statements made by Mr. Belfiore in the attached letter. I strongly oppose the pacific flats development (both alternative one and two). In 2004 I spent countless hours researching Minneapolis city condo and loft alternatives and specifically choose the North Loop neighborhood for its distinctive character and distance from the skyscrapers of downtown. I anticipated that this neighborhood would be preserved, as discussed in the Historic Preservation Guidelines of the City of Minneapolis and would give my full support to upholding these guidelines. If you have any questions in regards to this statement, please don't hesitate to contact me. My contact information is provided below. Thank you in advance for your consideration.

Nicole Antosz
111 4th Avenue North, Suite 405
Minneapolis, MN 55401
952-221-1198
nicole.antosz@watsonwyatt.com

-----Original Message-----

From: pjbelfiore@yahoo.com
To: Rebecca.Farrar.@ci.minneapolis.mn.us
Cc: lisa.goodman@ci.minneapolis.mn.us; lberghs@mn.rr.com; schmitzmay@aol.com
Sent: Fri, 28 Jul 2006 8:27 PM
Subject: Belfiore Opposition to Pacific Flats Development

Dear Ms. Farrar:

Please see attached file.
Thank you for your help
Sincerely,
Peter Belfiore

Check out AOL.com today. Breaking news, video search, pictures, email and IM. All on demand.
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Farrar, Rebecca D.

From: glbmisc [glbmisc@earthlink.net]
Sent: Wednesday, August 02, 2006 9:44 AM
To: Farrar, Rebecca D.
Subject: Opposition to Pacific Flats Development



Pacific_Flats_2--Peter's_Revis...

Dear Ms. Farrar:

I was going to write my own message to you to state my opposition to the Pacific Flats development, but, upon reading Peter's letter, I decided that I could not state my feelings more clearly than he did. Please accept this email as a demonstration of support of Peter's sentiments and my own opposition to the Pacific Flats development. I feel very strongly about preserving the historic nature of our neighborhood....not just for those that live there, but for the entire city.

Sincerely,

Gary Baardsgaard

111 4th Ave N, Unit 505
Minneapolis, MN 55401

>
>
>-
>
>-----Original Message-----
>From: pjbelfiore@yahoo.com
>To: Rebecca.Farrar@ci.minneapolis.mn.us
>Cc: lisa.goodman@ci.minneapolis.mn.us; lberghs@mn.rr.com;
>schmitzmay@aol.com
>Sent: Fri, 28 Jul 2006 8:27 PM
>Subject: Belfiore Opposition to Pacific Flats Development

>
>
>Dear Ms. Farrar:
> Please see attached file.
> Thank you for your help
> Sincerely,
> Peter Belfiore

>
>
>Check out AOL.com today. Breaking news, video search, pictures, email
>and IM. All on demand. Always Free.

>
>Check out AOL.com today. Breaking news, video search, pictures, email and IM. All on
demand. Always Free.

Farrar, Rebecca D.

From: Rohit Cariappa [rohit.cariappa@gmail.com]

Sent: Wednesday, August 02, 2006 12:16 AM

To: Farrar, Rebecca D.

Subject: Pacific Flats Development

Dear Ms Farrar:

We would like to add our voices in agreement to Minneapolis North Loop residents Elizabeth and Peter Belfiores well stated opposition to the Pacific Flats Development. We are especially concerned about the height of the 28 storey condo tower. It is totally out of character for our neighborhood. This tower will stick out like a sore thumb and no amount of lipstick or lipservice can hide this architectural pig. We are not averse to the hotel and the the smaller (in height) 18 storey building but the height of the 28 storey tower is an affront to the aesthetics of our neighborhood.

Rohit and Sanjita Cariappa
Rock Island Lofts #605
111 4th Ave N
Minneapolis, MN 55401

8/2/2006

August 3, 2006

Ms. Rebecca Farrar, Senior Planner
Minneapolis Planning Division
Community Planning & Economic Development Department
210 City Hall
350 S. 5th Street
Minneapolis, MN 55415

Dear Ms. Farrar,

Please add our names to the list of North Loop residents opposed to the Pacific Flats Development. We wholeheartedly agree with the sentiments expressed by Elizabeth and Peter Belfiore in their earlier statement and we have a few additional issues to point out.

We are very concerned about the housing mix should the Pacific Flats Development go through. At a neighborhood meeting we attended, a developer stated that no rental units would be available unless the 40-story tower was approved. Are we to assume no low or mid-cost condominium units will be available either? The answer was not forthcoming at that meeting. If high cost units predominate, rent for commercial space in the development will no doubt be very high. If this happens, it's quite possible independent small business owners would not be able to rent space, nor keep what they have now in the existing buildings on site. This, of course, would open the door to large chain operations who could afford the rent.

A neighborhood's character is built by the commercial enterprises within it, as much as the housing mix and the unique architecture. To inundate the North Loop neighborhood with chain stores would be to take away the old world charm and create nothing more than a downtown "suburban" mall. If a development on the Pacific Flats site adheres to the existing historic guidelines, if architecture is built on a small scale, perhaps the small business owner won't be driven out and will, as in other historic cities, do much to increase the charm of the area.

Please reject the Pacific Flats Development as it is currently proposed, and help us keep our historic neighborhood intact.

Thank you very much.

Charles A. Haislet
Barbara Haislet
Rock Island Lofts

Farrar, Rebecca D.

From: Janel Russell [janel@janelrusselldesigns.com]
Sent: Wednesday, August 02, 2006 12:46 PM
To: Farrar, Rebecca D.
Subject: Pacific Flats EAW

Hello,

I am a resident/owner of a home in Rock Island Lofts. I am writing to make known my opposition to the Pacific Flats project. The following bullets are short and to the point of expressing how I feel.

1. The North Loop is a warehouse district, which is why I purchased here. This is what makes our neighborhood unique. If I had wanted to live amongst the sky scrapers I would have moved in to the central or southern area of the city.
2. Why does this group think they are above the standards set by the national and local historical society's? If others who have built before them have had to adhere to the standards why shouldn't the flats be held to the same? Again, after all it's a warehouse district.
3. There are only a few ways in and out of our neighborhood, the number of people moving into the proposed Flats residences together with 222 and the Eclipse is staggering... I fear gridlock during rush hours and very heavy traffic all other hours.
4. I actually believe that the height of both the Eclipse and 222 are inappropriate for our neighborhood even though they are on the perimeter of our neighborhood. To plant even a 10 story building in our neighborhood is too much. Too much darkness.

I actually love the idea of a boutique hotel and the additional businesses the Flats propose. There must be a way that this can be achieved without a looming tower that changes the look of our unique neighborhood and brings far to many people into our special district.

Thanks for the opportunity to let you know how I feel.

Janel Russell

Farrar, Rebecca D.

From: Scott_Young@irco.com
Sent: Tuesday, August 01, 2006 11:54 PM
To: Farrar, Rebecca D.
Cc: schmitzmay@aol.com
Subject: Pacific Block Mixed Use Development Concerned Neighbor

Ms. Farrar,

I am a concerned resident in the historic North Loop district. I have reviewed the EAW and attachments for the Pacific Block mixed use development and feel that the pictures say a thousand words. If you look at the pictures for the proposed project it shows how this development is out of scale for the neighborhood and surrounding buildings.

I am not against progress and development of the downtown area, but I feel that new development should remain within the architectural character of the north loop district, which this project does not. Allowing this project to pass through would be unfair to every other developer and home owner that has tried to maintain the integrity of this beautiful area of downtown.

Best Regards,
Scott Young

210 N. 2nd Street #504
Minneapolis, MN 55401

Scott Young
Ingersoll-Rand Company
PO Box 582205
Minneapolis, MN 55458-2205
Cell: 612-799-8095
Fax: 612-284-2555
E-Mail: Scott_Young@irco.com

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8/2/2006

210 N 2nd Street, #404
Minneapolis, MN 55401
952-261-9716
cpoock@winthrop.com

Ms. Rebecca Farrar
City of Minneapolis
Rebecca.Farrar@ci.minneapolis.mn.us

Re: Pacific Flats Project--Comments Sent Via E-Mail to Rebecca Farrar

Dear Ms. Farrar:

We strongly oppose the Pacific Flats project. My boyfriend and I purchased a loft in the Whitney Square warehouse building in January. We totally agree with Elizabeth and Peter Belfiore's well-stated response. Either one of the proposed developments (28 story or 40 story) would destroy the character of the Warehouse District. All views of the beautiful downtown scenery and lights would be taken away for everyone from 2nd Street to the river. This is the entire reason we bought where we did (old time feel / history of the warehouse generation and the beautiful view out our window of downtown, which would be totally taken away by either the 28 or 40 story new construction sky scraper). This construction would also hinder the value of many apartments/lofts in the area.

It would be wonderful to keep the Warehouse District feel and develop living which gives that same character. Please preserve the history of this area and the wonderful privilege everyone who lives here has to be a part of it.

Sincerely yours,

Cheri Pooch

Farrar, Rebecca D.

From: Gina [bebycik@gmail.com]
Sent: Wednesday, August 02, 2006 4:27 PM
To: Farrar, Rebecca D.
Cc: schmitzmay@aol.com
Subject: Pacific Flats Development feedback

Ms. Farrar,

I am writing to you in regards to the community feedback on the proposed Pacific Flats Development. I am a North Loop resident and a home owner (I reside in Whitney Square, 210 N 2nd St Apt 208). I would like to express my full agreement with the points raised in the letter of Peter Belfiore he had sent you on this topic.

If you have any questions or would like further feedback from me, feel free to email me back or call me at 651.253.5478.

Sincerely,
Gina Melekh
North Loop Resident

Farrar, Rebecca D.

From: Joshua Brueggeman [Joshua.Brueggeman@RyanCompanies.com]
Sent: Wednesday, August 02, 2006 9:12 AM
To: Farrar, Rebecca D.
Cc: Poock, Cheri
Subject: Pacific Flats Development

Dear Rebecca,

I live in the Whitney Square building in the Warehouse district on the corner of 2nd ave North and 2nd street North. I recently read a letter put together by Peter Belfiore, and I am in total agreement with this statement. The proposition of any buildings within this neighborhood which are higher than any of the surrounding buildings, and out of style with any of the surrounding architecture would be a complete shame. Americans historically cannot pride ourselves on having a long historical architectural history like much of Europe so we need to try as much as we can and preserve what we do have. There are plenty of new developments within the warehouse district that have had to comply with all of the guidelines of fitting within a historic district like this; so allowing a developer to come in and skew perception of the public by making comments that are completely false is ridiculous. There are plenty of areas where a tall tower might fit in within our city, but it is definitely not within the warehouse district.

I happen to work for a construction/architecture/development firm that has to deal with city council and planning commission meetings all of the time, and we are forced to defend the reasoning why certain projects should be allowed to be constructed. It's one thing to design and build a skyscraper within and near other skyscrapers, but to propose something like this next to a lot of low rise historic buildings is preposterous.

My girlfriend and I recently purchased a unit in our building with a downtown view fully understanding that the 1 story building across the street, and the nearby parking lots have the definite possibility of being developed into other buildings. We did not on the other hand think that something out-of-scale with the neighborhood would be proposed, and possibly passed. These concepts for development would not only ruin our views of downtown, and everyone else's in the area, it will destroy the feel of the neighborhood. Thank you so much for hearing my voice, and the voices of anyone else in this matter. Thank you.

JOSHUA R. BRUEGGEMAN
GRADUATE ARCHITECT

Farrar, Rebecca D.

From: kathleen Murphy [kathleenmurphy@earthlink.net]
Sent: Wednesday, August 02, 2006 7:27 PM
To: Farrar, Rebecca D.
Cc: Goodman, Lisa R; lberghs@mn.rr.com; schmitzmay@aol.com; pjbelfiore@yahoo.com
Subject: I Oppose the Pacific Flats Development

Dear Ms. Farrar:

In addition to the objections to the Pacific Flats Development articulated by Elizabeth and Peter Belfiore, dated August 2, 2006, we are writing to add the following comments in opposition to this development:

We own a loft in the Historic Itasca Building, at 708 N. 1st St., and have lived there since 1995. When we moved in, what is now River Station used to be the dumping grounds for Minneapolis' snow. Although we have enjoyed watching the development around us, we have become alarmed at the number of residential developments that now glut the housing market in the Northloop neighborhood. It is now time for the city leadership to carefully scrutinize and rein in future developments, so that existing property values remain competitive, and downtown neighborhoods do not turn into concrete and glass compounds.

We love living in the Warehouse District. It's historical architecture charmed us, as I'm sure it has charmed others. The Pacific Flats Development is neither necessary nor appropriate for the Northloop Neighborhood. The tall buildings would diminish the exceptional masonry and architecture of existing structures. There would be nothing to distinguish the Warehouse District from any other urban area. Does the City of Minneapolis really want to turn its back on its commitment to history? Does Minneapolis really want to cave in to developers who are not interested in honoring the architectural integrity of the Warehouse District?

We hope not.

We urge the City of Minneapolis to REJECT the Pacific Flats Project.

Thank you for your attention to this matter.

Sincerely,

Kathleen M. Murphy
Deborah A. Thorp
708 N. 1st St., #321
Minneapolis, MN 55401
612-204-0764
kathleenmurphy@earthlink.net

Farrar, Rebecca D.

From: schmitzmay@aol.com
Sent: Wednesday, August 02, 2006 12:52 PM
To: Farrar, Rebecca D.
Subject: Fwd: Pacific Flats

Scott is attempting to respond to the EAW.

Tx

-----Original Message-----

From: scoran@coranvisual.com
To: lisa.goodman@ci.minneapolis.mn.us; lberghs@mn.rr.com; schmitzmay@aol.com; pjbelfiore@yahoo.com
Sent: Wed, 2 Aug 2006 11:12 AM
Subject: Pacific Flats

My name is Scott Coran. I live in the 212 Lofts, on First street in Minneapolis.

I am absolutely against the Pacific Flats project.

I agree with every point raised by Elizabeth and Peter Belfiore.

I moved to this part of Minneapolis for many reasons. At the top of my list, was that this specific region was 95% residential. I always refer to this part of the North Loop as our quiet, part of Downtown. The neighborhood, is a warm, sociable and amiable feeling. The historic Warehouse District, had and will have a large part in the great history of Minneapolis. Everyone here not only loves to walk around the area, but when we do, we look at the beauty and charm of these remarkable buildings. A place to talk to other residents of our neighborhood. A real sense of a community. Like no other place in the whole downtown district. The Pacific Flats Project would ruin the quaintness of what this neighborhood is.

The large building, not only will physically overshadow our neighborhood, but with all the retail stores, hotel guests, and hundreds and hundreds of new occupants, this area's ambiance would be ruined. A change that will forever destroy the history of the Warehouse District.

After allowing this (these) projects to be built, and intruding in our charming, friendly AND SAFE neighborhood, it WILL open the door for others with political clout, and resources, to over ride the Preservation Acts that are now in place. These acts are specifically made to save neighborhoods like this. Should the Stone Arch Bridge be removed and a more efficient bridge be built in it's place? Should all the historic mills that show the birth of this great city's history be demolished to have tall condos and retail stores be substituted? NO! The city council have made sure that those areas on both sides of the river are preserved to reflect how Minneapolis became the great city that it is today. We are consistently rated as one of the top places to live in the nation. Part of that analysis is the overall high standard of living.

Attractions, leisure activities, cultural options, parks, and of course our lakes and rivers. People both locally and visitors from all over the world, naturally come down to the Mississippi River to see the natural beauty. The Pacific Flats Project will take away from the aura of Minneapolis' life story.

There is no river with more history in the United States. If the river front neighborhoods becomes a mecca of high rise structures, all the natural beauty of the Mississippi will be destroyed, for ever.

8/2/2006

There are so many reasons why the Pacific Flats Project should NOT be built. The additional traffic, pollution and city waste (trash in the streets and alleys, etc.), will change the character of the historic Warehouse District. We are part of Minneapolis' fiber. We MUST maintain the historic atmosphere. The Pacific Flats will cast a huge shadow on the historic atmosphere, both scenically and literally.

This project must be rejected by the city planning board, and other bodies who has the power to issue permits to erect buildings of over 6 stories in this entire historic district.

Don't ruin a part of Minneapolis' grand character. Saving the buildings of this historic area, and not building large skyscrapers, will ensure generations to come, a place where people can come and view the wonderful history of one our nation's greatest cities. This is where the city of Minneapolis was born. You must do everything in your power to maintain it's integrity. Once it's gone...it's gone.

Sincerely,

Scott Coran
Coran Visual
212 First Street North
Loft #501
Minneapolis, Minnesota 55401
scoran@coranvisual.com
Phone: 612.340.0004
Fax: 612.340.0003
Mobile: 612.801.3675

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Farrar, Rebecca D.

From: Jason Rohrbaugh [JRohrbaugh@victorysales.com]
Sent: Wednesday, August 02, 2006 3:55 PM
To: Farrar, Rebecca D.
Cc: schmitzmay@aol.com; Goodman, Lisa R; lberghs@mn.rr.com
Subject: FW: Belfiore Opposition to Pacific Flats Development

Rebecca,
I have read through the attachment and agree with all of the statements made by Peter. I work in the suburbs and live downtown at the 212 lofts. I've had conversations with neighbors and I can say that my feelings as well as the folks I've talked to are pretty strong on this subject. This is the sort of issue that affects voting choices.

