

**Community Planning & Economic Development
Planning Division**

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**AVAILABILITY OF THE
FINAL ENVIRONMENTAL IMPACT STATEMENT (EIS)
FOR THE PILLSBURY A MILL COMPLEX PROJECT**

This Final EIS completes the environmental investigation of the redevelopment of a former flourmill, the Pillsbury A Mill Complex, located on a 7.9-acre site bounded north and south by 2nd Street SE and Main St. SE, east and west by 3rd Avenue SE and 6th Avenue SE. The site is across the Mississippi River from Downtown Minneapolis in the St. Anthony Falls Historic District.

The proposed redevelopment of the site would preserve and renovate for commercial and residential use all but one of the historic structures at the site including the Pillsbury A Mill building, which is a National Historic Landmark, and seven additional historic resources on the site. Only the concrete grain elevators now located along 2nd Street SE would be demolished. Six new mid or high-rise residential buildings and their linking structures along Main Street would be added to the site. Alternatives in the Final EIS test four variations of height and massing that include 759 to 1,095 housing units and 105,000 sq. ft. of commercial space. The new construction will vary in height with the tallest towers, at 24 and 27 stories, flanking 5th Avenue SE.

Copies of the Final EIS will be available for review at the downtown Minneapolis Public Library located at 250 Marquette Ave., the Southeast Community Library located at 1222 SE 4th Street, and in the office of the City Planning Division at 210 City Hall. This Final EIS and supporting information will also be available for review on the City of Minneapolis web site: <http://www.ci.minneapolis.mn.us/planning/pillsbury-mill.asp> Copies of this Final EIS can also be provided to individuals by email or on a compact disk by request to: michael.orange@ci.minneapolis.mn.us.

Notice will be published in the *EQB Monitor* on Monday, April 25, 2005. Public comments on the Final EIS must be made within the 10-workday comment period, which ends at 4:30 p.m. on Monday, May 6, 2005. The Planning Division will present the Final EIS and the comments on the document to the Zoning and Planning Committee of the City Council on Thursday May 19, 2005 (9:30 a.m. in Room 317 City Hall). The City Council will act on the Committee's recommendation no earlier than May 27, 2005.

For further information and to submit comments on the Final EIS, contact J. Michael Orange, Principal Planner, at the above postal and email addresses and by telephone at 612-673-2347. Electronic submissions (email, emailed attachments in Word, and discs containing Word documents) are preferred.

**If you need more information or have special needs, please call the
Minneapolis Planning Division of CPED at 612-673-2597.**

**FINAL
ENVIRONMENTAL
IMPACT STATEMENT**

For the

**PILLSBURY A MILL
COMPLEX**

Minneapolis, Minnesota

Prepared by

The City of Minneapolis

Community Planning and Economic Development Department

Planning Division

April 21, 2005

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**If you need more information or have special needs, please call the
Minneapolis Planning Division of CPED at 612-673-2597.**

Introduction and Project Description

Responsible Governmental Unit

Questions, comments and requests for further information from the City, the Responsible Governmental Unit for the Environmental Impact Statement (EIS), should be addressed to:

Michael Orange, Principal Planner
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Room 210 City Hall
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Minneapolis, MN 55415-1385
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TTY: 612 673-2157
Email: michael.orange@ci.minneapolis.mn.us

Questions, comments and requests for further information from the project proposer should be addressed to:

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Minneapolis, MN 55403
Phone: 612 359-5844
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Email: dfrank@sr-re.com

Abstract (repeated from the Draft EIS for the convenience of the reviewer):

This Final EIS completes the investigation of the redevelopment of a former flourmill, the Pillsbury A Mill Complex, located on a 7.9 acre site bounded north and south by 2nd Street SE and Main St. SE, east and west by 3rd Avenue SE and 6th Avenue SE. The site is across the Mississippi River from Downtown Minneapolis in the St. Anthony Falls Historic District.

The proposed redevelopment of the site would preserve and renovate for commercial and residential use all but one of the historic structures at the site including the Pillsbury A Mill building, which is a National Historic Landmark, and seven additional historic resources on the site. Only the concrete grain elevators now located along 2nd Street SE would be demolished. Six new mid or high rise residential buildings and their linking structures along Main Street would be added to the site. Alternatives in the Draft EIS test four variations of height and massing that include 759 to 1,095 housing units and 105,000 sf of commercial space. The new

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construction will vary in height with the tallest towers, at 24 and 27 stories, flanking 5th Avenue SE.

