

FINDINGS OF FACT AND RECORD OF DECISION
ENVIRONMENTAL ASSESSMENT WORKSHEET
For the 602 First Street North Renovation

**Location: The address of the site is 602 First Street North, the City of Minneapolis,
Hennepin County, Minnesota.**

Responsible Governmental Unit: City of Minneapolis

	<u>Responsible Governmental Unit</u>
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	<u>Proposer</u>
Contact person	Barbara and Siah Armajani Sishir Chang
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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 October 6, 2006:

1. The Environmental Assessment Worksheet, this “Findings of Fact and Record of Decision” document, and related documentation for the 602 First Street North Renovation 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 602 First Street North Renovation according to the Environmental Review Rules of the Minnesota Environmental Quality Board (EQB) under Rule 4410.4300 Subpart 31, Historical Places. The project entails the renovation of an existing one-story, warehouse into a residence and studio by adding a second story and rear addition along with re-cladding the front, side and rear facades. The building is located within the St. Anthony Falls Historic District and the Minneapolis Warehouse Historic District, both of which are listed on the National Register of Historic Places. Exhibit A includes the project summary, and Exhibit B includes the Record of Decision.

II. EAW NOTIFICATION AND DISTRIBUTION

On July 27, 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 31, 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 4 comment letters received. The Zoning and Planning Committee of the Minneapolis City Council considered the EAW and this "Findings of Fact and Record of Decision" document during its September 28, 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

The City received four written comments during the public comment period from the following:

1. Minnesota Department of Transportation, August 2, 2006
2. Metropolitan Council, August 11, 2006
3. Minneapolis Department of Natural Resources, August 22, 2006
4. Minnesota Historical Society, August 30, 2006

The following section provides a summary of these comments and responses to them.

The complete comments are available for review in Exhibit D.

1. Minnesota Department of Transportation

Comment: No comments as the proposed project should have little or no impact on Mn/DOT's highway system.

Response: Noted for the record.

2. Metropolitan Council

Comment: The project raises no major issues of consistency with Council policies.

Response: Noted for the record

3. Minneapolis Department of Natural Resources

Comment: No substantive comments. Noted that project is within the Critical Area.

Response: Noted for the record

4. Minnesota Historical Society, State Historic Preservation Office

Comment: The building is non-contributing to the Minneapolis Warehouse Historic District due to the fact that its date of construction (1936) is after the period of historic significance for the district.

Response: Noted for the record.

Comment: The building's status with regard to the St. Anthony Falls Historic District is not clear. SHPO does not agree with the basis for the determination that a building built during the period of significance for a district is non-contributing because it is not directly associated with the central theme of the district. The extension of the period of significance of the St. Anthony Falls Historic District to 1941 as discussed in the EAW applies only to the area of the district directly around the falls and not this portion of North First Street. Therefore, it was concluded that for the purposes of this review, the building can be properly considered to be a non-contributing element of both districts.

Response: Noted for the record.

Comment: The primary concern is not with the partial removal of the property but with the new design. Staff would suggest that the proposed front façade design (as shown in Appendix 13 in the EAW) specifically the scale, proportions, and overall character, be modified to better relate to the historic qualities of North First Street.

Response: The proposed design shall be reviewed by the Minneapolis Heritage Preservation Commission. HPC Staff has received a copy of the SHPO comment letter.

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 is the project's inconsistency with the Secretary of the Interior's Standards for Rehabilitation as noted by SHPO. 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

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 rehabilitation of the structure and use as a single-family residence with a studio in this area follows many precedents, and 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 602 First Street North Renovation 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.

Exhibits:

- A. Project Description
- B. Record of Decision
- C. Public notification record
- D. Comment letters
- E. Council/Mayor action

EXHIBIT A

Project Description

The project entails the renovation of an existing one-story, warehouse into a residence and studio by adding a second story and rear addition along with re-cladding the front, side and rear facades. The building is located within the St. Anthony Falls Historic District and the Minneapolis Warehouse Historic District.

EXHIBIT B

**Environmental Review Record for the 602 First Street North
Renovation Environmental Assessment Worksheet**

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

<u>DATE</u>	<u>ITEM</u>
7/27/06	City staff distributes EAW to official EQB mailing list and Project List.
7/31/06	Minnesota Environmental Quality Board (EQB) publishes notice of availability in <i>EQB Monitor</i> . 30-day comment period commences.
8/30/06	End of EAW public comment period.
9/28/06	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.
10/06/06	City Council approves Z & P Committee recommendation and makes a finding of Negative Declaration: the EAW is adequate and no EIS is necessary.
10/13/06	Mayor approves Council action regarding EAW
10/14/06	City publishes notice of Council/Mayor decision in Finance and Commerce. Moratorium on issuance of final permits lifted.
10/23/06	City publishes and distributes Notice of Decision and availability of final "Findings" report to Official EQB List and the Project List
11/06/06	EQB publishes Notice of Decision in <i>EQB Monitor</i> .

EXHIBIT C

Public Notification Record

The following describes the public notification process of the Planning Division for the 602 First Street North Renovation 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 602 First Street North Renovation 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 31, 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

602 First Street North Renovation Project List

EXHIBIT D

Comments Received on the 602 First Street North Renovation EAW

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

EXHIBIT E

Council /Mayor Action

Published October 14, 2006, in Finance and Commerce

Council Chamber, 350 South 5th Street, Minneapolis, Minnesota

October 6, 2006 - 9:30 a.m

The following reports were signed by Mayor Rybak on October 13, 2006. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **ZONING & PLANNING** Committee submitted the following report:

Z&P - Your Committee, having under consideration the environmental review process for the 602 First Street North Renovation, which entails renovation of an existing, one-story warehouse into a residence and studio, located at 602 1st St N, now recommends that development of an Environmental Impact Statement not be ordered, therefore making a negative declaration, and that the Findings of Fact and Record of Decision set forth in the Department of Community Planning and Economic Development staff report be adopted.

Adopted 10/6/2006.

Absent - Colvin Roy.