Sincerely,

Jason

Jason Rohrbaugh
Account Manager
Victory Sales
1210 Northland Dr. Suite 175
Mendota Heights, MN 55120
(651) 209-8933- phone
(651) 994-6978- fax
(651) 994-6890-main
jrohrbaugh@victorysales.com

From: schmitzmay@aol.com [mailto:schmitzmay@aol.com]
Sent: Wednesday, August 02, 2006 3:30 PM
To: Andovergrp@aol.com
Subject: Fwd: Belfiore Opposition to Pacific Flats Development

See Peter's attachment. It's a great example of the type of comments one might make re: this project. If you can't get to writing your own comments, I encourage you to tag on to Peter's by simply sending a response back to Rebecca Farrar indicating your "in agreement" with P.Belfiore's response.

Please note that Rebecca's correct e-mail address does not have a "." after Farrar.

Tx,

Bob

-----Original Message-----

From: pjbelfiore@yahoo.com
To: Rebecca.Farrar.@ci.minneapolis.mn.us
Cc: lisa.goodman@ci.minneapolis.mn.us; lberghs@mn.rr.com; schmitzmay@aol.com
Sent: Fri, 28 Jul 2006 8:27 PM
Subject: Belfiore Opposition to Pacific Flats Development

Dear Ms. Farrar:

Please see attached file.
Thank you for your help

8/2/2006

Sincerely,
Peter Belfiore

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Farrar, Rebecca D.

From: Loren Bolstridge [lorenthree@earthlink.net]
Sent: Wednesday, August 02, 2006 8:48 AM
To: Farrar, Rebecca D.
Cc: schmitzmay@aol.com
Subject: Pacific Flats Development Comment

You have received many impassioned and well phrased comments about the potential monstrosity of the proposed Pacific Flats development (ironic name, isn't it). However, if in fact that corner of the block is zoned high rise with a given density, there's not much that impassioned pleas can do to stop it. The real issue is the zoning in the first place. Much of downtown was razed in the middle of the last century to get rid of the "skid row" environment and make way for "urban renewal". I believe that all or part of the Pacific Flats block was rezoned in the 80s to include high rise high density development consistent with that mid-century idea of what constituted good urban planning. It should be obvious to anyone with a sense of market forces that there is a new paradigm of urban renewal and a new aesthetic for what constitutes desirable urban living. Even le Corbusier regrets some of the ultra-high-density high rises he built on the outskirts of Paris. The existing and ongoing developments in the warehouse district mirror that new aesthetic beautifully, with the Bookman, and other loft developments being good examples.

The real question then is: are the three blocks in question from Hennepin to Third Ave between Washington and Second Street properly zoned? The first block on Hennepin - that makes sense to have that higher rise and higher density. It's across the street from the Towers, in line with the Churchill, and would tie in with the Crossings - all high rise developments. The next two blocks are not as obvious, especially because they already contain historic period warehouse and mercantile structures that define the Warehouse District.

It makes no sense to have one-eighth of a block zoned for the type of high rise that Pacific not-so-Flats envisions, when the remainder of that block, and all the surrounding blocks, are zoned for lower heights, lower densities, and historic significance. It seems that it would be in the best interests of the City of Minneapolis, the North Loop neighborhood, the Warehouse District, historic preservationists, and those of us who live across the street, to rezone that parcel to be consistent with the remainder of that block.

Thanks.

- Loren

Farrar, Rebecca D.

From: Katherine Gee [katherinea.gee@gmail.com]
Sent: Wednesday, August 02, 2006 1:51 PM
To: Farrar, Rebecca D.
Subject: Fwd: Belfiore Opposition to Pacific Flats Development

Hello, I am aware of the comments put together by Peter, and I agree with him. Pacific Flats would be a detriment to our neighborhood, especially as it doesn't fit w/ the character of the neighborhood. Thank you.

----- Forwarded message -----

-----Original Message-----

From: pjbelfiore@yahoo.com
To: lberghs@mn.rr.com; schmitzmay@aol.com
Sent: Mon, 31 Jul 2006 12:07 PM
Subject: Fwd: RE: Belfiore Opposition to Pacific Flats Development

Note: forwarded message attached.

Attached Message

From: Rebecca.Farrar@ci.minneapolis.mn.us
To: pjbelfiore@yahoo.com
Subject: RE: Belfiore Opposition to Pacific Flats Development
Date: Mon, 31 Jul 2006 09:11:01 -0500

Hi Peter- I received your comments, and yes they are in time for the 30-day comment period for the EAW. Thank you.

*Becca Farrar
Senior Planner - Development Services
Community Planning & Economic Development (CPED)
City of Minneapolis
Room 300 Public Service Center
250 S. Fourth Street
Minneapolis, MN 55415
ph: 612.673.3594
fax: 612.673.2526
rebecca.farrar@ci.minneapolis.mn.us*

-----Original Message-----

From: Peter Belfiore [mailto:pjbelfiore@yahoo.com]
Sent: Friday, July 28, 2006 8:27 PM
To: Rebecca.Farrar@ci.minneapolis.mn.us
Cc: Goodman, Lisa R; Lynn Berghs; schmitzmay@aol.com
Subject: Belfiore Opposition to Pacific Flats Development

Dear Ms. Farrar:

Please see attached file.
Thank you for your help
Sincerely,
Peter Belfiore

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Farrar, Rebecca D.

From: Kris Lang [kllang@mn.rr.com]
Sent: Tuesday, August 01, 2006 9:35 PM
To: Farrar, Rebecca D.
Subject: Pacific Flats Development project

Ms. Farrar - I agree with Mr. Woelfel's comments. I am opposed to the Pacific Flats development project and the negative impact it will have on the neighborhood.

Kristina Lang

-----Original Message-----

From: Bryan Woelfel [mailto:bwoelfel@mn.rr.com]
Sent: Tuesday, August 01, 2006 9:31 PM
To: Kris Lang
Subject: FW: Pacific Flats

Kris - FYI

-----Original Message-----

From: Bryan Woelfel [mailto:bwoelfel@mn.rr.com]
Sent: Tuesday, August 01, 2006 9:26 PM
To: Rebecca.Farrar@ci.minneapolis.mn.us
Cc: pjbelfiore@yahoo.com; lisa.goodman@ci.minneapolis.mn.us
Subject: Pacific Flats

Ms. Farrar - I would like to express my opposition to the proposed development project called Pacific Flats. The project simply does not fit in the historic warehouse district. I chose to live in this area because of the charm of the old buildings and natural feeling of the current architecture. I do not want that to be inured be the introduction of any building that does not fit the character. The only group that benefits from the project is the developer by gaining profit. The types of services which they claim to bring should come to the district in the form of integration with the surroundings, not destruction of it.

The current zoning codes and historic preservation ideals should be kept in place. When a developer asks for a variance to the building code, that should only be granted when it is deemed overwhelmingly for the betterment of the community. When a few people complain, the city needs to take notice; when tens of people oppose it, the city must think hard about it; when scores of people organize and express their opposition, the city must deny it; when over one 100 people sign a petition against it, the city must perform it's duty and protect the interests of it's citizens.

I also agree with the statements previously delivered to you by Mr. Peter Belfiore.

Thank you for your attention in this matter,

Bryan Woelfel

Farrar, Rebecca D.

From: Bryan Woelfel [bwoelfel@mn.rr.com]
Sent: Tuesday, August 01, 2006 9:26 PM
To: Farrar, Rebecca D.
Cc: pjbelfiore@yahoo.com; Goodman, Lisa R
Subject: Pacific Flats

Ms. Farrar - I would like to express my opposition to the proposed development project called Pacific Flats. The project simply does not fit in the historic warehouse district. I chose to live in this area because of the charm of the old buildings and natural feeling of the current architecture. I do not want that to be inured by the introduction of any building that does not fit the character. The only group that benefits from the project is the developer by gaining profit. The types of services which they claim to bring should come to the district in the form of integration with the surroundings, not destruction of it.

The current zoning codes and historic preservation ideals should be kept in place. When a developer asks for a variance to the building code, that should only be granted when it is deemed overwhelmingly for the betterment of the community. When a few people complain, the city needs to take notice; when tens of people oppose it, the city must think hard about it; when scores of people organize and express their opposition, the city must deny it; when over one 100 people sign a petition against it, the city must perform it's duty and protect the interests of it's citizens.

I also agree with the statements previously delivered to you by Mr. Peter Belfiore.

Thank you for your attention in this matter,

Bryan Woelfel

Farrar, Rebecca D.

From: Dave [dave@reliablemortgage.net]
Sent: Tuesday, August 01, 2006 12:21 PM
To: Farrar, Rebecca D.
Subject: FW: Belfiore Opposition to Pacific Flats Development

Rebecca,
Please see my comments to the proposed Pacific Flats Development.

Thank You,
Dave Radant
Reliable Mortgage Inc.
-----Original Message-----

From: schmitzmay@aol.com [mailto:schmitzmay@aol.com]
Sent: Tuesday, August 01, 2006 11:11 AM
To: dave@reliablemortgage.net
Cc: mnekich@mn.rr.com; bhaislet@yahoo.com; mkusy@phd.antioch.edu; fritzkröll@edinarealty.com
Subject: Re: Belfiore Opposition to Pacific Flats Development

Dave, thanks for your comments and support. It would make a difference if you would follow-up on P Belfiore's statement to Rebecca Farrer. Just forward your support Peter's state,ment to rebecca. It makes a difference!! Plus, you've just reminded me to do the same...

Tx,

Bob

-----Original Message-----
From: dave@reliablemortgage.net
To: schmitzmay@aol.com
Sent: Tue, 1 Aug 2006 11:27 AM
Subject: RE: Belfiore Opposition to Pacific Flats Development

I agree with everything that you oppose in your response to Rebecca Farrar. Frankly, I can't believe that the city would even consider such a development in the warehouse district. I would have never bought at RI lofts if I would have known that something like this could be built on a historic site. I'm of the opinion that if built, our property values will drop in an already saturated condo market and I'm afraid of the precedent that it would set for other developers in the neighborhood. Their proposal is simply grossly out of character with the neighborhood. As a mortgage company owner, I'm experienced with real estate valuations and trends.

Also, I overheard representatives for the developer talking about us over at Dunn Brothers the other day. They think we are an annoyance and pushovers. They plan on doing a mass area mailing soon to residents and businesses to tout the benefits of the project and to support it. They are now gathering a list. We need to be ready to make a stand. We need all the residents in the properties around us to band together. I hope that this is being done. Let me know if you need anything from me.

Thanks,
Dave

-----Original Message-----
From: schmitzmay@aol.com [mailto:schmitzmay@aol.com]
Sent: Monday, July 31, 2006 7:29 PM
To: Andovergrp@aol.com
Subject: Fwd: Belfiore Opposition to Pacific Flats Development

Peter's suggested action.

Bob

-----Original Message-----

From: schmitzmay@aol.com

To: Andovergrp@aol.com

Sent: Sun, 30 Jul 2006 1:27 PM

Subject: Fwd: Belfiore Opposition to Pacific Flats Development

FYI - Peter has a number of suggestions that may be helpful.

Bob Schmitz

-----Original Message-----

From: pjbelfiore@yahoo.com

To: schmitzmay@aol.com

Cc: esb@umn.edu

Sent: Sun, 30 Jul 2006 1:08 PM

Subject: Re: Belfiore Opposition to Pacific Flats Development

Hi, Bob:

Yes, let's be sure that people see whatever objections we have.

I should note that my first sending of our statement came back because of a typo in Farrar's e-mail address--there should be no dot after "Farrar"; however, I then forwarded the whole thing to her again, at <Rebecca.Farrar@ci.minneapolis.mn.us>.

I think that even if a person does not write up their own statement, they could always forward ours to Farrar, saying that they agree. Or they could just e-mail Farrar saying they agree with our statement. The point is, redundancy and repetition are good--it seems to me--and of course the additional name of someone opposed to the development is new information.

Wish Betty and I had had the time to be even more thorough, but we tried.

Thanks,

Peter Belfiore

schmitzmay@aol.com wrote:

Peter, don't recall whether I commented on this response to the EAW -- It's very well stated! I've distributed your piece to our e-mail recipient list in the hope that others will respond in-kind.

Thanks!

Bob

-----Original Message-----

From: pjbelfiore@yahoo.com

To: Rebecca.Farrar.@ci.minneapolis.mn.us

Cc: lisa.goodman@ci.minneapolis.mn.us; lberghs@mn.rr.com; schmitzmay@aol.com

Sent: Fri, 28 Jul 2006 8:27 PM

Subject: Belfiore Opposition to Pacific Flats Development

Dear Ms. Farrar:

Please see attached file.
Thank you for your help
Sincerely,
Peter Belfiore

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Farrar, Rebecca D.

From: Jennifer Lutgen [jlutgen@plusrelocation.com]
Sent: Wednesday, August 02, 2006 4:07 PM
To: Farrar, Rebecca D.
Subject: Re: Pacific Flats Project--Our Comments Sent Via E-Mail to Rebecca Farrar

Ms. Rebecca Farrar, Senior Planner
City of Minneapolis
Rebecca.Farrar@ci.minneapolis.mn.us

Re: Pacific Flats Project--Our Comments Sent Via E-Mail to Rebecca Farrar

Dear Ms. Farrar:

I am writing with requests to the Pacific Flats Project. As a resident of the Warehouse District I would like to share with you my strong opposition to this development. It would have multiple negative effects that I do not believe out-weight the positive. I am sure you can understand our desire as residents in the community to preserve the architectural and scenic integrity of the downtown area, particularly the warehouse district. In addition, I strongly believe it will have an adverse effect on day to day as well as financial aspects of the current resident's lives. We will have a significant increase in the local population which will affect things such as parking availability (which is already at a premium most nights), increased traffic, etc. In addition, with the addition of 450 additional units on the condo market place, the desirability of my own home will be dramatically affected with the additional saturation of an already saturated condo market. We already have vacant condos, what will happen if we added 450 more to the market??

As a long time resident and fan of the city of Minneapolis, I must strenuously plead with you to take these comments as well as the comments of my fellow neighbors into consideration when reviewing the Pacific Flats Project proposal.

Regards,

Jennifer Lutgen
Team Leader, Client Services

Plus Relocation Services, Inc.
600 Hwy 169 South, Suite 550
Minneapolis, MN 55426
T 888.251.2825
D 952.512.5508
F 952.593.2748
After Hours Emergency 612.716.2302

Find your personalized website: www.smoothconnection.com
For more information about our company: www.plusrelocation.com

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8/2/2006

Farrar, Rebecca D.

From: Aaron Whitney [aaron_whitney@yahoo.com]
Sent: Wednesday, August 02, 2006 1:28 PM
To: Farrar, Rebecca D.
Subject: RE: FW: Pacific Flats

Ms. Farrar-

As a Minneapolis resident and homeowner...and frequent visitor to the warehouse district/North Loop Neighborhood and patron of it's commercial establishments, I would like to emphatically support the statements made by Mr. Woelfel, below. While so many areas of downtown are presently experiencing wonderful redevelopment (which I support), far too few are experiencing historically-significant or -accurate redevelopment...the exception to this rule, in my humble opinion, is the warehouse district/North Loop.

Few people, in my estimation, oppose the Pacific Flats or its developer outright. Most, I imagine, support redevelopment as much as I. Your citizens are merely asking that the building fit the neighborhood, and that it be generally-accepted as a positive addition rather than a detriment. I do not believe this project fits either of those stipulations.

Regards,
Aaron Whitney
Minneapolis, MN

> -----Original Message-----
> From: Bryan Woelfel [mailto:bwoelfel@mn.rr.com]
> Sent: Tuesday, August 01, 2006 9:26 PM
> To: Rebecca.Farrar@ci.minneapolis.mn.us
> Cc: pjbelfiore@yahoo.com; lisa.goodman@ci.minneapolis.mn.us
> Subject: Pacific Flats
>
> Ms. Farrar - I would like to express my opposition to the proposed
> development project called Pacific Flats. The project simply does not
> fit
> in the historic warehouse district. I chose to live in this area
> because
> of the charm of the old buildings and natural feeling of the current
> architecture. I do not want that to be inured be the introduction of
> any
> building that does not fit the character. The only group that
> benefits
> from the project is the developer by gaining profit. The types of
> services which they claim to bring should come to the district in the
> form
> of integration with the surroundings, not destruction of it.
>
> The current zoning codes and historic preservation ideals should be
> kept
> in place. When a developer asks for a variance to the building code,
> that
> should only be granted when it is deemed overwhelmingly for the
> betterment
> of the community. When a few people complain, the city needs to take
> notice; when tens of people oppose it, the city must think hard about
> it;
> when scores of people organize and express their opposition, the city
> must
> deny it; when over one 100 people sign a petition against it, the city
> must perform it's duty and protect the interests of it's citizens.
>
> I also agree with the statements previously delivered to you by Mr.
Peter
> Belfiore.
>

> Thank you for your attention in this matter,
>
> Bryan Woelfel

Farrar, Rebecca D.

From: Bruce Rubin [b.rubin@rubincordaro.com]
Sent: Thursday, August 03, 2006 12:29 PM
To: Farrar, Rebecca D.
Cc: Goodman, Lisa R; Bob Schmitz; Peter Belfiore
Subject: Pacific Flats

Hello Rebecca,

In 1984, Jim Cordaro and I bought the Himmelsbach building at 115 N. 1st Street, in part, because we were mesmerized by the untouched historic nature of the neighborhood. Today, we still love living and working in the North Loop.

In 2001 — after an exhaustive 16 month rehab — we moved back into this award-winning space (Minneapolis Historic Preservation Commission — Adaptive Reuse, 2002 Preservation Award). We took great pains to renovate the building in an honest fashion so the historic Minneapolis would not be lost forever. We have also been pleased with how other developers have created new structures that work in harmony with the older buildings that are on every block.

For all of the reasons why we love the North Loop, we oppose the Pacific Flats project. Please note, we are not against development. We are against inappropriate development and Pacific Flats does not respect the character and scale of this neighborhood.