The studies completed for the EIS found none of the alternatives would have an impact on air quality or on infiltration of ground water. Buildings in the locations and at the height of the alternatives would not be exposed to levels of Sulfur Dioxide, Carbon Dioxide, Nitrogen Oxides or Particulates in excess of State and Federal Standards. The proposed reuse of the site for mixed residential and commercial redevelopment and the stabilization and rehabilitation of all but the Concrete Grain elevator are consistent with and implement the objectives, policies, guidelines and standards of the plans adopted for the area. The height and massing of Alternatives One and Three are not consistent with certain guidelines and standards of these same plans.

Project Description (repeated from the Draft EIS for the convenience of the reviewer):

This Discretionary EIS investigates the redevelopment of a former flourmill, the Pillsbury A Mill Complex, located on a 7.9-acre site which is across the Mississippi River from Downtown Minneapolis in the St. Anthony Falls Historic District. The site includes all of the area bounded by 3rd Avenue SE, 2nd Street SE, 5th Avenue SE and Main Street SE, and the southerly half of the block bounded by 5th Avenue SE, 2nd Street SE, 6th Avenue SE, and Main Street SE. The proposed redevelopment of the site would preserve and renovate for commercial and residential use all but one of the historic structures at the site including the Pillsbury A Mill building, which is a National Historic Landmark. Only the concrete grain elevators now located along 2nd Street SE, which would be demolished. Six new mid or high-rise residential buildings and their linking structures along Main Street would be added to the site. Alternatives in the EIS test four variations of height and massing for the redevelopment of 759 to 1,095 housing units and 105,000 sf of commercial space at the site. The redevelopment of the site is anticipated to be phased over the next 10 years depending on market demand and acceptance. No plan for the phasing of the elements of each phase has been proposed. The City of Minneapolis at this time has no preferred alternative.

Summary of Findings, Areas of Controversy, and Issues to be Resolved (repeated from the Draft EIS for the convenience of the reviewer):

The studies completed for the EIS found none of the alternatives would have an impact on air quality on future potential residents of the project or on infiltration of ground water. Buildings in the locations and at the height of the Alternatives would not be exposed to levels of Sulfur Dioxide, Carbon Dioxide, Nitrogen Oxides or Particulates in excess of State and Federal Standards. The highest predicted exposures in terms of the State and Federal Standards is the 24-hour Sulfur Dioxide exposure. The predicted level at full permitted potential operation of the University's SE Steam Plant would be at the standard for the nearest tall building of Alternatives One and Three. This exposure is reduced to half to two-thirds the standard in the lower buildings of Alternatives Two and Four. Studies of the geological conditions in the area found that since the building foundations and footings will be located above the expected groundwater elevations, groundwater levels and naturally occurring flow patterns within the bedrock should not be impacted during or after construction. And, given the bedrock profile in the area and the location of the University of Minnesota steam plant and other tunnels in the area, the proposed construction should not have any impact on their integrity or use.

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The proposed reuse of the site for mixed residential commercial redevelopment, the stabilization and rehabilitation of the Pillsbury A Mill, the rehabilitation of seven additional buildings, the retention and rehabilitation of all major building types erected in the Pillsbury milling complex, including a grain elevator, are generally consistent with and implement the objectives, policies, guidelines and standards of the St. Anthony Falls Historic District, Mississippi River Corridor Critical Area Designation, the Mississippi National River and Recreation Area Comprehensive Management Plan, the Minneapolis Draft Critical Area Corridor, the National River Plan, the Minneapolis Comprehensive Plan, and the Master Plan for the Marcy-Holmes Neighborhood.

The height and massing of Alternatives One and Three, and the housing unit density and building mass permitted by the zoning district classification that would support them, remain controversial. This controversy rests both in terms of the applicability of specific guidelines and standards of the various plans, and with the introduction of new construction of a size, scale and extent that could be incompatible with other resources of the riverfront and historic district. In this way, the new development could be intrusive in this setting, and might diminish the integrity of the area's character-defining features. Additional impacts on the Historic District from all the Alternatives include the demolition of one historic structure, the Concrete Elevator, and changes to a historic property, the Pillsbury A Mill complex, in a way that does not entirely meet the Secretary of Interior's Standards for Rehabilitation and Guidelines.

A methodology to describe and assess visual and other impacts on the historic resource is provided in the Draft EIS, and the issues will be reviewed and resolved during the process described in the section "Government Approvals and Next Steps."

History of Environmental Review (repeated from the Draft EIS for the convenience of the reviewer):

During 2003, ADM, the milling company that had acquired the Pillsbury A Mill Complex from Pillsbury, determined that continuing the milling operation at this site was no longer essential. They entertained offers for the site on the specific condition it not be used for milling purposes, but redeveloped for other uses. A purchaser, ShaferRichardson, was selected, and on October 7, 2003, flour milling ceased at the A Mill and on the Minneapolis riverfront.