Furthermore, we also agree with all of the comments presented in the *Statement of Elizabeth and Peter Belfiore in Opposition to the Pacific Flats Project* (below) and ask that you please reject the Pacific Flats project.

Sincerely,

Bruce Rubin
Jim Cordaro

Rubin Cordaro Design
115 N. 1st Street
Minneapolis, MN 55401
612-343-0011
612-343-0012 Fax
www.rubincordaro.com

*A visual communications firm helping businesses
deliver effective messages through compelling design*

9 North 4th Ave., #102
Minneapolis, MN 55401
612-359-6934
pjbelfiore@yahoo.com

Ms. Rebecca Farrar, Senior Planner
City of Minneapolis
Rebecca.Farrar@ci.minneapolis.mn.us

Re: Pacific Flats Project--Our Comments Sent Via E-Mail to Rebecca Farrar

Dear Ms. Farrar:

We strongly oppose the Pacific Flats project and request that you accept our following comments and pass them on to any city personnel who are part of the decision making process in connection with the Pacific Flats proposals.

Thank you very much.

Sincerely,

8/3/2006

Elizabeth and Peter Belfiore

Statement of Elizabeth and Peter Belfiore in Opposition to the Pacific Flats Project

(Note: all references to the Environmental Assessment Worksheet--EAW--are to the EAW of June 27, 2006.)

We strongly oppose the Pacific Flats project because it violates both local and national historic district guidelines, it would architecturally and scenically corrupt historic sections of the City of Minneapolis, it would be unjust to other developers who have been forced to conform to the guidelines, it would increase traffic and other pollution, and it would discourage creative architectural development. Below are some further details of our reasons, divided into two parts: I, our immediate reactions as residents of the warehouse district (Renaissance on the River), and II, a few comments on parts of the EAW.

I--Our Immediate Reactions as Residents

--The projected buildings are not in keeping with the historical character of the North Loop neighborhood, a unique and charming area that we enjoy, and very much want to preserve. The historical character of this neighborhood was one of the reasons why we decided to move here in the first place, and not to the center of downtown. We enjoy, for example, walking to Moose and Sadie's and eating brunch, partly because of the surrounding, small-scale historical buildings. We would not enjoy doing so in the shadow of a skyscraper.

--The project will create a great deal of additional traffic in an already crowded area, and one that will become still more crowded after the new stadium is built.

--It would create a precedent for allowing other skyscraper buildings in the neighborhood, including, possibly, the Reserve right next door to us. It would be difficult and unjust for the City to deny others the right to build skyscrapers in this neighborhood.

--Allowing this development would be unfair to previous developers, who have respected the historical character of the neighborhood.

--The real estate market is already saturated. As a result, prices are going down and it is taking longer to sell units. Development on this scale will only make this situation worse, helping to depress the values of all of our homes.

--We do not think that the neighborhood would gain anything that would begin to compensate for the disadvantages of the project. We do not need another hotel or another furniture store in the neighborhood, or any of the other "amenities" that have been mentioned in connection with this project.

--Allowing this project to continue will discourage more creative architectural projects that respect our Historic Preservation guidelines and also add something new and lovely to the Warehouse District.

II--Comments on Parts of the EAW

--The project would occupy the Pacific Block, which, as the EAW states, "is within the National Register 'Minneapolis Historic District' and, except for one parcel, is within the 'North Loop Warehouse Area', a historic district designated by the City of Minneapolis." (City's cover sheet for the "Environmental Assessment Worksheet June 27, 2006.")

--The project would involve the demolition of all or part of protected buildings on the block. (See, for example, p. 6 of the EAW).

--The project's "Alternative One" and "Alternative Two" would each grossly violate the Historic Preservation Guidelines of the City of Minneapolis. Alternative One would plant a 28-story condo building on one part of the block, and an 18-story condo building on another part of the block. Alternative Two would plant a 40-story condo building on the small, allegedly exempt parcel on the block, and a 10-story condo building on another portion of the block. Both alternatives would thus place buildings grossly out of scale with the surrounding architecture of the neighborhood, and grossly violate Historic Preservation guidelines. Not only is the entire block within the protected area of the National Register, and at least most of the block within the local historic district, but even in the case of Alternative Two, in which a huge 40-story condo building which would be placed on an allegedly exempt parcel within the protected block, the huge tower is of course not only spatially but also physically connected to the rest of the project, which is, as noted, all

within the protected block. On the physical connection of the 40-story condo building to the rest of the project, the EAW notes: "As with the 28-story Condo Building, a common 4-story base...would connect the condominium structure to the rest of the development...." (EAW, page 5.) Alternative One at least does not claim the protection of an allegedly unprotected parcel within the protected, historic block.

The physical connection of the 40-story building to the rest of the project is relevant as highlighting the absurdity of denying that the huge 40-story condo building violates local historic district guidelines whether or not the parcel on which it stands is exempt. (According to the developer's cockamamie argument, Alternative Two--the 40-story, 10-story condo building alternative--complies with the local guidelines in that the 40-story condo building would reside on the "10% of the block excluded from the local historic district.") (EAW, page 3.)

Note that the developer concedes that Alternative One (28-story and 18-story condo buildings), its "preferred" alternative, violates historic preservation guidelines of Minneapolis, and that Alternative Two (40-story and 10-story condo buildings) will use a lot that is within the national district. (See, for example, EAW, pages 2-3.)

--An indication of how out of proportion the proposed buildings of the project would be, see, for example, page 9 of the EAW, which notes how the height of the proposed buildings compares with surrounding buildings, which would be dwarfed.

--As the EAW itself states, "The height of the proposed towers in both alternatives [28-story and 18-story condo buildings, and 40-story and 10-story condo building] is out of character with the surrounding local and national historic districts and will have a negative visual impact." (EAW, page 31.)

--On increased traffic and other pollution, the EAW seems quite sketchy; an Environmental Impact Statement would be called for if this project were not already blatantly and fatally flawed in numerous ways.

--The EAW states, concerning the project's purpose, that "The project will increase the opportunity for and diversity of living in downtown Minneapolis." (EAW, Page 7.) A more accurate statement would be: "The project's purpose is to make money by creating more spaces for the well-heeled to settle, whether permanently or for a few days in a boutique hotel." Any doubts concerning our translation of the developer's cynical reference to "diversity" may be resolved by reviewing the EAW, reviewing the project's promotional literature, and attending the developer's presentations. Surely "diversity of living" is not enhanced by, for example, stores selling "upscale furnishings" or "upscale clothing"--as described in a Pacific Flats promotional sheet.

We respectfully ask that the City of Minneapolis reject the Pacific Flats project, a project that would severely compromise one of our great historical districts, and diminish the quality of life of the City of Minneapolis.

Sincerely,
Elizabeth and Peter Belfiore

cc: Lisa Goodman, Lynn Berghs, Bob Schmitz

Farrar, Rebecca D.

From: Jim Cordaro [j.cordaro@rubincordaro.com]

Sent: Thursday, August 03, 2006 11:32 AM

To: Farrar, Rebecca D.

Subject: Pacific Flats project

Dear Ms. Farrar,

I am writing to voice my opposition to the proposed design of the Pacific Flats project. As a longtime resident of the North Loop neighborhood (22 years), I have been witness to much of the growth and development of the area. People come to this corner of the city for its historic character and neighborhood charm. The Pacific Flats project respects neither of these qualities. The size and height of the project is totally out of scale with the neighborhood and violates historic guidelines that have been respected by numerous other developments and renovations (including my own). These historic district guidelines were developed for a reason – to maintain the historic character of areas such as this neighborhood and to prevent projects such as this one from destroying that character. I am very much in favor of growth and development – as long as it is within the guidelines that have been developed and it adds to the character of a neighborhood. The Pacific Flats project does neither of these things.

Thank you for your time.

--

Jim Cordaro
Rubin Cordaro Design
115 N 1st Street
Minneapolis, MN 55401
612-343-0011
612-343-0012 fax
www.rubincordaro.com

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deliver effective messages through compelling design*

Farrar, Rebecca D.

From: sara nachreiner [sara@mitreboxframing.com]
Sent: Wednesday, August 02, 2006 4:25 PM
To: Farrar, Rebecca D.
Subject: Flats issue

Hello Rebecca -

I just wanted to let you know that I am a business owner on Washington Avenue. I am opposed to the height of the Pacific Flats project within a historic district. Please add me to your list of those opposed to the height.

Thank you.

Sara Nachreiner
Mitrebox Framing Studio, LLC
213 Washington Ave N
Minneapolis, MN 55401

P:612.676.0696

F:612.676.0707

www.mitreboxframing.com

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EXHIBIT E

Council /Mayor Action

(to be added after publication in Finance & Commerce)

Mailing List for Pacific Block Development EAW

Send to all of EQB mailing list (note the address of the Minneapolis Public Library is now back to 300 Nicollet Mall 55401)

Interoffice

Council Member Lisa Goodman

Council Member Gary Schiff, Chair
Zoning and Planning Committee

Becca Farrar

Hilary Dvorak

Jack Byers

Beth (downtown planner)

Mail

Project Proposer

Walter H. Rockenstein II
Faegre & Benson LLP
2200 Wells Fargo Center
90 South Seventh Street

Minneapolis, MN 55402-3901

The North Loop Neighborhood Group

Michael Cronin

Michael Cronin & Associates

8809 West Bush Lake Rd.

Minneapolis, MN 55438

August 16, 2006 Additions to the Pacific Block Development Project Mailing List

Eric Galatz

Leonard Street and Deinard

150 South Fifth Street – Suite 2300

Minneapolis, MN 55402

Lisa Rahne & Michael Nekich

111 Fourth Ave N #707

Minneapolis, MN 55401

Elizabeth and Peter Belfiore

9 Fourth Ave N

Minneapolis, MN 55401

Kathleen Murphy

Deborah Thorp

708 First St N #321

Minneapolis, MN 55401

Sara Nachreiner

Miterbox Framing Studio

213 Washington Ave N

Minneapolis, MN 55401

Gina Melekh

210 Second Ave N #208

Minneapolis, MN 55401

Jennifer Lutgen

Plus Relocation Services Inc.

600 Hwy 169 S – Suite 550
Minneapolis, MN 55426

Jason Rohrbaugh
Victory Sales
1210 Northland Dr. Suite 175
Mendota Heights, MN 55120

Gary Baardsgaard
111 Fourth Ave N #505
Minneapolis, MN 55401

Shantanu Reddy
315 West River Parkway
Minneapolis, MN 55401

Scott Coran
212 First St N # 501
Minneapolis, MN 55401

Cheri Poock
210 Second St. N #404
Minneapolis, MN 55401

Mark & Stephanie Corby
45 Fourth Ave N # 45-103
Minneapolis, MN 55401

Rohit & Sanjita Cariappa
111 Fourth Ave N # 605
Minneapolis, MN 55401

Scott Young
210 Second St. N # 504
Minneapolis, MN 55401

Nicole Antosz
111 Fourth Ave N # 405
Minneapolis, MN 55401

Bob Schmitz, President
Rock Island Lofts Association
111 Fourth Ave N # 603
Minneapolis, MN 55401

Bruce Rubin
Jim Coradaro
Rubin Coradaro Design
115 First St N
Minneapolis, MN 55401

Also, email only:

Aaron Whitney [aaron_whitney@yahoo.com]

Joshua Brueggeman [Joshua.Brueggeman@RyanCompanies.com]

Loren Bolstridge [Lorenthree@earthlink.net]

Katherine Gee [katherinea.gee@gmail.com]

Janel Russell [janel@janelrusselldesigns.com]

Joseph Rucci [jrucci7@yahoo.com]

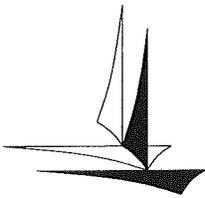
Mark Dillon [Mark.Dillon@meyers.com]

Kris Lang [klang@mm.rr.com]

Bryan Woelfel [bwoelfel@mm.rr.com]

Dave Radant [dave@reliablemortgage.net]

Ted Shogren [Shogren@visi.com]



Minneapolis
City of Lakes

**Community Planning &
Economic Development**

Planning Division

350 South 5th Street – Room 210
Minneapolis MN 55415-1385

Office 612 673-2597
Fax 612 673-2728
TTY 612 673-2157

**AVAILABILITY OF THE ENVIRONMENTAL ASSESSMENT WORKSHEET FOR THE PACIFIC BLOCK
MIXED USE DEVELOPMENT**

This EAW studies the Pacific Block Development, a mixed commercial, hotel, office, and residential development totaling approximately 750,000 gross square feet proposed on the block bounded by Washington Ave. N., 3rd Ave. N, 2nd St. N., and 2nd Ave. N. in Downtown Minneapolis. The residential component comprises 450 condominium units in two buildings. The Pacific Block is within the National Register “Minneapolis Warehouse Historic District” and, except for one parcel, is within the “North Loop Warehouse Area”, a historic district designated by the City of Minneapolis.

Copies of the EAW will be available for review at the downtown Minneapolis Public Library located at 300 Nicollet Mall, and in the office of the City Planning Division at 210 City Hall.

Notice will be published in the *EQB Monitor* on Monday, July 3, 2006. Public comments on the EAW must be made within the 30-day comment period, which ends at 4:30 p.m. on Wednesday, August 2, 2006. The Zoning and Planning Committee at its regular meeting on August 24, 2006, or at a subsequent meeting, will receive a report and recommendation from City staff, hear comment from all parties and consider the adequacy of this EAW and the need for an Environmental Impact Statement for this proposal. The City Council will act on the recommendation of this Committee at a subsequent meeting.

This EAW and supporting information will also be available for review on the City of Minneapolis web site: <http://www.ci.minneapolis.mn.us/planning>. Copies of this EAW can also be provided to individuals by email or on a compact disk by request to: Rebecca.Farrar@ci.minneapolis.mn.us

For further information and to submit comments on the EAW, contact Rebecca Farrar, Senior Planner, at the above postal and email addresses and by telephone at 612-673-3594. Electronic submissions (email, emailed attachments in Word, and discs containing Word documents) are preferred.

ENVIRONMENTAL ASSESSMENT WORKSHEET

Note to preparers: This form is available at <http://www.eqb.state.mn.us>. *EAW Guidelines* will be available in Spring 1999 at the web site. The Environmental Assessment Worksheet provides information about a project that may have the potential for significant environmental effects. The EAW is prepared by the Responsible Governmental Unit or its agents to determine whether an Environmental Impact Statement should be prepared. The project proposer must supply any reasonably accessible data for — but should not complete — the final worksheet. If a complete answer does not fit in the space allotted, attach additional sheets as necessary. The complete question as well as the answer must be included if the EAW is prepared electronically.

Note to reviewers: Comments must be submitted to the RGU during the 30-day comment period following notice of the EAW in the *EQB Monitor*. Comments should address the accuracy and completeness of information, potential impacts that warrant further investigation and the need for an EIS.

1. **Project Title** PACIFIC BLOCK DEVELOPMENT

2. **Proposer** PACIFIC FLATS, LLC

Contact person Walter H. Rockenstein II
Title Attorney for Pacific Flats, LLC
Address Faegre & Benson LLP
2200 Wells Fargo Center
90 South Seventh Street
City, state, ZIP Minneapolis, MN 55402-3901
Phone 612-766-7208
Fax 612-766-1600
E-mail WRockenstein@faegre.com

3. **RGU** CITY OF MINNEAPOLIS

Contact person Rebecca Farrar
Title Senior Planner
Address Planning Division
Community Planning & Economic Development Department
City of Minneapolis
210 City Hall
350 South 5th Street
City, state, ZIP Minneapolis, MN 55415
Phone 612-673-3594
Fax 612-673-2728
E-mail Rebecca.Farrar@ci.minneapolis.mn.us

4. **Reason For EAW PREPARATION (check one)**

EIS scoping **Mandatory EAW** **Citizen petition**

RGU discretion Proposer volunteered

If EAW or EIS is mandatory give EQB rule category subpart number: Minn. Rules 4410.4300 Mandatory EAW Categories **and subpart name:** Subp. 19. Residential development, more than 375 attached units; Subp. 31. Historical places, demolition of structures in a Historic District; and Subp. 32 Mixed residential and industrial-commercial projects.

5. Project Location

County: Hennepin

City/Township: Minneapolis

Section: 22 **Township:** 029 **Range:** 24

Legal description: Block 34, Town of Minneapolis

See Attachment E: ALTA/ACSM Land Title Survey.

The project proposes redevelopment of the entire block bounded by Washington Avenue N. on the south, by 3rd Avenue N. on the west, by 2nd Street N. on the north, and by 2nd Avenue N. on the east (the “Pacific Block” or the “Project Site”).

Attach each of the following to the EAW:

- **County map showing the general location of the project.** See Attachment A: Hennepin County Map.
- **U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries (photocopy acceptable).** See Attachment A Minneapolis South Quadrangle
- **Site plan showing all significant project and natural features.** See Attachment B: Project Site and Vicinity, Attachment C: 28-Story Condo Building Alternative Site Plan and Attachment D: 40-Story Condo Building Alternative Site Plan.

6. Description

a. Provide a project summary of 50 words or less to be published in the *EQB Monitor*.

The Pacific Block Development is a mixed commercial, hotel, office, and residential development totaling approximately 750,000 gross square feet proposed on the block bounded by Washington Ave. N., 3rd Ave. N., 2nd St. N., and 2nd Ave. N. in Downtown Minneapolis. The residential component comprises 450 condominium units in two buildings. The Pacific Block is within the National Register “Minneapolis Warehouse Historic District” and, except for one parcel, is within the “North Loop Warehouse Area”, a historic district designated by the City of Minneapolis.

b. Give a complete description of the proposed project and related new construction. Attach additional sheets as necessary. Emphasize construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes. Include modifications to existing equipment or industrial processes and significant demolition, removal or remodeling of existing structures. Indicate the timing and duration of construction activities.

(1) Project Description And Alternatives

Pacific Flats, LLC (the “Developer”) proposes to build a mixed-use, commercial, hotel, office, and residential infill redevelopment including approximately 69,200 SF of commercial space, a 150-room hotel, 35,800 SF of office space, 450 residential condominium units, and a parking ramp with approximately 800 parking spaces (collectively, the “Pacific Block Development” or “Project”) on the Pacific Block in Downtown Minneapolis. The retail space is expected to include a health and fitness

club and at least 2 restaurants, including the existing Monte Carlo Club. The office space is expected to include a medical clinic of approximately 8,000 SF.

The Developer is proposing two alternatives for constructing the Project. The alternatives propose the same intensity of development measured by square feet of residential and commercial floor area, but differ in how the residential development is distributed on the site. The commercial development, parking and green spaces are identical in each alternative.

Alternative One. The first alternative calls for 2 residential condominium towers – an 18-story building on Washington Avenue N. and a 28-story building whose major axis parallels 2nd Street N., but with an 8 story wing along 2nd Avenue N. (the “28-Story Condo Building Alternative”). Both buildings would have retail at the street level. See Attachment C, Attachment F: 28-Story Condo Building Alternative Heights, and Attachment G: 28-Story Building Alternative Perspective. This is the Developer’s preferred alternative.

This alternative illustrates how a development of 7 times the area of the block potentially permitted in the B4C-1 district and increased by allowed bonuses and premiums (see the discussion in Section 27 of this EAW) would be distributed across the block.

Alternative Two. Alternative Two also includes 2 residential condominium towers – a 40-story tower on the Gehl-Dolphin Building parcel at the corner of 2nd Avenue N. and 2nd Street N. (212 2nd Avenue N) and a 10-story building on Washington Avenue N. (the “40-Story Condo Building Alternative”). The 40-story tower would have lower wings extending along both 2nd Street N. and 2nd Avenue N. Again, both condominium buildings would have retail at the street level. See Attachment D, Attachment H: 40-Story Condo Building Alternative Heights, and Attachment I: 40-Story Condo Building Alternative Perspective.

This alternative distributes the development differently, respecting the Historic District guidelines adopted by the City and limiting building heights on the 90% of the block that is within the District to 10 stories, and 3.74 times that area, and then proposing a 40 story residential tower on the 10% of the block excluded from the local historic district. The resulting development on this part of the block, the 10,692 sf parcel at 212 Second Avenue N, will approach 35 times that area.

The application for approval of the project by the HPC and through the City’s Land Use Approval Process must be limited to a single plan, the proposed plan of the developer.

(2) Components Common To Both Alternatives

The Project includes the following major components that are common to both alternatives.

(a) *Pacific Flats Building*

The street level of the Pacific Flats Building will remain retail, and the upper 2 floors will be refurbished to create office space. See Attachments C, D, F, G, H, and I.

(b) *Monte Carlo Club*

The Monte Carlo Club will be retained as a restaurant. The open space to its south will become part of the westerly pocket park. See the discussion under (f) *Green Spaces* below and Attachments C, D, F, G, H, and I.

(c) *New Hotel Including Renovated Northwestern Building*

A new, 10-story hotel will be constructed adjacent to the existing Northwestern Building that will extend into the Northwestern Building (“New Hotel”) and into a wing behind the Monte

Carlo Club. The New Hotel will have 150 rooms and an interior courtyard accessible by hotel guests. See Attachments C, D, F, G, H and I.

The New Hotel will have its entrance on 3rd Avenue N. between the Monte Carlo Club and 2nd Street N. The building will begin at the sidewalk, rise 3 stories, set back approximately 20 feet, and then continue up to its 10-story height. The first 4 stories will maintain floor-to-floor heights similar to the Northwestern Building, while the remaining 6 stories will decrease this floor-to-floor height to about 10 feet. An open, interior courtyard at the second level will adjoin this new portion of the New Hotel along its east face. The south face of this portion of the New Hotel will be about 28 feet north of the Monte Carlo Club, creating a 1-lane entrance to the interior parking for the Project and 1 lane for New Hotel drop-off. See Attachments C, D, F, G, H, and I.

The front 3 bays of the Northwestern Building (approximately 56 feet) will be retained and the back bays will be demolished. The street level along 2nd Street N. will remain retail; the second, third, and fourth stories will be renovated to incorporate hotel rooms. A fifth story with a green roof terrace will be added, set back approximately 20 feet from the building's 2nd Street N. façade. A portion of the New Hotel, the interior hotel courtyard, and part of the Parking Ramp will be constructed in the area opened up by demolishing the rear of the Northwestern Building. See Attachments C, D, F, G, H, and I.

A south wing of the New Hotel will be constructed behind and over roughly the back third of the Monte Carlo Club. This wing will be 4 stories tall with a green roof terrace, and its south face will be about 21 feet from the back of the Pacific Flats Building. Construction of this wing will require demolition of all or a part of the 2-story concrete block structure added to the rear of Monte Carlo Club in 1985. See Attachments C, D, F, G, H, and I.

(d) *Lowry-Morrison Building*

The Lowry-Morrison Building will be completely renovated and will include retail on the ground floor and office space on the upper 2 floors. See Attachments C, D, F, G, H, and I.

(e) *Parking Ramp*

A 7-level parking ramp will be constructed in the center of the Pacific Block and will provide approximately 800 parking spaces (the "Parking Ramp"). It will include 2 parking levels below grade, a parking and loading level at grade (street level), 4 parking levels above grade, and a green roof terrace above the final parking level. The below grade levels will extend under the New Hotel to serve its guests and under the new condominium buildings to provide private parking for the residents. The street level of the Parking Ramp will supply public parking and loading spaces for the retail businesses, the New Hotel, and the medical clinic. The 4 levels above grade will offer a mix of public parking for the retail and office uses and private parking for condominium units. See Attachments C, D, F, G, H, and I.

(f) *Green Spaces*

The Project includes landscape and green spaces at the street level and on its roofs. Two public pocket parks are planned. The first is on 3rd Avenue between the Monte Carlo Club and the Pacific Building. The second is on 2nd Avenue N. behind the Lowry-Morrison Building. The parks are connected under the back of the 18-Story or 10-Story Condo Building to form a through-block pedestrian promenade. See Attachments C, D, F, G, H, and I.

An open space constructed as a raised plaza will be created on the corner of 3rd Avenue N. and

2nd Street N. The current plan anticipates that 50% of the space will support an outdoor dining and activity space for the New Hotel and 50% will be available for public use. This plaza space will be accessible from the New Hotel lobby, the Northwestern Building, and the sidewalks on 3rd Avenue N. and 2nd Street N. See Attachments C, D, F, G, H, and I.

Green spaces above street level are the green roof terraces, which total 21,000 SF (21%) of the Project's roof area. The roof of the 4-story south wing of the New Hotel, the roof of the story added to the Northwestern Building, the second level interior courtyard for the New Hotel, the roof of the 8-story portion of the condominium building along 2nd Avenue S., and the roof of the Parking Ramp will be green roof terraces. The current plan calls for 50% of the green roof terrace over the Parking Ramp to be available for public use with access from the commercial elevators in the 18 or 10-Story Condo Building. See Attachments C, D, F, G, H, and I.

(3) Components Unique To Alternative One, The 28-Story Condo Building Alternative

The 28-Story Condo Building Alternative would place an 8 and 28-story retail and residential building with integrated, enclosed parking along 2nd Street N. and 2nd Avenue N., and an 18-story retail, office, and residential building on Washington Avenue N.

(a) 28-Story Condo Building

The Gehl-Dolphin Building and the private parking lots to its west and south would be redeveloped into a new, primarily condominium building with 2 sections – one rising to a height of 8 stories and the other 28 stories (the “28-Story Condo Building”). Located at the corner of 2nd Street N. and 2nd Avenue N., the long axis of the 28-story tower would parallel 2nd Street N., and the smaller 8-story section would face 2nd Avenue N. A common 4-story base would connect the structure to the rest of the development and allow access to the green roof terrace over the Parking Ramp. The 28-Story Condo building would include 320 for-sale dwelling units, retail space, and enclosed parking both above and below ground. See Attachments C, F, and G.

Along 2nd Street N., the first and second floors would house retail uses facing the adjacent sidewalks. The upper floors would be condominium units that terrace back on the fifth and sixth stories to a total of about 37 feet from the façade of the first 4 stories. Maintaining this setback, the taller portion of the building would then rise to 28 stories. See Attachments C, F, and G.

Along 2nd Avenue N., the first and second floors would house retail uses and the entrance to the condominium units, all facing the adjacent sidewalks. Above that would be 3 levels of parking screened from the street and 3 levels of condominium units topped by a green roof terrace. The residential levels would terrace back on the seventh and eighth stories. See Attachments C, F, and G.

(b) 18-Story Condo Building

The Carriage House Building and the private parking lot to its west on Washington Avenue N. would be redeveloped into a new, primarily condominium building with a height of 18 stories (the “18-Story Condominium Building”). The first 4 stories of this building would line up with the facades of the Pacific Flats Building to the west and the Lowry-Morrison Building to the east. The upper 14 floors would be set back approximately 30 feet from this façade and the sidewalk. The first 4 floors would contain retail and commercial uses. The upper 14 floors would contain 130 for-sale dwelling units. See Attachments C, F, and G.

(4) Components Unique To Alternative Two, The 40-Story Condo Building Alternative

The 40-Story Condo Building Alternative would place a 6, 8, and 40-story retail and residential building with integrated, enclosed parking along 2nd Street N. and 2nd Avenue N., and a 10-story retail, office, and residential building on Washington Avenue N.

(a) 40-Story Condo Building

The Gehl-Dolphin Building parcel and the private parking lots to its west and south would be redeveloped into a new, primarily condominium building with 3 sections rising to heights of 6, 8, and 40 stories (the “40-Story Condo Building”). As with the 28-Story Condo Building, a common 4-story base located at the corner of 2nd Street N. and 2nd Avenue N. would connect the condominium structure to the rest of the development and allow access to the green roof terrace over the Parking Ramp. Unlike the 28-Story Condo Building, however, the 40-story tower portion of the building would occupy only the Gehl-Dolphin Building parcel and would rise from the sidewalk on 2nd Street N. and 2nd Avenue N. with limited setbacks at upper levels. The 40-Story Condo Building would include 380 for-sale dwelling units, retail space, and enclosed above and below-ground parking. See Attachments D, H, and I.

Along 2nd Street N., the first 2 floors would house retail uses facing the adjacent sidewalks. The upper floors, to be built on the private parking lot between the Northwestern Building and the Gehl-Dolphin Building parcel, would be condominium units rising to 6 stories, which would terrace back on the fifth and sixth stories from the façade of the first 4 stories by 24 feet and 37 feet, respectively. As noted above, the upper floors built on the Gehl-Dolphin Building parcel would be condominium units that rise 40 stories. See Attachments D, H, and I.

Along 2nd Avenue N., the first 2 floors of the section, to be built on the parking lot between the Gehl-Dolphin Building parcel and the Lowry-Morrison Building, would house retail uses and the entrance to the condominium units, all facing the adjacent sidewalks. The upper floors would include 3 levels of parking screened from the street and 3 levels of condominium units topped by a green roof terrace. The residential levels would terrace back on the seventh and eighth stories. See Attachments D, H, and I.

(b) *10-Story Condo Building*

The Carriage House Building and the private parking lot to its west on Washington Avenue N. would be redeveloped into a new, primarily condominium building with a height of 10 stories (the “10-Story Condominium Building”). The first 4 stories of this building would line up with the facades of the Pacific Flats Building to the west and the Lowry-Morrison Building to the east. The upper 6 floors would be set back approximately 30 feet from this façade and the sidewalk. The first 4 floors would contain retail and commercial uses. The upper 6 floors would contain 70 for-sale dwelling units. See Attachments D, H, and I.

(5) Vehicle And Pedestrian Access To The Project Site

Vehicle and pedestrian access to the Project Site is the same for both alternatives.

(a) *Vehicle Access*

Vehicle access to the Pacific Block will occur at 3 points. First, a 1-lane, entry-only access will be placed just north of the Monte Carlo Club (west side of the block) primarily to serve the restaurant, hotel, and service vehicles. Once inside the Project Site, a second lane will provide drop-off for the New Hotel. Second, a full entry and exit access will be provided on 2nd Street N. (north side of the block) along the east side of the Northwestern Building. Third, the other full entry and exit access will be provided on 2nd Avenue N. (east side of the block) just north of pocket park that abuts the back of the Lowry-Morrison Building. See Attachment J: Project Access.

(b) *Pedestrian Access*

Pedestrian access to the Project will be from the sidewalks on all 4 sides and a through-block promenade that parallels Washington Avenue N. behind the Pacific Flats Building, the 18 or 10-Story Condo Building, and the Lowry Morrison Building. See Attachment J.

(6) Demolition

The Carriage House Building will be demolished in Phase 1 and the Gehl-Dolphin Building in Phase 2. Neither is a contributing structure to the North Loop Warehouse Area (Local District) or the Minneapolis Warehouse Historic District (National District). The back two-thirds of the Northwestern

Building and all or part of the 1985 addition to the Monte Carlo Club will also be removed as part of Phase 1. These buildings are contributing structures to the North Loop Warehouse Area (Local District) and Minneapolis Warehouse Historic District (National District).

(7) Construction Methods

The Developer expects that standard construction techniques will be used to build the Project under either alternative. Foundation work next to the historic buildings will require careful attention to design and implementation to avoid damage to these structures. Rehabilitation of the Lowry-Morrison Building will also require care to preserve the structure, but no unusual construction techniques will be used.

(8) Phasing

For both alternatives, the Developer expects to do the work in 2 phases. Construction of the first phase is expected to commence in the fall of 2006, with completion of the second phase expected by the end of 2008.

(a) Phasing For 28-Story Condo Building Alternative

For the 28-Story Condo Building Alternative, Phase 1 would commence in the fall of 2006 and would include build out of the office space on the upper 2 floors of the Pacific Flats Building, construction of the New Hotel including renovation of the Northwestern Building. Phase 2 would commence based on market demand and would involve rehabilitation of the Lowry-Morrison Building, construction of the first 4 levels of the 18-Story Condo Building, and construction of the westerly portion of the parking ramp, building the upper 14 floors of the 18-Story Condo Building, all of the 28-Story Condo Building, and the easterly portion of the Parking Ramp.

(b) Phasing For 40-Story Condo Building Alternative

For the 40-Story Condo Building Alternative, Phase 1 would commence in the fall of 2006 and would include build out of the office space on the upper 2 floors of the Pacific Flats Building, construction of the New Hotel including renovation of the Northwestern Building, rehabilitation of the Lowry-Morrison Building, construction of the first 4 levels of the 10-Story Condo building, and construction of the westerly portion of the parking ramp. Phase 2 would commence based on market demand and would involve building the upper 6 floors of the 10-Story Condo Building, all of the 40-Story Condo Building, and the easterly portion of the Parking Ramp.

c. Explain the project purpose; if the project will be carried out by a governmental unit, explain the need for the project and identify its beneficiaries.

The project will increase the opportunity for and diversity of living in downtown Minneapolis.

d. Are future stages of this development including development on any outlots planned or likely to happen? Yes No

If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.

e. subsequent stage of an earlier project? Yes No

Is this project a

If yes, briefly describe the past development, timeline and any past environmental review.

7. Project Magnitude Data

Total project acreage: 2.47 acres.

Number of residential units: unattached 0 ; **attached** 450 ; **maximum units per building** 28-Story Condo Building Alternative – 320 units; 40-Story Condo Building Alternative – 380 units.

The total residential floor area in each Project alternative is 470,000 SF.

Commercial, industrial or institutional building area (gross floor space): total square feet 280,000 SF (commercial, hotel, and office)

The total residential and commercial floor area in each Project alternative is 750,000 SF, not including the parking structure for the 800 parking spaces. Table 7-1 presents a detailed breakdown of the floor areas, residential units, and parking spaces by use, alternative, and development phase.

Table 7- 1: Project Magnitude Summary

	Total	Phase 1	Phase 2
Site Area	107,682 SF 2.47 acres	78,457 SF 1.80 acres	29,225 SF 0.67 acres
Housing Units And SF	450	0	450
<i>Alternative One</i> 2 8-Story Condo Bldg.	470,000 SF	0	470,000
28-Story Condo Bldg.	335,000 SF (320 units)	0	335,000 SF (320 units)
18-Story Condo Bldg.	135,000 SF (130 units)	0	135,000 SF (130 units)
<i>Alternative Two</i> 40-Story Condo Bldg.	470,000 SF	0	470,000 SF
40-Story Condo Bldg.	390,000 SF (380 units)	0	390,000 SF (380 units)
10-Story Condo Bldg.	80,000 SF (70 units)	0	80,000 SF (70 units)
Commercial	280,000 SF	258,900 SF	21,100 SF
Hotel	175,000 SF	175,000 SF	0
Office	35,800 SF	35,800 SF	0
Retail	69,200 SF	48,100 SF	21,100 SF
Parking spaces	800	277	523
Above grade	446	73	373
Below grade	354	204	150
Standard	601	208	393
Compact	199	69	130
Building Coverage (SF / %)	99,705 SF 93%	53,755 SF 50%	45,950 SF 43%
Impervious Surface (SF / %)	77,825 SF	45,375 SF	32,450 SF

	72%	42%	30%*
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*Impervious surface is less than building coverage due to the green roofs.