ShaferRichardson's proposed redevelopment of the site included 1,095 new housing units and called for the demolition of the concrete grain elevators located on the 2nd Street SE edge. Both of these aspects of the project triggered the need to prepare an Environmental Assessment Worksheet (Minnesota Rules at 4410.4300 Subp. 19D and Subp. 31 respectively). The EAW was prepared and distributed and the EQB published notice of its availability in the February 2, 2003 *EQB Monitor*. A public meeting to discuss the EAW and receive comments was held on February 18, 2004. The comments received at the public meeting addressed the following issues:

- Height of the proposed structures, especially in the context of the adopted policies, standards, and guidelines limiting height of structures in the area;
- The potential impact of the height on the National Historic Landmark Pillsbury A Mill building;
- The affect on adjacent properties and how it could and should be assessed;
- The loss of the concrete elevators;
- The need to phase the project to assure protection and rehabilitation of the historic properties;

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- Impacts on adjacent properties from the process of demolition and then construction of the new buildings
- Consistency with and implementation of the plans and plan for the area;
- The conflict with adjacent industrial uses, especially the University's SE Steam Plant;
- The need for private funding of public improvements in the vicinity;
- Traffic impacts, storm water runoff, soil contamination
- Effects on the view of the Falls, Chute's Cave, the Springs and former hotel site;
- Effects on the proposed white water kayak facility at the Falls;
- The adequacy of the utilities in the area;
- The extension of 4th Avenue SE through the site;
- The proposed Phoenix and 520/521 developments; and
- The need for an EIS.

During May of 2004 the City also prepared EAWs for the "Phoenix Project" at 224 2nd Street SE and the "520 & 521 Second Street SE project."

At its meeting on July 2, 2004 the City Council determined more information was needed on certain issues and adopted a resolution outlining those issues and their Positive Declaration to prepare an EIS to study them. The positive declaration was published in the *EQB Monitor* on July 26, 2004, and the Draft Scoping Decision (see Exhibit A) was distributed on August 8, 2004. The City adopted its Final Scoping Decision on September 3, 2004, and it was published in the *EQB Monitor* on October 11, 2004. Refer also to Exhibit 4, Record of Decision.

Electronic copies of the Final EIS, the Draft EIS and its Exhibits, these preceding environmental documents, and (when available) electronic versions of the documents discussed in the EIS are available in the section "Pillsbury A Mill Environmental Documents" on the Planning Division web page: <http://www.ci.minneapolis.mn.us/planning/pillsbury-mill.asp>.

Listing of Prior City Documents Prepared for the Pillsbury A Mill Complex

- Environmental Assessment Worksheet, 01/04
- Travel Demand Management Plan, 08/04
- Findings of Fact and Record of Decision for the EAW, 08/04
- EIS Scoping Decision Document, 11/04
- Findings of Fact and Record of Decision for the EIS Scoping Decision Document, 11/04
- Draft EIS, 2/14/05

Comments and Responses to the Comments

The City received verbal written comments on the Draft EIS from the following agencies and individuals and phone mail messages from Rochelle Quast and David Scott:

1. Andrew Kolstad, March 10
2. Metropolitan Council, March 9
3. Minnesota Pollution Control Agency, March 3
4. Minnesota Department of Transportation, March 15
5. Mark Gustafson, March 22
6. University of Minnesota, March 22
7. Minnesota Historical Society, (SHPO), March 23
8. Minnesota Chapter Society of Architectural Historians (MSAH), March 23
9. A Mill Task Force, March 23
10. National Park Service (NPS), United States Department of the Interior, March 23
11. Minnesota Department of Natural Resources (DNR), March 22
12. Marcy Holmes Neighborhood Association (MHNA), March 17
13. Soap Factory No Name Exhibitions (Soap), March 15
14. Edna Brazaitis, March 23
15. Bluff Development, March 17 McGinnis (Bluff/McGinnis) & March 21 Norton (Bluff/Norton)
16. Comments from Rochelle Quast and David Malcolm Scott

Exhibit 1 includes the written comments and Exhibit 2 includes the record of the comments received at the Public Comment Meeting.

Comments on the Draft EIS focused on four broad areas:

- **Impacts on the historic resources:** These comments addressed the preservation of the concrete elevators along 2nd Street SE, the use of the guidelines and standards established for the District and by the Secretary of the Interior, the concept and significance of the “Water Power Area,” and the importance of the rail corridor that bisects the site.
- **Review process:** The review process comments referred to the difficulty of providing a complete and detailed assessment of the Project in the absence of a preferred alternative and at its present conceptual level of detail. Another comment requested assurance of consideration of important elements later in the City’s review process.
- **Preferences:** Reviewers also expressed their preference for certain alternatives and for features of each alternative, and made requests for assurances and information as the process continues.
- **Requests:** Reviewers submitted specific requests for additional information.

The following section provides responses to the comments.

Impacts on Historic Resources

1. The Concrete Elevators

Comment: 8-MSAH, 15-Bluff/McGinnis advised rehabilitation is always preferred to demolition by the Secretary of the Interior's Standards and Guidelines. 1-Kolstad asked they be preserved at any cost. 7-SHPO and 14-Bluff/Norton asked the City to reconsider the HPC conditional approval of their demolition. 7-SHPO advised an alternative preserving the elevators should have been included in the Scope of the Draft EIS

Response: Beginning on page 15 of the Draft EIS background and additional research and analysis by The 106 Group is presented on the decision by the City Council to not include an Alternative in the Scope of the Draft EIS that preserved the Concrete Elevators. Preserving the Concrete Elevators could be a theoretical alternative but the staff, based on the discussion in the Draft EIS and the comments, continues to find it would not be a reasonable alternative.

Comment: 7-SHPO directed attention to the Silo Point Development in Baltimore, Maryland, as an example of creative reuse of a similar structure consistent with the Secretary of the Interior's Standards and Guidelines.

Response: The City of Baltimore and the developer of Silo Point were contacted about this project and its status. The summary of these discussions is provided in Exhibit 3, the Silo Point Development. Due to the scale and form of the Silo Point terminal elevators (187 silos with a 40,000 sq. ft. footprint and the shape of a cube), the inability to find any reuse for the silos or the bins, and the inability to create an economic development for a grain elevator structure that complied with the Secretary of the Interior's Standards and Guidelines, Silo Point is neither a similar structure nor a positive model for reuse of elevator structures. The experience at Silo Point is consistent with the discussion on the feasibility and reasonableness of the reuse of concrete elevators in the EAW and the Draft EIS.

2. The HPC and Secretary of the Interior Standards and Guidelines

Comment: 7-SHPO suggested the Draft EIS should have also analyzed and discussed 6 additional Standards and Guidelines of the Secretary of the Interior's Standards and Guidelines in order to provide the foundation for review of the final detailed building design of the submitted Project. 10-NPS suggests the Draft EIS should have also used 36 CFR Part 800.5. 7-MSAH noted the conflict between the Minneapolis Heritage Preservation Commission (HPC) and the Interior Secretary's standards regarding compatibility of new development. 14-Brazaitis encouraged the HPC to use the Secretary's Standards and Guidelines in its review of the submitted Project.

Response: The standards of 36 CFR Part 800.5 defining an adverse effect are included as Exhibit 5 for the use of reviewers. The preservation and needed renovation of all the historic buildings on the site with the exception of the Concrete Elevators has been part

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of the description of project by the developer and the expectation of the City from the EAW (page 8) through the Draft EIS (page 3) to the Final EIS (page 1) and at all the meetings and discussions throughout the process. The use of the Secretary's Standards and Guidelines as a tool for evaluation of the preservation and the new construction proposed in the Alternatives in the Draft EIS is specifically addressed in the City's Scoping Decision (refer to Exhibit A of the Draft EIS, page A-1). The 106 Group (page 37 Exhibit E of the Draft EIS) noted the Standards and Guidelines consist of ten broad principles, and they selected for discussion in the Draft EIS the following Standards due to their relevance to the project and the utility of their application to the alternatives at this stage and level of detail in the process:

- Introducing New Use
- Identifying, Retaining and Preserving Character-Defining Elements of a Historic District
- Protecting and Maintaining Historic Buildings
- Adding Features and Buildings: The Issue of Compatibility
- Protecting and Preserving Archaeological Resources

The availability of the remaining Standards and Guidelines are known to the City, the developer, and by the discussion the Draft EIS, the reviewers. The formal or informal application of all the Standards and Guidelines to the evaluation of the development awaits the detail that will be provided in the submitted project. (See also the response to Brazaitis below.)

Comment: 15-Bluff/McGinnis & Norton asked for strict interpretation of the HPC height guidelines, not accepting the “Red Tile Elevator” as the sole measure, and to protect historic 2nd St properties from loss of views and shadows. 15-Bluff/Norton asked that the EIS include another alternative and an analysis that limited the height of the Project to the 63- ft.-height approved for Bluff Development’s 520 2nd St. project, and to the 35-ft.-height limit in State Statutes.