Indicate areas of specific uses (in square feet):

Table 7-2: Use Areas

Uses	Existing Areas	Proposed Areas
Office	61,000 SF	35,800 SF
Retail	25,000 SF	69,200 SF
Warehouse	0 SF	0 SF
Light industrial	0 SF	0 SF
Other commercial (specify): hotel	0 SF	175,000 SF (150 rooms)
Manufacturing	0 SF	0 SF
Other industrial	0 SF	0 SF
Institutional	0 SF	0 SF
Agricultural	0 SF	0 SF
Residential	0 SF	470,000 SF (450 units)
Total	86,000 SF	750,000 SF

Building height: See table below.

Table 7-3: Project Building Heights

Building	Existing Height		Proposed Height	
	Stories	Feet	Stories	Feet
Pacific Flats Building	3	48'-7"	3	48'-7"
Monte Carlo Club	2	34'	2	34'
New Hotel				
Central structure			10	121'
South wing			4	65'
Interior courtyard			1	21'
Northwestern Building	4	60'-6"	5	78'
Lowry-Morrison Building	3	50'-11"	3	50'-11"
Parking Ramp			5	61'
28-Story Condo Bldg. Alt.				
28-Story Condo Bldg.			28	305'
18-Story Condo Bldg.			18	205'
40-Story Condo Bldg. Alt.				
40-Story Condo Bldg.			40	425'
10-Story Condo Bldg.			10	120'

If over 2 stories, compare to heights of nearby buildings.

The 3, 4 and 5 story heights, none higher than 5 stories, of the existing buildings surrounding the project site are typical of the district between Washington Ave. and the River. See Attachment K Nearby Building Heights. Many of these buildings have been renovated for residential and commercial use with little if any changes to the original building envelope. New, infill, construction, with the exception of the 10 story office portion along Hennepin Avenue of the Federal Reserve Bank (which is 3 stories at 1st Avenue), is typically 4 to 8 stories.

East of Hennepin in the former Gateway Urban Renewal District, cleared of most original structures in the 1950's and 1960's, taller new office and residential construction has occurred between Washington and the River. Residential buildings include the buildings at Hennepin and 1st St of 16 stories, and the building along 1st Street N. is 27 stories. Also in the Gateway District is the 33 story Churchill Apartments on Marquette, and the under construction 39 story Carlyle on 3rd Ave. South of Washington on the west side of Hennepin Ave. the City has approved the 24 and 32 story Eclipse residential towers. The City is reviewing the "Two Twenty Two", located at 222 Hennepin Ave., the site of the current Jaguar dealership, a proposed project with 290 dwelling units in a 35 story tower. Neither the Eclipse nor the Two Twenty Two project sites are within a historic district.

8. Permits And Approvals Required

List all known local, state and federal permits, approvals and financial assistance for the project. Include modifications of any existing permits, governmental review of plans and all direct and indirect forms of public financial assistance including bond guarantees, Tax Increment Financing and infrastructure.

Table 8-1: Approvals, Permits And Financial Assistance

Unit of Government	Type of Application, Permit, Or Financial Assistance	Status
<i>Federal</i>		
<i>State</i>		
Department of Natural Resources	Water Appropriation Permit for construction dewatering	To be applied for if needed
Minnesota Pollution Control Agency (“MPCA”)	National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) General Stormwater Permit for Construction Activity	To be applied for
MPCA – Voluntary Inspection and Compliance Program	Response Action Plan	In process
	Construction Contingency Plan	In process
	No Association Letter	To be applied for
	No Further Action Letter or Certificate of Completion	To be applied for
MPCA – Petroleum Brownfields Program	Development Response Action Plan (“DRAP”)	To be submitted
	Technical Review and Approval – DRAP Implementation	To be applied for
	Closure Letter	To be applied for if needed
Department of Employment and Economic Development	Contamination Investigation Grant to determine extent of site contamination	Applied for May 2006
	Contamination Cleanup Grant for site remediation	To be applied for
<i>Regional</i>		
Metropolitan Council	Metropolitan Council Environmental Services (“MCES”) sanitary sewer connection	To be applied for

Unit of Government	Type of Application, Permit, Or Financial Assistance	Status
	MCES Special Discharge Permit for dewatering discharge	To be applied for if needed
	Tax Base Revitalization Account Environmental Cleanup Grant for site remediation	To be applied for
<i>Local</i>		
Hennepin County	Alteration to County road	To be applied for if needed
	Environmental Response Fund Grant for investigation	Applied for May 2006
	Environmental Response Fund Grant for cleanup	To be applied for
City of Minneapolis	Environmental Assessment Worksheet	In process
	Heritage Preservation Commission Certificates of Appropriateness	To be applied for
	Travel Demand Management Plan approval	In process
	Conditional Use Permits	To be applied for
	Site Plan Review	To be applied for
	Subdivision approval	To be applied for
	Alley Vacation	To be applied for
	Grading/Erosion Control Plan	To be applied for
	Storm Water Management Plan	To be applied for
	Demolition Permit	To be applied for
	Building Permits	To be applied for

It is not the objective of this EAW to develop all the detailed information required for the listed approvals and financial assistance. The Proposer will assemble the required information and apply for these when appropriate.

9. **Land Use**

Describe current and recent past land use and development on the site and on adjacent lands. Discuss project compatibility with adjacent and nearby land uses. Indicate whether any potential conflicts involve environmental matters. Identify any potential environmental hazards due to past site uses, such as soil contamination or abandoned storage tanks, or proximity to nearby hazardous liquid or gas pipelines.

a. Current And Recent Past Land Use And Development

(1) Current Land Uses

Presently, the Pacific Block is a mix of commercial uses and parking lots. The Block comprises 107,682 square feet (“SF”) and contains 6 buildings totaling approximately 86,000 square feet of gross floor space (“GFS”). They are located in Attachment B and their photos are provided in Attachment P Photos of the Present Development of the Pacific Block. The present buildings are:

- Pacific Flats building, 218-228 Washington Avenue N. (“Pacific Flats Building”);
- Monte Carlo Club restaurant, 217 3rd Avenue N. (“Monte Carlo Club”);
- Northwestern Glass Company building, 215-223 2nd Street N., which was originally constructed as 2 buildings (“Northwestern Building”);
- Gehl Company/Dolphin building, 212 2nd Avenue N. (“Gehl-Dolphin Building”);
- Lowry & Morrison Block, 200-204 Washington Avenue N. (“Lowry-Morrison Building”); and Carriage House/Auto Repair Garage, 206 Washington Avenue N. (“Carriage House Building”).

The Pacific Flats Building houses retail uses on the first floor and is vacant on the second and third floors. The Monte Carlo Club is a restaurant. The Northwestern Building includes both retail and office uses. The Gehl-Dolphin Building is used for a temporary staffing business. The Lowry-Morrison Building is boarded and unused except for 1 retail tenant on the first floor. The Carriage House Building houses a temporary service on the second floor and is vacant on the first floor. About 47% of the Pacific block is vacant land (not including the alley), and almost all of that is used for surface parking.

The Pacific Flats Building recently underwent renovation to allow retail uses on the first floor and residential uses on the upper floors. However, the second and third floors have not been divided to create residential units and are unoccupied.

A mix of office and retail uses occupy the other buildings of the block.

(2) Surrounding Land Uses

The area around the Project Site has been developed since the late 1800s and has been used for a variety of purposes, including warehouse, residential, commercial, and industrial uses.

To the west, the adjacent warehouse buildings house a variety of commercial and retail uses as well as offices and artist galleries. Beyond the railroad trench is the bulk of the North Loop (newly constructed?) housing stock. It is primarily warehouse buildings that have been recently converted to residential condominium use and newly-constructed residential condominiums.

To the north, the majority of the neighboring buildings are 3 and 4-story warehouse structures that have been adapted for office, commercial, and restaurant use. Across 1st Street N. is the recently converted 212 Lofts.

To the east, the majority of the adapted warehouse structures house office tenants. Directly across 2nd Avenue N., the Tension Envelope Building has offices on the lower floors and residential condominiums in the upper floors. Along Hennepin Avenue is the Federal Reserve complex as well as a public parking ramp. East of Hennepin in the Gateway District is a variety of office and residential high-rise buildings.

To the south, buildings along Washington Avenue are primarily commercial and office uses, with several restaurants mixed throughout. Further south is the bulk of the North Loop Warehouse Area (Local District) with commercial, entertainment, office, and restaurant uses.

b. Compatibility With Adjacent And Nearby Land Uses

The Project's proposed commercial, hotel, office, and residential uses are each permitted in the City's downtown zoning districts. The compatibility of these specific proposed uses at this specific site with the adjacent land uses, predominantly retail, office, restaurants, and residential condominiums, will be determined by the City's land use approval process. For a further discussion of compatibility with the character of the historic district and the *Plan For Minneapolis* and other regulations, see sections 25 and 27 of this EAW.

c. Potential Conflicts Involving Environmental Matters

The Project is not consistent with the guidelines of the North Loop Warehouse Area (Local District). For a detailed discussion of this, see the responses to section 25 in this EAW.

d. Potential Environmental Hazards Due To Past Site Uses

Phase 1 and Phase 2 Environmental Site Assessments ("Phase 1 EA" and "Phase 2 EA") have been prepared for the Pacific Block. The following presents a summary of the historical information and current facts about environmental hazards developed in these reports.

(1) Project Site History Related To Potential Environmental Hazards

The Project Site was historically occupied with a variety of shops, stores, and manufacturers with uses that could have caused releases to the property.

- From 1885 until the 1950s, tenant space in the Pacific Flats Building was occupied by a tin shop, a soap manufacturer, a leather and saddlery shop, and a machine shop.
- A machine shop occupied an outbuilding on the Monte Carlo Club parcel from about 1890 to about 1920.
- The Northwestern Building was occupied by the Northwestern Glass Company from 1912 until the late 1970s. A permit was issued in 1956 for the installation of 4 plating tanks at the Northwestern Building. In addition, a permit was issued in 1968 for a chemical storage room at the building.
- The fourth floor of the Northwestern Building was occupied at one time by Hennepin County Vocational Services, a licensed small-quantity generator of hazardous waste. Hennepin County Vocational Services generated perchloroethylene ("PCE"), trichloroethylene ("TCE"), trichloroethane ("TCA"), methylene chloride, carbon tetrachloride and chlorinated fluorocarbons used in degreasing and corrosive waste. No violations were reported for this facility.
- A fuel-oil underground storage tank ("UST") is located at the Northwestern Building and used as a backup fuel source during periods of high natural gas demand.
- Ace Lock and Safe Company occupied space in the Lowry-Morrison Building. This business was a licensed small-quantity generator of hazardous wastes and generated ignitable waste. No violations were reported for this facility.
- From the early 1910s until the late 1950s, an auto repair shop and filling station occupied the Carriage House Building. Two gasoline USTs were associated with the filling station. No additional information was available regarding the USTs.
- Oil burner permits were issued for the Pacific Flats Building, the Lowry-Morrison Building, and the Carriage House Building in the 1940s and 1950s. A 265-gallon fuel-oil tank was installed at each building as noted on each permit. No tanks were noted at the Pacific Flats

Building, Lowry-Morrison Building, or the Carriage House Building at the time of the assessments.

- Based on historic information, fires occurred at the Monte Carlo Club, the Lowry-Morrison Building, and the Carriage House Building. No additional information was available regarding the fires.
- Historically, several buildings on the Pacific Block have been demolished. It is unclear if the demolition debris were buried on the property or hauled away for disposal.

(2) Off-Site History Related To Potential Environmental Hazards

A review of nearby properties revealed the following:

- The Project Site is in close proximity to several State-regulated facilities located potentially upgradient relative to the Site.
- The Colonial Warehouse facility is located adjacent to and northwest of the Project Site, which is upgradient relative to the Site. A 6,000-gallon fuel-oil UST was registered, and 2 releases were reported at the facility. The releases have been “closed” by the Minnesota Pollution Control Agency (“MPCA”).

(3) Contamination Found On Project Site

The Phase 2 EA conducted by B.A. Liesch & Associates, Inc. (“Liesch”) to assess the environmental conditions discussed above indicated that contamination of soil, groundwater, and buildings exists at the Project Site.

(a) Soil Contamination

Contamination is present in the overburden soils at various locations across the Project Site. Liesch engineers compared these levels to the MPCA’s Soil Reference Values (“SRVs”) and Soil Leaching Values (“SLVs”). The MPCA Tier 1 SRVs represent acceptable chronic exposure risk limits in a residential setting, and MPCA Tier 2 industrial/commercial SRVs represent acceptable chronic exposure risk limits in an industrial or commercial setting. MPCA Tier 1 SLVs represent acceptable risk limits for groundwater impact from the soil-to-groundwater leaching pathway.

Volatile organic compounds (“VOCs”) found in soils at the Project Site include ethylbenzene, naphthalene, tetrachloroethene (“PCE”), toluene, 1,1,1-trichloroethane, and trichloroethene (“TCE”). One soil boring in the north corner of the Project Site contained concentrations of TCE and PCE that exceed the MPCA Tier 1 SLV, but that were below the MPCA Tier 2 SRV. One soil boring at the northwest edge of the Project Site, at the current alley, contained a concentration of TCE that exceeds the MPCA Tier 1 SLV but is below the MPCA Tier 2 industrial/commercial SRV. No other VOCs were detected above laboratory detection limits.

Polynuclear aromatic hydrocarbons (“PAHs”) were identified in 9 of the 16 soil borings, primarily on the western half of the block. None of these PAHs, detected individually, exceed MPCA Tier 1 SLVs or MPCA Tier 2 industrial/commercial SRVs. However, Liesch also calculated Benzo(a)pyrene (“BaP”) equivalents for each of the borings. The BaP equivalent is a calculated standard for select carcinogenic PAHs. These BaP equivalent calculations indicate that a soil sample taken in the north corner of the existing parking lot between the Carriage House Building and Pacific Flats Buildings exceeds both MPCA Tier 1 SLVs and MPCA Tier 2 industrial/commercial SRVs. These calculations also indicate that the soil samples for 2 other sites on the western half of the Project Site exceed the BaP equivalent MPCA Tier 2 industrial/commercial SRV value.

Various priority pollutant metals were also detected in soils in the Project Site. One occurrence each of selenium, zinc, copper, lead, beryllium, and cadmium were each detected in soil borings. Mercury, ranging in concentration from 1.7 parts per million to 155 parts per million, was detected at 4 different locations, all in the southwestern portion of the Project Site. All

other priority pollutant metals detected during the Phase 2 analysis appear to be at concentrations consistent with naturally occurring ranges, and none of these other instances exceed MPCA Tier 1 SLVs or MPCA Tier 2 industrial/commercial SRVs.

The full extent of soil contamination has yet to be identified. Any existing contamination of soils on the Project Site will be addressed as described below.

(b) *Groundwater Contamination*

Of the 16 soil borings taken during the Phase 2 EA, only 1 soil boring encountered groundwater. VOC contamination, primarily from chlorinated solvents, was detected at this location. No other impacts were identified.

The full extent of groundwater contamination has yet to be identified. Any existing contamination of ground water on the Project Site will be addressed as described below.

(c) *Building Contamination*

The Phase 1 EA investigation indicated the existence of suspected asbestos-containing materials in all buildings. Materials that might or are likely to contain asbestos include ceiling panels, floor tiles, sheetrock walls, thermal system insulation, and vinyl baseboard. Sampling and microscopic analysis of these materials would be necessary to determine the actual asbestos content. Asbestos-containing material would be disposed of as described below.

Based on preliminary building assessments and the age of the buildings at the Project Site, it is likely that some or all of the existing buildings contain lead-based paint. Lead-based paint waste would be disposed of as described below.

(4) Plan To Mitigate Project Site Contamination

A Response Action Plan and a Construction Contingency Plan have been prepared and submitted to the MPCA Voluntary Inspection and Compliance Program (“VIC Program”) for approval. A Development Response Action Plan will be prepared and submitted to the MPCA Petroleum Brownfields Program (“PB Program”) for approval. A No Association Letter and either a No Further Action Letter or Certificate of Completion for the clean up conducted as part of the Project will be sought from the VIC Program; a Closure Letter will be sought from the PB Program. Project Site contamination will be mitigated as required under these plans prior to and during the demolition phase of the Project.

10. Cover Types

Estimate the acreage of the site with each of the following cover types before and after development:

Table 10-1: Cover Type Comparison

Cover Types	Before (acres)	After (acres)
Types 1-8 wetlands	0.00	0.00
Wooded/forest	0.00	0.00
Brush/Grassland	0.00	0.00
Cropland	0.00	0.00
Lawn/landscaping	0.02	0.48
Impervious surface	2.45	1.99
Other (describe)	0.00	0.00
TOTAL	2.47	2.47

If **Before** and **After** totals are not equal, explain why: Not applicable.

11. Fish, Wildlife And Ecologically Sensitive Resources

a. Identify fish and wildlife resources and habitats on or near the site and describe how they would be affected by the project. Describe any measures to be taken to minimize or avoid impacts.

Wildlife habitat on the Pacific Block and surrounding blocks has been removed due to the intense level of development and extensive impervious surface. On-site observation confirms that this area has no natural habitat. Due to the existing limited wildlife value, the Project will have little or no impact on current wildlife, and therefore no wildlife habitat mitigation will be required.

b. Are any state-listed (endangered, threatened or special concern) species, rare plant communities or other sensitive ecological resources such as native prairie habitat, colonial waterbird nesting colonies or regionally rare plant communities on or near the site? Yes No

If yes, describe the resource and how it would be affected by the project. Indicate if a site survey of the resources has been conducted and describe the results. If the DNR Natural Heritage and Nongame Research program has been contacted give the correspondence reference number: _____.
Describe measures to minimize or avoid adverse impacts.

12. Physical Impacts On Water Resources

Will the project involve the physical or hydrologic alteration — dredging, filling, stream diversion, outfall structure, diking, and impoundment — of any surface waters such as a lake, pond, wetland, stream or drainage ditch? Yes No

If yes, identify water resource affected and give the DNR Protected Waters Inventory number(s) if the water resources affected are on the PWI: _____ . Describe alternatives considered and proposed mitigation measures to minimize impacts.

13. Water Use

Will the project involve installation or abandonment of any water wells, connection to or changes in any public water supply or appropriation of any ground or surface water (including dewatering)? Yes
 No

If yes, as applicable, give location and purpose of any new wells; public supply affected, changes to be made, and water quantities to be used; the source, duration, quantity and purpose of any appropriations; and unique well numbers and DNR appropriation permit numbers, if known. Identify any existing and new wells on the site map. If there are no wells known on site, explain methodology used to determine.

a. Water Wells

Whether water wells are present on the Pacific Block has not been determined at this time. None of the historic information indicates wells were drilled, and none are listed on any well index. If a water well is encountered during development, it will be properly abandoned in accordance with Minnesota Department of Health (“MDH”) regulations.

During Project construction, localized dewatering will most likely be required to keep excavations for foundations and utilities temporarily free of standing water. The amount of dewatering is not known and will depend on where the excavation occurs, excavation depth, and groundwater conditions at the time of the excavation. Permanent dewatering will not likely be required. The required permits will be obtained from the Minnesota Department of Natural Resources for groundwater appropriation and from Metropolitan Council Environmental Services for discharge to the sanitary sewer system. The construction contractor will comply with all dewatering and discharge regulations in these permits.

b. Connection To City Water Supply System

The Project will connect to the City water supply system for both domestic and fire protection purposes. Average daily water use can be estimated based upon the estimated wastewater flow. See Item 18 in this EAW. Using this method, the average daily water use for the Project is estimated to be up to 200,000 gallons per day (“gpd”). In addition to average daily use, irrigation of landscaped areas during dry periods is expected.

Minimum flow required for fire protection is 500 gallons per minute with a residual system pressure of not less than 20 pounds per square inch (AWWA, Manual M-31, 1989). Actual fire flow requirements will be reviewed by a commercial insurer and will depend on the Project fire protection systems provided in accordance with nationally recognized fire code standards.

14.

Water-related Land Use

Management District

Does any part of the project involve a shoreland zoning district, a delineated 100-year flood plain, or a state or federally designated wild or scenic river land use district? Yes No

If yes, identify the district and discuss project compatibility with district land use restrictions.

15.

Water Surface Use

Will the project change the number or type of watercraft on any water body?
 Yes No

If yes, indicate the current and projected watercraft usage and discuss any potential overcrowding or conflicts with other uses.

16. Erosion And Sedimentation

Give the acreage to be graded or excavated and the cubic yards of soil to be moved: acres 1.8 acres ; cubic yards up to 50,000 cubic yards .

Describe any steep slopes or highly erodible soils and identify them on the site map. Describe any erosion and sedimentation control measures to be used during and after project construction.

a. Steep Slopes or highly Erodible Soils

No steep slopes or highly erodible soils exist on the Pacific Block.

b. Erosion And Sedimentation

The Project will involve removal of pavement, demolition of existing buildings, and excavation for basement space and the below grade portion of the new parking ramp. Ultimately about 1.8 acres of the existing 2.47-acre site will be disturbed, and as much as 50,000 cubic yards of material could be excavated, depending in part on the amount of contaminated soil that might be removed. A detailed grading plan has not been developed at this time, so these are estimated values.

Erosion and sediment control measures will have to comply with the City' erosion control ordinance and the MPCA's National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) General Permit for Storm Water Associated with Construction Activity (MN R100001). To comply with these regulations, the Project contractor must develop an Erosion and Grading Plan (City) and Stormwater Pollution Prevention Plan (MPCA) and follow both plans during construction.

Both plans will include best management practices including the following:

- Construction operations will be limited to the Project Site.
- Heavy-duty silt fence and other silt control measures will be used where necessary to control surface water runoff and sediment.
- Stabilized rock construction exits will be installed.
- Surface areas disturbed by grading activities will be restored promptly by buildings, sidewalk, driveways, or plantings.

All erosion control measures will be installed and maintained according to the applicable regulatory requirements.

The permanent sediment control requirements of the MPCA General Permit for Storm Water Associated With Construction Activity (MN R100001) do not apply to this Project because there will be no increase in impervious surface on the Project Site.

17. Water Quality: Surface Water Runoff

a. Compare the quantity and quality of site runoff before and after the project. Describe permanent controls to manage or treat runoff. Describe any stormwater pollution prevention plans.

Essentially all of the 2.47-acre Project Site is impervious. Currently storm drainage from the surface parking lots discharges overland to the street gutters and thence to existing storm sewers in 3rd Avenue N., 2nd Street N., and 2nd Avenue N. Roof drainage discharges overland or through underground roof drains to the same

municipal storm sewers. The storm sewers connect to a trunk storm sewer or tunnel that discharges to the Mississippi River.

(1) Storm Water Runoff Rate And Volume

The Natural Resources Conservation Service (formerly the Soil Conservation Service (“SCS”)) has developed a method to compute storm water runoff rates and volumes. This method was documented in the SCS publication “Technical Release 55” (“TR 55”). For purposes of computing storm-water runoff, an SCS runoff curve number (or runoff coefficient) is selected based on the cover type and soil conditions. The SCS TR 55 method classifies soils into 1 of 4 categories based on drainage characteristics. Soils in hydrologic soil group B are moderately to well drained soils (silty sand loams) and are a predominant soil type found in the Twin Cities. For impervious areas, a curve number of 98 is used for all soil types, and this generates the maximum runoff amounts. The Project Site generates the maximum runoff rate and volume expected from a fully developed site.

Computations of the pre-Project (before) and post-Project (after) peak discharge rates and runoff volumes from the design storm events have not been completed yet. However, given the reduction in the amount of impervious surface on the Project Site, the rate or volume of runoff from the Site will diminish. Generally, the City requires that Project runoff rates not exceed the pre-development runoff rates.

The Project could comply with all runoff rate control requirements applicable to the Project Site without further mitigation. However, the Project design includes green roof terraces that will reduce the volume of storm water runoff.

(2) Storm Water Runoff Quality And Mitigation Measures

Storm water runoff from the Project may include pollutants typically associated with commercial land use. These pollutants include suspended solids, nutrients, trace metals, petroleum-derived hydrocarbons, chloride, and litter. The City requires removal of 70% of suspended solids from the designated design storm event.

The Project will improve storm water runoff by incorporating the following mitigation measures.

- A Storm Water Management Plan will be prepared in compliance with the City’s Site Plan Review process. In preparing this plan, storm water pollution prevention practices identified in the MPCA manual *Protecting Water Quality in Urban Areas, Best Management Practices for Minnesota, 1991*, and the Metropolitan Council Environmental Service’s *Minnesota Urban Small Site Best Management Practice Manual, 2001* will be evaluated to determine feasible and appropriate practices to be included with the Project. If required, such measures could include wet vault(s), underground filtration chamber(s), bio-retention area(s), or grit separators.
- All Project parking will be enclosed, and these surfaces will drain to the sanitary sewer, not to street gutters or storm sewers.
- The Project is expected to include a green roof terrace totaling 21,000 SF or about 21% of the total roof area. This will reduce the storm-water runoff and suspended solids in the runoff.
- The Project will incorporate other best management practices to manage and reduce storm-water pollution – including diligent maintenance of grounds and landscaping and pavement maintenance.

(3) Summary

Storm water discharges to the receiving waters will be controlled in accordance with all permitting agency requirements. Potential adverse water quality impacts will be reduced by the green roof areas, wet vault(s), grit separators, or some combination of these devices that would be constructed as part of the Project, and by best management practices followed during operation. The Project is expected to reduce the volume of storm water runoff and improve its quality compared to current conditions.

- b. Identify routes and receiving water bodies for runoff from the site; include major downstream water bodies as well as the immediate receiving waters. Estimate impact runoff on the quality of receiving waters.**

See the response to Item 17.a. immediately above.

18. Water Quality: Wastewaters

- a. Describe sources, composition and quantities of all sanitary, municipal and industrial wastewater produced or treated at the site.**

Wastewater generated by the Project will be typical domestic sewage. This estimated maximum daily flow can be computed by the Metropolitan Council Environmental Services' "Service Availability Charge" method. Based on the anticipated development size, and typical values for average wastewater flows expected from the type of development proposed, the maximum average daily flow is estimated to be 200,000 gallons.

The peak design flow can be determined by application of a peak flow factor to the average daily flow. Peak flow factors are identified in *Recommended Standards for Wastewater Facilities* (A report of the Commission of Great Lakes Upper Mississippi River Board of State Public Health and Environmental Managers, 1990 Edition). The peak flow factors are dependent on population size served and vary from 2.0 to 4.2. Assuming a peak flow factor of 4.0, the estimated peak design flow from the proposed expansion is 1.2 cubic feet per second.

Existing sanitary sewers located in 3rd Avenue N., 2nd Street N., and 2nd Avenue N. receive sewage from the Project Site. The City has indicated that adequate sewer capacity is available to serve the Project.

- b. Describe waste treatment methods or pollution prevention efforts and give estimates of composition after treatment. Identify receiving waters, including major downstream water bodies, and estimate the discharge impact on the quality of receiving waters. If the project involves on-site sewage systems, discuss the suitability of site conditions for such systems.**

All wastewater from the Project will be treated in the Metropolitan Wastewater Treatment Plant in Saint Paul. This plant is owned by the Metropolitan Council and operated by Metropolitan Council Environmental Services. The receiving water is the Mississippi River. The plant is permitted by the MPCA and must meet its permit standards for effluent discharge to the river. The additional waste water from the Project is within the plant's volume capacity and will not alter the plant's ability to meet its permit requirements.

- c. If wastes will be discharged into a publicly owned treatment facility, identify the facility, describe any pretreatment provisions and discuss the facility's ability to handle the volume and composition of wastes, identifying any improvements necessary.**

See the response to Item 18.b. immediately above.

d. If the project requires disposal of liquid animal manure, describe disposal technique and location and discuss capacity to handle the volume and composition of manure. Identify any improvements necessary. Describe any required setbacks for land disposal systems.

Not applicable.

19. Geologic Hazards And Soil Conditions

a. Approximate depth (in feet) to ground water: minimum 24 ft. ; average unknown .

to bedrock: minimum 10 ft. ; average 11 ft. .

Describe any of the following geologic site hazards to ground water and also identify them on the site map: sinkholes, shallow limestone formations or karst conditions. Describe measures to avoid or minimize environmental problems due to any of these hazards.

Easement documents indicate the presence of a Minnesota Department of Transportation (“MnDOT”) storm water tunnel at least 50 feet below ground level under portions of the Pacific Block. The foundation design for infill buildings and the parking ramp near the tunnel will need to protect the tunnel while providing sufficient support for these structures.

b. Describe the soils on the site, giving NRCS (SCS) classifications, if known. Discuss soil granularity and potential for groundwater contamination from wastes or chemicals spread or spilled onto the soils. Discuss any mitigation measures to prevent such contamination.

Soil borings indicate that site geology is generally characterized by 10 to 12 feet of silty to sandy surfical soils followed by weathered limestone bedrock.

Based upon soil types present, there is potential for shallow groundwater to be affected by a release from the Project. However, based upon its intended residential and commercial use, the Project will not use significant quantities of petroleum or hazardous substances. If petroleum is used (for example for emergency generators), it would be stored on impervious surfaces, and storage tanks would have secondary containment as required by the City Fire Marshal and MPCA regulations. Compliance with these regulations minimizes the potential for impacts from the Project.

20. Solid Wastes, Hazardous Wastes, Storage Tanks

a. Describe types, amounts and compositions of solid or hazardous wastes, including solid animal manure, sludge and ash, produced during construction and operation. Identify method and location of disposal. For projects generating municipal solid waste, indicate if there is a source separation plan; describe how the project will be modified for recycling. If hazardous waste is generated, indicate if there is a hazardous waste minimization plan and routine hazardous waste reduction assessments.

(1) Demolition And Construction Waste

Building demolition will create demolition waste. This waste will be disposed of at an appropriate demolition landfill permitted to accept such waste. Construction activities will generate construction wastes. These wastes will be handled and disposed of at appropriate, permitted disposal facilities.

(2) Solid Waste

The California Integrated Waste Management Board has published Estimated Solid Waste Generation Rates that can be used to predict solid waste generation. These rates indicate that, on average, multifamily residential units generate about 5 pounds per unit per day, commercial and retail uses generate about 18 pounds per 1,000 s.f. per day, and restaurants generate about 1 pound per seat per day. Using these averages, the estimated daily municipal solid waste generated from the Project would be approximately 4,500 pounds, or 820 tons per year. Private contractors will haul the solid waste to the Hennepin County Energy Recovery Facility or to private landfills.

The City and Hennepin County currently have an active recycling program. This program reduces the amount of municipal solid waste by collecting waste paper, magazines, newspapers, aluminum cans, glass, and plastic bottles for recycling. Recycling space will be provided in the Project as required by State regulations. See Minn. Rules 1303.1500.

(3) Hazardous Waste

Asbestos containing materials will be inventoried and be removed prior to demolition and disposed of properly in a licensed landfill. Lead based paints and other hazardous building materials will be inventoried prior to demolition and properly disposed of according to State and Federal requirements.

Any hazardous waste generated when the soil contamination is remediated will be handled in accord with the MPCA VIC Program approved Response Action Plan and Construction Contingency Plan. For a more detailed discussion of this process, see Item 9 in this EAW.

b. Identify any toxic or hazardous materials to be used or present at the site and identify measures to be used to prevent them from contaminating groundwater. If the use of toxic or hazardous materials will lead to a regulated waste, discharge or emission, discuss any alternatives considered to minimize or eliminate the waste, discharge or emission.

The Developer does not expect that significant quantities of toxic or hazardous substances will be stored or used during or after construction. If small amounts of these materials are present during or after construction, they will be stored and handled in conformance with MPCA regulatory requirements.

c. Indicate the number, location, size and use of any above or below ground tanks to store petroleum products or other materials, except water. Describe any emergency response containment plans.

One UST is buried adjacent to the Northwestern Building and holds fuel oil for use in heating the building during periods of high demand. The Developer does not intend to install any USTs, but may store diesel fuel for 1 or more emergency generators in above-ground tanks. These tanks would be installed and maintained in compliance with City Fire Marshall and MPCA requirements.

21. Traffic

Parking spaces added: 640.

Existing spaces if project involves expansion: 160.

Total spaces will be comprised of 680 standard spaces and 120 compact spaces.

Estimated total average daily traffic generated: Maximum daily traffic generated at full build-out will be 4,249 trips.

Estimated maximum peak hour traffic generated (if known) and time of occurrence:

Maximum traffic generation will occur during the p.m. peak hour (4:30 to 5:30) when 365 trips will be generated. 230 trips will be generated during the a.m. peak hour.

Provide an estimate of the impact on traffic congestion on affected roads and describe any traffic improvements necessary. If the project is within the Twin Cities metropolitan area, discuss its impact on the regional transportation system.

SRF Consulting Group, Inc. has completed a Travel Demand Management Plan (“TDMP”) traffic study for this Project and the Project Site (“Traffic Study”). The traffic analysis was based on a land use program for the Project that included 450 owner-occupied housing units, a 150 room hotel, and 105,000 SF of commercial and retail space. This Traffic Study includes an operations analysis during the a.m. and p.m. peak hours for existing and future no build and build conditions (year 2009).

A copy of the complete Traffic Study is available for review at room 210 City Hall and may be posted on the City’s website with this EAW.

Traffic operations were analyzed at the following intersections:

- Washington Avenue N. and 1st Avenue N.
- Washington Avenue N. and 2nd Avenue N.
- Washington Avenue N. and 3rd Avenue N.
- Washington Avenue N. and 5th Avenue N.
- 3rd Street N. and 2nd Avenue N.
- 2nd Street N. and 3rd Avenue N.
- 2nd Street N. and 2nd Avenue N.
- 1st Street N. and 3rd Avenue N.

Current traffic controls include signalization at all intersections, except for the 2nd Street N./2nd Avenue N. and 1st Street N./3rd Avenue N. intersections (all-way stop and side-street stop control, respectively). SRF Consulting Group, Inc. collected a.m. and p.m. peak hour turning movement counts in February 2006. Based on current traffic conditions in the Project area, there is a higher concern with operations during the evening or p.m. weekday peak hour. Therefore, only 2 key intersections were counted during the morning or a.m. weekday peak hour, as identified by City staff (Washington Avenue N./2nd Avenue N. and Washington Avenue N./3rd Avenue N.).

The Project is to be fully constructed by year 2008. Therefore, traffic forecasts were developed for year 2009 (1 year after construction) no build and build conditions. Based on discussions with City staff, an annual growth rate of 1% was applied to the existing peak hour volumes to develop the background traffic forecasts. In addition, trips were added for the Eclipse development, which is expected to develop by year 2009.

a. Trip Generation:

Trip generation estimates for a.m. and p.m. peak hour traffic and daily traffic were calculated for the Project based on trip generation rates from the 2003 ITE Trip Generation Reports. Consideration was given to peak hour trips currently generated by the existing developments on the Project Site. The existing land use type and size was reviewed and compared to the proposed land use types and sizes. The existing trips were estimated during the a.m. and p.m. peak hours using the ITE trip generation rates and then subtracted from the future trip generation estimates, prior to distributing trips to the adjacent roadway network. Where applicable, a 15% multi-use trip reduction was applied to account for internal trips amongst the various uses.

The proposed Project is located in Downtown Minneapolis with multiple transit options (light rail and bus transit) available within walking distance. In addition, other mode choices are available (bicycle and pedestrian options). Therefore, a 20% modal reduction was applied to the future trip generation estimates.

b. Trip Distribution And Impact On Regional System

The directional trip distribution for the Project Site-generated trips was developed based on existing travel patterns in the area and regional average daily traffic volumes. The trip generation estimates were distributed to the adjacent roadway network using the directional trip distribution percentages and added to the background traffic forecasts for year 2009.

Based on the resultant trip distribution patterns, it is projected that about 20% of the Site-generated trips will be directly to and from the regional transportation system via Interstate 394 (“I-394”).

c. Intersection Capacity Analysis:

To determine how well the existing and future roadway system currently operates, and will operate, an operations analysis was completed for existing (year 2006) condition, year 2009 no build conditions, and year 2009 build conditions during the a.m. and p.m. peak hours at each of the respective intersections.

(1) Existing Conditions

Under existing conditions (year 2006), all intersections operate at an acceptable level of service (“LOS”) D or better during each peak hour, with existing traffic controls, signal timing, and geometric layout.

(2) Year 2009 No Build Conditions

Under year 2009 *a.m.* peak hour no build conditions, 1 of the 2 key intersections, the Washington Avenue N./2nd Avenue N. intersection, will operate at an acceptable overall LOS D, with existing traffic controls, signal timing, and geometric layout. The other, the Washington Avenue N./3rd Avenue N. intersection, will operate at an unacceptable LOS E.

Under year 2009 *p.m.* peak hour no build conditions, only 1 intersection will operate at an acceptable overall LOS D, with existing traffic controls, signal timing and geometric layout. All other intersections will operate at unacceptable levels of service.

Signal timing improvements will improve each intersection to an acceptable LOS D or better under year 2009 no build conditions during both the a.m. and p.m. peak hours.

(3) Year 2009 Build Conditions

Under year 2009 *a.m.* peak hour build conditions, both key intersections will operate at an acceptable overall LOS C or better, with existing traffic controls, and geometric layout. Please note that the build condition a.m. peak hour analysis was conducted using the no build condition optimized signal timing.

Under year 2009 *p.m.* peak hour build conditions, all but 1 key intersection will operate at an acceptable overall LOS D or better, with existing traffic controls and geometric layout. The intersection of 1st Street N./3rd Avenue N. will operate at unacceptable LOS F/F. Please note that the build condition p.m. peak hour analysis was conducted using the no build condition optimized signal timing.

In order to improve operations for year 2009 p.m. peak hour build conditions, 2 key intersections (Washington Avenue N./2nd Avenue N. and Washington Avenue/3rd Avenue N.) are recommended for intersection phasing changes, and all intersections are recommended for overall intersection timing improvements (splits and offsets).

d. Mitigation Summary

(1) Year 2009 No Build Mitigation

Minor signal timing improvements (optimizing the network intersection splits and offsets, not the cycle length) will improve the intersection operations to acceptable LOS C under year 2009 no build conditions during the *a.m.* peak hour. It should be noted that minor signal timing improvements could be implemented under existing conditions to reduce the queue issues observed. In order to improve operations for year 2009 *p.m.* peak hour no build conditions, all intersections are recommended for signal timing improvements (intersection splits and offsets, not the cycle length).

(2) Year 2009 Build Mitigation

Under year 2009 build conditions during the *p.m.* peak hour, 2 key intersections (Washington Avenue N./2nd Avenue N. and Washington Avenue N./3rd Avenue N.) are recommended for intersection phasing changes. These 2 key intersections should be modified to include southbound protected/permitted left-turn phases to reduce the directional queues for the southbound approach at each intersection. In addition, all intersections are recommended for overall signal timing optimization (intersection splits and offsets, not the cycle length).

e. Parking

The Project will provide adequate parking to meet the City zoning requirements.

f. Construction

While the Project is under construction, the adjacent parking lanes will be disrupted along each block face. Using the parking lane for construction purposes should limit the impact to the adjacent traffic lanes, thus allowing traffic to continue to flow without interruption.

22. Vehicle-related Air Emissions

Estimate the effect of the project's traffic generation on air quality, including carbon monoxide levels. Discuss the effect of traffic improvements or other mitigation measures on air quality impacts. Note: If the project involves 500 or more parking spaces, consult *EAW Guidelines* about whether a detailed air quality analysis is needed.

All intersections analyzed (see Traffic Study) for this Project are predicted to operate at level of service LOS C or better. Intersections operating at this level of service tend not to have enough idling traffic to cause persistent CO concentrations at the magnitude of the State standards. SRF Consulting Group, Inc. determined that detailed intersection hot-spot analysis is not warranted because no intersections are predicted to operate at LOS E or lower. It should be noted that the detailed turning movements were reviewed in addition to the operations analysis. No violations of State air quality standards are expected as a result of this Project.

23. Stationary Source Air Emissions

Describe the type, sources, quantities and compositions of any emissions from stationary sources of air emissions such as boilers, exhaust stacks or fugitive dust sources. Include any hazardous air pollutants (consult *EAW Guidelines* for a listing) and any greenhouse gases (such as carbon dioxide, methane, nitrous oxide) and ozone-depleting chemicals (chloro-fluorocarbons, hydrofluorocarbons, perfluorocarbons or sulfur hexafluoride). Also describe any proposed pollution prevention techniques and proposed air pollution control devices. Describe the impacts on air quality.

An air quality permit might be required for diesel emissions for 1 or more emergency generators installed as part of the Project. This will depend on the type and size of generator installed and its primary fuel. If a permit is required, the Developer will apply to the MPCA for the permit and abide by its requirements.

No other Project air emissions are expected to require an air quality permit.

24.

Odors, Noise And Dust

Will the project generate odors, noise or dust during construction or during operation? Yes

No

If yes, describe sources, characteristics, duration, quantities or intensity and any proposed measures to mitigate adverse impacts. Also identify locations of nearby sensitive receptors and estimate impacts on them. Discuss potential impacts on human health or quality of life. (Note: fugitive dust generated by operations may be discussed at item 23 instead of here.)

a. Odors

The construction and occupancy of the project is not expected to generate objectionable odors.

b. Construction Noise

The Minneapolis Code of Ordinances regulates both the hours of operation for construction equipment and allowable noise levels. Construction of the Project will comply with these requirements.

c. Operational Noise

The Minneapolis Code of Ordinances and the MPCA regulate mechanical noise associated with building operation. The occupancy of the Project will comply with these requirements.

d. Demolition And Construction Dust

During demolition and construction, contractors will follow best management practices to reduce dust emissions. During demolition, this will include wetting down the building and debris with hoses as necessary.

e. Fugitive Dust Emissions After Occupancy

Once occupied, the Project is not expected to generate fugitive dust emissions.

f. Traffic Noise

(1) Regulatory Framework

Traffic is a common source of noise in an urban setting and is regulated in Minnesota by the MPCA under Minnesota Statute § 116.07, Subds. 2 and 4. State noise standards have been established for defined daytime and nighttime periods. Two levels are considered: "L₁₀" which applies to noise generated from 10% of any 1 hour period, that is 6 minutes; and "L₅₀" which applies to noise generated for 50% of any 1 hour period, that is 30 minutes. For residential land uses (identified as Noise Area Classification 1 or NAC-1), the State standards for L₁₀ are 65 dBA for daytime and 55 dBA for nighttime; the standards for L₅₀ are 60 dBA for daytime and 50 dBA for nighttime. For commercial uses (identified as Noise Area Classification 2 or NAC-2) the State standards for L₁₀ are 70 dBA for daytime and nighttime; the standards for L₅₀ are 65 dBA for daytime and nighttime. For reference, state standards are summarized in Table 24-1.

Minnesota Statute § 116.07, Subd. 2a. states that municipal and county roads, except in the cities of

Minneapolis and St. Paul, are exempt from State noise standards. All the roads near the proposed Project Site are Hennepin County or City roads within the City.

Table 24-1: Minnesota State Noise Standards

Land Use	Noise Area	Day (7 a.m. – 10 p.m.) dBA		Night (10 p.m. – 7 a.m.) dBA	
		L ₁₀ of	L ₅₀ of	L ₁₀ of	L ₅₀ of
Residential	NAC-1	L ₁₀ of 65	L ₅₀ of 60	L ₁₀ of 55	L ₅₀ of 50
Commercial	NAC-2	L ₁₀ of 70	L ₅₀ of 65	L ₁₀ of 70	L ₅₀ of 65
Industrial	NAC-3	L ₁₀ of 80	L ₅₀ of 75	L ₁₀ of 80	L ₅₀ of 75

(2) Noise Analysis

The proposed Project is located in a developed urban setting with primarily commercial and residential land uses surrounding the Project Site. High traffic roads such as Washington Avenue are located adjacent to or in the vicinity.

A detailed noise analysis was completed to assess existing traffic noise levels in the Project area and to determine what effect the proposed project will have on future noise levels. The Project will increase traffic volumes in some parts of the study area. Increases in traffic can result in increased noise levels, which can be perceived as an annoyance by residents. The noise analysis consisted of determining existing and predicting future noise levels using computer models. Due to traffic noise being the primary source of noise in the area, the computer model will accurately forecast area noise levels.

Noise is defined as any unwanted sound. Sound travels in a wave motion and produces a sound pressure level. This sound pressure level is commonly measured in decibels. Decibels (dB) represent the logarithmic increase in sound energy relative to a reference energy level. To approximate the way that an average person hears sound, an adjustment, or weighting, of the high- and low- pitched sounds is made. The adjusted sound levels are stated in units of “A-weighted decibels” (dBA). A sound increase of 3 dBA is barely perceptible to the human ear, a 5 dBA increase is clearly noticeable, and a 10 dBA increase is heard as twice as loud. For example, if the sound energy is doubled (e.g., the amount of traffic doubles), there is a 3 dBA increase in noise, which is just barely noticeable to most people. On the other hand, if traffic increases to where there is 10 times the sound energy level over a reference level, then there is a 10 dBA increase and it is heard as twice as loud.

In Minnesota, traffic noise impacts are evaluated by measuring or modeling the traffic noise levels that are exceeded 10% and 50% of the time during the hours of the day or night that has the heaviest traffic. These numbers are identified as the L₁₀ and L₅₀ levels. For example, an L₁₀ value of 65 dBA means that the noise level was at or greater than 65 dBA during 10 % of the measurement period (i.e., more than 6 minutes in any 1-hour period).

(3) Noise Modeling Methodology

Traffic noise impacts were assessed by modeling noise levels at “sensitive” receptor sites (that is, residences and outdoor public areas) likely to be most affected by changes in traffic volumes resulting from construction of the Project.

Three noise modeling receptors (R1, R2, and R3) were selected at proposed residential and outdoor public areas within the Project to represent those sites most sensitive to potential Project-related traffic noise impacts. Attachment L: Noise Modeling Receptor Sites shows the modeled receptor sites. Receptor sites R1 and R2 are classified within the definition of Noise Area Classification Two (NAC-2). Receptor site R3 is classified within the definition of Noise Area Classification One (NAC-1) under the Project’s land uses.

Noise modeling was done using the noise prediction program “MINNOISE,” a version of the Federal

Highway Administration noise model “STAMINA” adapted by MnDOT and approved by the MPCA. This model uses vehicle numbers, speed, class of vehicle, and the typical characteristics of the roadway being analyzed. The computations for the model run to predict noise levels were based on existing (year 2006) and projected (year 2009) no build and build peak daytime and nighttime hours, traffic volumes, existing traffic speeds, and vehicle class percentages.

(4) Noise Modeling Results

Noise modeling results for existing (year 2006) conditions and for the year 2009 are presented in Tables 24-2 and 24-3. Both daytime and nighttime L₁₀ and L₅₀ are shown for the existing (year 2006) condition and for year 2009 no build and build conditions.

Table 24-2: Noise Modeling Results
Daytime Peak Hour (4:30 – 5:30 P.M.)

Receptor	Modeled Existing (2006)		Modeled 2009 No-Build		Modeled 2009 Build	
	L ₁₀	L ₅₀	L ₁₀	L ₅₀	L ₁₀	L ₅₀
R1 (Outdoor Eating Area)	65	59	65	59	66	60
R2 (Outdoor Public Area)	55	49	56	49	56	50
State Standards	70	65	70	65	70	65
R3 (Proposed Residential)	65	56	66	56	67	58
State Standards	65	60	65	60	65	60

Bold numbers are above state standards.

Table 24-3: Noise Modeling Results
Nighttime Peak Hour (6:00 – 7:00 a.m.)

Receptor	Modeled Existing (Year 2006)		Modeled Year 2009 No Build		Modeled Year 2009 Build	
	L ₁₀	L ₅₀	L ₁₀	L ₅₀	L ₁₀	L ₅₀
R1 (Outdoor Eating Area)	62	55	63	55	63	55
R2 (Outdoor Public Area)	52	44	53	45	53	45
State Standards	70	65	70	65	70	65
R3 (Proposed Residential)	61	51	62	51	63	52
State Standards	55	50	55	50	55	50

Bold numbers are above state standards.

(5) Results

The increases in background traffic volumes between existing (year 2006) and year 2009 no build conditions resulted in a predicted increase in modeled traffic noise levels of up to 1 dBA, which is not a perceptible difference to the human ear. Increases in traffic between year 2009 no build and year 2009 build result in an increase in modeled traffic noise levels of up to 1 dBA as well. Comparing the existing (year 2006) noise levels to the predicted year 2009 build levels, the noise increases are all 1 dBA, except for the 2 dBA nighttime peak hour increase at Receptor R3. None of these increases are perceptible to the human ear.

State daytime standards are not currently exceeded at any receptor locations but will be exceeded for both the year 2009 no build and build alternatives at Receptor R3. Receptor R2, located in the center of the Pacific Street Block, has buildings which act as noise barriers between traffic noise and the outdoor public area (currently a parking lot), resulting in lower noise levels compared to the other receptors.

Nighttime noise standards are currently exceeded at the proposed residential receptor location (R3) and will continue to be exceeded with the year 2009 no build and build alternatives. Noise levels exceeding the more stringent nighttime standards are common in developed urban and suburban areas, because the “nighttime” period is defined by the MPCA as including the 6:00 a.m. to 7:00 a.m. hour, which is the beginning of the morning rush hour. Other projects have been approved with similar noise levels under these standards of review.

(6) Conclusions

Construction of the proposed project will result in increases in traffic noise of up to 1 dBA which is not a perceptible difference to the human ear. Noise in the proposed residential areas in the Project will exceed daytime and nighttime noise standards. However, the breaks necessary to accommodate the side-street and driveway entrances and the proximity of the development to the roadway would not allow the construction of effective noise barriers. Therefore, no noise mitigation is required or is being considered in conjunction with the Project.

25. **Nearby Resources**

Are any of the following resources on or in proximity to the site?

Archaeological, historical or architectural resources? Yes No

Prime or unique farmlands or land within an agricultural preserve? Yes No

Designated parks, recreation areas or trails? Yes No

Scenic views and vistas? Yes No

Other unique resources? Yes No

If yes, describe the resource and identify any project-related impacts on the resource. Describe any measures to minimize or avoid adverse impacts.

a. Archaeological Resources

Located in one of the first areas settled when the west side of the Mississippi was opened to pioneers in the mid-nineteenth century, the Pacific Block has been occupied by a variety of buildings since that time. As a result of this development, the ground has been extensively disturbed, making it unlikely that any significant prehistoric or historic artifacts survive.

b. Historic Resources

The project area is historically significant as the area of early commercial growth during the development of the City that established Minneapolis as the trade center for the Upper Midwest. In recognition of this heritage, and to preserve this resource that focuses on some of the oldest standing buildings in the City, the area has been designated both locally and nationally as a historic district.

The block of the project site is entirely within the National Register of Historic Places Minneapolis Warehouse District, and with the exception of the building at 212 Second Avenue North, entirely within the Minneapolis Heritage Preservation Commission's North Loop Warehouse Area District. Each of the buildings on the site except for 212 Second Avenue North and 206/208 Washington Ave. North have been identified as contributing. No contributing structure is proposed for complete demolition for this project. All front facades will be retained, but some of the rear portions of the Monte Carlo Club Restaurant (217 Third Ave. North) and the Northwestern Glass Company (219 Second St. North) will be demolished and replaced by the 7 level (5 story) parking ramp and interior courtyard serving the development.

The project is adjacent to, across 2nd St. North, but not included in the Nationally and Locally designated Saint Anthony Falls Historic District. See Attachment M: Map of St. Anthony Falls Historic District.

Minneapolis Warehouse Historic District (National Register)

The Minneapolis Warehouse Historic District, covering 150 buildings, was designated in 1989. Washington Avenue North, from 1st to 9th Avenues N., is the spine of this 30-block district. This National Register district includes the Pacific Block, as well the adjacent blocks, with the exception of the I-394 access at the southwest corner of Washington and 3rd Avenues North. and the far (1st Avenue North.) side of the block between 2nd Street N. and Washington Avenue North, which contains a printing company and parking lots. On the Pacific Block, the Carriage House Buildings at 208 Washington Avenue North and the Gehl-Dolphin building at 212 2nd Avenue North are considered noncontributing; the rest of the buildings on the block contribute to the district. See Attachments N: Map of Minneapolis Warehouse Historic District (National Register), B: Project Site, and P: Photos of Present Development of the Pacific Flats Block.

North Loop Warehouse Area (Local District)

The City has established a local district, the North Loop Warehouse Area (Local District) in the area under the guidelines of the Minneapolis Heritage Preservation Commission (HPC). The north end of this district is irregular in shape, including most of the buildings southwest of 2nd Street North between the railroad

corridor, 2nd Avenue North, and Washington Avenue N. However, on the Pacific Block, the Gehl-Dolphin Building and lot at 212 2nd Avenue North are excluded from the boundaries. The district also includes the southwest half of the block fronting on Washington that is edged by 1st and 2nd Avenues North and 2nd Street North. The district jumps across 3rd Avenue to pick up the Moline, Milburn and Stoddard Company Building (a.k.a. Appliance Parts Building/Traffic Zone) at 250 3rd Avenue North. The rest of the district is mostly contained between 2nd Avenue North, 6th Street North, and 1st Avenue North, including the buildings fronting on the southeast side of 1st Avenue North. The modern building at the southeast corner of 1st Ave North and Washington Avenues is outside the boundaries of the local district. See Attachments O: Map of North Loop Warehouse Area (Local District), B: Project Site, and P: Photos of Present Development of the Pacific Flats Block.

The proposed renovation of the Lowry-Morrison Building, the demolition of back portion of the Northwestern Building, and the construction of new structures in the North Loop Warehouse Area (Local District) will initiate a Heritage Preservation Commission (HPC) review for appropriateness of the proposed renovation, demolition, and new construction. The HPC has adopted district specific guidelines to assist them and proposers in determining the appropriateness of elements of the proposed renovation, demolition, and new construction. The guidelines for the North Loop Warehouse Area (Local District) touch on topics such as masonry repair, storefronts, window replacement, roofing, dropped interior ceilings, removal of historical fabric, health and safety code requirements, building entrances, accent banding, and treatment of side or rear walls.

Two sections of the Guidelines, “Guidelines For Rehabilitation of Buildings “ and “Infill Construction” addresses the overall compatibility of the elements in the Project with the North Loop Warehouse Area (Local District):

II. Guidelines For Rehabilitation of Buildings

1. Masonry repair.

- A. No exterior sandblasting is permitted.
- B. Chemical cleaning is not permitted on glazed brick, glazed terra cotta, limestone, marble or other masonry material susceptible to damage from chemical exposure.
- C. Repointing of masonry joints shall be done with a mortar composition and color to match original mortar, joints shall be tooled to match original profile.

2. Storefronts.

- A. Wherever existing storefronts remain, critical details shall be retained, e.g., cast iron columns, wood molding, trim, terra cotta ornament.
- B. Modifications to entries shall be permitted as required for the adaptive reuse of the buildings. Modifications shall be constructed with materials to match original storefronts.
- C. Handicap accessibility shall be done within the building where ramping with guard rails is required on street facades. Appropriate modifications to the facade will be permitted for on-grade access.
- D. New storefronts will be permitted where original storefronts have been removed. New storefronts shall replicate original where historical photos exist or be designed in the spirit of the original buildings with characteristics as follows:
 - Clear glass

- Transoms over storefront
- Recessed entry doors
- Raised panels below storefronts
- Use of historic columns compatible with the buildings and era
- Storefronts shall be divided into bays corresponding with the window bay pattern above. Bays may be divided with brick, cast iron, terra cotta panels or other historically compatible materials.

3. Window replacement.

- A. Windows which have unique architectural or historically significant details which cannot be duplicated must be retained.
- B. Window replacement other than item A shall be permitted if original windows are badly deteriorated or provide inadequate thermal performance. (Use of interior storm windows shall be encouraged.)
- C. Replacement windows may be wood or aluminum. Window paning shall be provided to replicate existing wood moldings.
- D. Replacement windows must have a true offset, single- or double-hung operation. (They need not be operable.)
- E. Replacement windows will have a paint finish. (Anodized windows will not be permitted.)
- F. Replacement windows shall have clear glass unless historical documentation suggests otherwise.

4. Roofing.

- A. Modern roofing materials will be permitted on flat roofs.
- B. Original copings on street facings shall be retained or replaced. Metal coping with a paint finish will be permitted as replacement for brick copings on common walls.
- C. Roof top additions which project above parapet walls such as deck, skylights, penthouses, and mechanical equipment shall be set back from the primary building or street facades at least one structural bay.

5. Dropped interior ceilings.

- A. Interior dropped ceilings shall be held away 5'0" from exterior window when they drop below the existing window head.

6. Removal of historical fabric.

- A. Selective removal of original building materials is allowed when deterioration has occurred or for remodeling as part of an adaptive reuse. HPC approval is required to remove any historic building materials.

7. Health and safety code requirements.

Exterior alterations required by health and safety codes also require HPC review. When necessary, the HPC can argue for exceptions to the building code when life safety issues are not involved.

III. Guidelines For Infill Construction

- 1. Decision intent.
 - A. The intent of these guidelines is for infill construction which characterizes a masonry loading bearing building and not a contemporary curtain wall structure. The existing warehouse buildings followed early commercial ideas for tall buildings which emulate the classic column with a defined base shaft and capital. Creative design concepts are not discouraged.
- 2. Building massing (General footprint and shape).
 - A. Building outline.
 - a. New construction shall be built out to the property line on street frontage.
 - b. Corner lots: The building shall be built out to both property lines on street frontage.
 - c. Buildings which do not require a footprint as large as the site may utilize courtyards or atrium on the interior of the lot.
 - B. Building shape.
 - a. The building shall be rectangular in shape and volume. Step backs at the upper floors on street facades will not be allowed.
 - C. Building height.
 - a. Minimum height: 2 stories.
 - b. Maximum height: 10 stories.
 - c. A story shall be defined as follows:
 - (1) First story: 14'0" - 18'0" floor to floor.
 - (2) 2-10 story: 10' 0" - 12'0" floor to floor.Deviation in story height will not allow additional stories.
- 3. Street facade.
 - A. Building material.
 - a. Primary facing material shall be dark brown or red unglazed brick.
 - b. Corner buildings shall have dark brown or red unglazed brick on both facades.
 - c. The brick shall be modular in size (3 courses per 8").
 - B. Criteria for storefront option.
 - a. The first story storefront shall be divided into bays by masonry piers which correspond with window openings above.
 - b. Storefront design shall be complimentary to existing buildings.

The HPC guidelines for the adjacent St. Anthony Falls Historic District limits the height of new buildings to fit within the range of heights for existing buildings, typically 4 to 6 stories high.

At this stage in the planning and design process, design details for the 28-Story Condo Building Alternative and the

40-Story Condo Building Alternative project are not known.

(a) *28-Story Condo Building Alternative And Guidelines*

Both condo buildings in the 28-Story Condo Building Alternative will be constructed partly or wholly within the North Loop Warehouse Historic District. The proposed design is not within conformance of the adopted Warehouse Historic District Guidelines. All rehabilitation and infill construction will require approvals by the HPC.

(b) *40 Story Condo Building Alternative And Guidelines*

In this 40-story Condo Building Alternative, the 40-Story part of the Condo Building will be constructed entirely on the lot on where the Gehl-Dolphin Building is located. That lot is not within the North Loop Warehouse Area (Local District) though it is within the national district. All rehabilitation and infill construction will require approvals by the HPC.

After a report by CPED-Planning staff and hearing from the public, the HPC will determine the appropriateness of the design of all the elements of either alternative in the North Loop Warehouse Area (Local District). The decision of the HPC can be appealed to the City Council.

c. Architectural Resources

See the response to Item 25.b. immediately above in this EAW.

d. Designated Parks, Recreation Areas, And Trails

The Project is approximately 4 blocks south of the West River Parkway on the west bank of the Mississippi River. Along the Parkway, bike paths and pedestrian trails meander and connect to the Grand Rounds National Scenic Byway. In addition to the trails and paths, the Downtown Riverfront has many recreational sites, including Boom Island, Nicollet Island, the Mill District Historic Park, the St. Anthony Falls, and the Stone Arch Bridge. The Project will not have an adverse effect on these resources.

e. Scenic Views And Vistas

A view related to the Project Site is the view corridor down Washington Avenue N. in both directions.

26.

Visual Impacts

Will the project create adverse visual impacts during construction or operation? Such as glare from intense lights, lights visible in wilderness areas and large visible plumes from cooling towers or exhaust stacks? Yes No

If yes, explain.

The height of the proposed towers in both alternatives is out of character with the surrounding local and national historic districts and will have a negative visual impact.

27. **Compatibility With Plans And Land Use Regulations**

Is the project subject to an adopted local comprehensive plan, land use plan or regulation, or other applicable land use, water, or resource management plan of a local, regional, state or federal agency?

Yes No

If yes, describe the plan, discuss its compatibility with the project and explain how any conflicts will be resolved. If no, explain.

a. Comprehensive Plan

Comprehensive Plan Policies identify the areas along the Riverfront as well suited for housing and encourages medium to high-density housing development on these sites, providing a location for housing that is near downtown employment and retail.

The Policies also encourage this housing to be developed with certain attributes, including ensuring that new residential development contributes to the sense of neighborhood through appropriate site planning and architectural design; minimizing traffic impacts, maintaining security; providing and maintaining amenities; supporting the retention and development of neighborhood-serving retail; encouraging individual entrances to street-level building tenants; taking care with the design of windows and architectural detailing; preserving, restoring and reusing historic buildings and sites; encouraging the creation of new parks and plazas; and emphasizing good open space design.

b. Zoning

Downtown Minneapolis and the areas adjacent to it are divided into three zoning districts to regulate the type and intensity of development. All of the uses proposed in this project are allowed by the present zoning of the site. The permitted floor area, determined by the Floor Area Ratio (FAR), is the sole regulation of intensity, height and bulk of development in the downtown districts. There are no maximum height or minimum lot area per dwelling unit regulations in these districts. The downtown districts are:

The *B4 Downtown Business District*, established to provide an environment for retail and office activities of citywide and regional significance. The district also allows entertainment, residential and public uses which complete the mixed use character of the area. The B4 District allows the highest density office development within the downtown area. The B4 District is divided into two subdistricts for building bulk requirements. In the B4-1 District the maximum floor area ratio of all structures shall be eight (8). In the B4-2 District the maximum floor area ratio of all structures shall be sixteen (16).

The *B4S Downtown Service District*, established to provide an environment for a wide range of retail and office activities as well as supportive goods and services not allowed in the B4 District. The B4S District encourages residential uses and hotels. The B4S District is divided into two subdistricts for building bulk requirements. In the B4S-1 District the maximum floor area ratio of structures shall be eight (8) for hotels and dwellings, and four (4) for all other uses. In the B4S-2 District the maximum floor area ratio of all structures shall be eight (8).

The *B4C Downtown Commercial District*, established to provide an environment for a wide range of commercial uses including a mix of retail, office, business services and limited industrial uses. The B4C District is divided into two subdistricts for building bulk requirements. In the B4C-1 District the maximum floor area ratio of all structures shall be four (4). In the B4C-2 District the maximum floor area ratio of all structures shall be eight (8).

The Pacific Block, and the blocks bounded by Washington Ave., the railroad tracks at 4th Avenue N., 1st Street N., and Hennepin Avenue are designated as B4C-1. The general pattern of the downtown districts provides for less building bulk north of Washington Ave. than south of Washington Ave. and less building bulk west of Hennepin Ave. than east of Hennepin Ave. The B4C-1 district has the lowest base permitted FAR of the downtown zoning districts.

The permitted bulk (height, mass) of developments in the downtown districts can be increased beyond the base FAR of 4, 8 or 16 by the FAR bonuses for enclosed parking and affordable housing permitted in section 549.110 of the Minneapolis Code, and by Floor Area Ratio Premiums described beginning at section 549.190 of the Code. Table 549-4 provides the value for each premium.

Examples of some features that receive incentives are providing outdoor and indoor urban open space, through-block connections, retail uses at the street level, wider sidewalks, rehabilitation of historic structures mixed-use residential development. The complete list of the provisions of these bonuses and premiums can be found in the Zoning Ordinance, available through the City's web site.

The base permitted level of development at a FAR of 4.0 for this 107,682 sf block is 430,728 sf. A development of this size on this block is illustrated by Attachment I, absent the 40 story tower. The development proposes 750,000 sf of floor area, for an overall FAR of the development of 6.96. The additional FAR to increase the intensity of the development beyond the base FAR will be provided by incorporating the design and/or affordable housing features to capture the bonuses and premiums discussed above.

The project will be subject to Site Plan Review under Chapter 530 of the Zoning Code. Site plan review standards have been established to promote development that is compatible with nearby properties, neighborhood character, natural features and plans adopted by the city council, to minimize pedestrian and vehicular conflict, to reinforce public spaces, to promote public safety, and to visually enhance development. The regulations recognize the unique character of land and development throughout the city and the need for flexibility in site plan review.

The City's Land Use Development Review Process will assure compliance with the quantitative standards of the Code and other requirements and the land use application review process of the CPC will determine, after public notice and participation, consistency with the intentional standards of the applicable regulations and policies. The CPC's decision can be appealed to the City Council for the final decision.

d. Heritage Preservation Ordinance:

Historic properties within local districts are considered historic resources. Preservation of these resources are governed by Title 23, Chapter 599 of the Minneapolis Code of Ordinances, which is adopted to promote the recognition, preservation, protection and reuse of landmarks, historic districts and historic resources; to promote the economic growth and general welfare of the city; to further educational and cultural enrichment; to implement the policies of the comprehensive plan, and to provide for the administration of this title including the powers and duties of officials and bodies charged with such administration, the standards for required approvals and the procedures for its enforcement.

28. Impact On Infrastructure And Public Services

Will new or expanded utilities, roads, other infrastructure or public services be required to serve the project? Yes No. If yes, describe the new or additional infrastructure or services needed. (Note: any infrastructure that is a connected action with respect to the project must be assessed in the EAW; see *EAW Guidelines* for details.)

29. Cumulative Impacts

Minnesota Rule part 4410.1700, subpart 7, item B requires that the RGU consider the "cumulative potential effects of related or anticipated future projects" when determining the need for an

environmental impact statement. Identify any past, present or reasonably foreseeable future projects that may interact with the project described in this EAW in such a way as to cause cumulative impacts. Describe the nature of the cumulative impacts and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to cumulative impacts (or discuss each cumulative impact under appropriate item(s) elsewhere on this form).

The height of the proposed towers in both alternatives is out of character with the surrounding local and national historic districts and will have a negative visual impact. Approvals of either of the proposed alternatives will set a precedent that may have the cumulative effect of allowing taller infill buildings in the future throughout this District.

This EAW further analyzes cumulative impacts under each question. This EAW also identifies mitigation measures to address potential cumulative impacts under each question. One key area of concern for cumulative impacts – traffic – illustrates this cumulative impact analysis.

30. Other Potential Environmental Impacts

If the project may cause any adverse environmental impacts not addressed by items 1 to 28, identify and discuss them here, along with any proposed mitigation.

None have been identified or are anticipated.

31. Summary Of Issues

Do not complete this section if the EAW is being done for EIS scoping; instead, address relevant issues in the draft Scoping Decision document, which must accompany the EAW. List any impacts and issues identified above that may require further investigation before the project is begun. Discuss any alternatives or mitigative measures that have been or may be considered for these impacts and issues, including those that have been or may be ordered as permit conditions.

The most important environmental issue identified in this EAW is the impact of the project's design on the character of the national and local historic districts that are the site of the project. This impact will be assessed through the City's approval processes.

RGU CERTIFICATION. The Environmental Quality Board will only accept **SIGNED** Environmental Assessment Worksheets for public notice in the EQB Monitor.

I hereby certify that:

- The information contained in this document is accurate and complete to the best of my knowledge.
- The EAW describes the complete project; there are no other projects, stages or components other than those described in this document, which are related to the project as connected actions or phased actions, as defined at Minnesota Rules, parts 4410.0200, subparts 9b and 60, respectively.
- Copies of this EAW are being sent to the entire EQB distribution list.

Signature: _____

Printed Name: Rebecca Farrar

Title: Senior Planner

Date: _____, 2006

Environmental Assessment Worksheet was prepared by the staff of the Environmental Quality Board at the Administration Department. For additional information, worksheets or for *EAW Guidelines*, contact: Environmental Quality Board, 658 Cedar St., St. Paul, MN 55155, 651-296-8253, or <http://www.eqb.state.mn.us>

LIST OF ATTACHMENTS

Attachment A:	Hennepin County Map and USGS Map
Attachment B:	Project Site and Vicinity
Attachment C:	Alternative One, 28-Story Condo Building Alternative Site Plan*
Attachment D:	Alternative Two, 40-Story Condo Building Alternative Site Plan*
Attachment E:	ALTA/ASCM Land Title Survey
Attachment F:	Alternative One 28-Story Condo Building Heights*
Attachment G:	Alternative One 28-Story Condo Building Perspective*
Attachment H:	Alternative Two 40-Story Condo Building Heights*
Attachment I:	Alternative Two 40-Story Condo Building Perspective*
Attachment J:	Project Access*
Attachment K:	Nearby Building Heights
Attachment L:	Noise Modeling Receptor Sites*
Attachment M:	Map of St. Anthony Falls Historic District
Attachment N:	Map of Minneapolis Warehouse Historic District (National Register)
Attachment O:	Map of Minneapolis Warehouse Area (Local District)
Attachment P:	Photos of Present Development of the Pacific Flats Block

* a version of these attachments in color are available for review at the City's website:

<http://www.ci.minneapolis.mn.us/planning>

ASSISTANCE PREPARING THIS EAW WAS PROVIDED BY:

PACIFIC FLATS, LLC

B.A. LIESCH ASSOCIATES, INC.

BKV GROUP, INC.

FAEGRE & BENSON LLP

HAMMEL, GREEN & ABRAHAMSON, INC.

HESS, ROISE & COMPANY

PALANISAMI & ASSOCIATES

SRF CONSULTING GROUP, INC.