Response: Application of the Shoreland Overlay height limitation was discussed in the EAW (Figure 27.1 page 69), and the effect of the Critical Area height limitation was discussed beginning on page 47 of the Draft EIS. This is a request that the same limit the City applied to the redevelopment of a 20,000 sq. ft. site located in the center of a block-face having existing one and two story buildings at both lot lines be applied to a project having a 7.9 acre site that occupies entire city blocks and block-faces with existing multi story structures and undeveloped parcels. City staff find these are not similarly sited properties.

3. The Water Power Area

Comment: 7-SHPO encouraged the use of the entire Water Power Area, rather than just the east bank portion, to assess the integrity of the District.

Response: Staff notes for the record and accepts this additional analysis of the potential cumulative effect of the redevelopment of the A Mill site.

Comment: 14-Brazaitis expressed concern about the potential for de-listing the District if the Project proceeds.

Response: Refer to the comment letter from the SHPO, page 2: “Our assessment of this area, taking into account the contributing nature of buildings, structures, and landscapes, shows a high degree of historical integrity, with over 80 percent contributing properties, both in 1971 and currently. Further, the additional cumulative effects of any of the Project alternatives will not diminish the percentage of contributing properties to the point where the water power area as a whole would lose eligibility.”

Comment: 12-MHNA and 13-Soap requested more information about Water Power Area

Response: References to the Water Power Area are not included in the guidelines and standards adopted by the City; therefore, the effect of this sub-district on development proposals rests solely with SHPO. The Water Power Area was identified and discussed in the 1992 report of Hess and Kudzia cited on page 119 of The 106 Group Report that is Exhibit E of the Draft EIS. Requests for additional information about the Water Power Area and its application to properties in the District should be directed to SHPO.

4. The Rail Corridor

Comment: 8-MSAH and 15-Bluff/Norton request a more complete definition of its extent and conflicts with development of the A Mill site.

Response: The discussion of Direct Impact 6 on page 31 and Potential Mitigation strategy 2b on page 46 of the Draft EIS are the extent of the understanding of this issue by the staff.

The City’s Land Use Review Process and the Project’s Status

1. The Absence of a City Preferred Alternative

Comment: 13-Soap asked that the City provide a preference from among the candidate zoning districts listed on Table 10. 15-Bluff/Norton noted the absence of a City-preferred alternative. They found the Draft EIS flawed without a City-designated preferred alternative, a “Master Plan,” or a choice of a single non-conceptual Project; and they argue that the EIS process cannot be completed prior to preparation of a master plan for the Project site.

Response: Bluff/Norton raised and discussed this same issue at the Public Scoping Meeting on August 16, 2004. The City Council did not scope in the requirement of designating a City-preferred alternative. The EIS process provides information, analysis, and a record of public comment for use throughout the City’s permit approval processes. When the City has completed the EIS, the developer will use the EIS to modify and then submit a project to the City for approval. It is expected the submitted project will be in

the form of a Planned Unit Development application, which will include a proposed master plan for development of the property as required by the City's Zoning Code. The information in the entire environmental record of the EAW and EIS, consisting of several hundred pages of applicable information, will be available to the City, its commissions, and the public for their use throughout the permit review processes as described on page 57 of the Draft EIS, "Government Approvals and Next Steps," and in the EAW which preceded it. The "City-preferred alternative" will result from this permit review process. Prior to that process, the preferred alternative of the City cannot be described.

2. The Level of Detail of the Alternatives and Analysis

Comment: 10-NPS broader alternatives, not just changes in height, should have been considered

Response: All reviewers, with the exception of 1-Kolstad, agree a mixed used redevelopment of the site is the best use of the site and can be consistent with adopted plans, guidelines, standards and policies. There is no similar consensus on the appropriate and compatible height of the proposed development of the site. The EAW disclosed the capacity of the site to physically accommodate and serve the number of housing units typical of contemporary densities along the Central Riverfront. Table 10 of the Draft EIS provides that range of densities and their application at this site. The task for the EIS is to provide reasonable examples of potential developments that alternate height, massing, and scale within the density ranges listed in Table 10, and to provide analytical tools for decision makers to use to evaluate the submitted proposal during the permit approval process.

Comment: 10-NPS no analysis of consistency with CMP (Mississippi National River and Recreation Area Comprehensive Management Plan, Draft EIS page 49) guidelines is provided.

Response: The EAW and the Draft EIS includes over 100 standards, guidelines, goals, objectives, and policies that are applicable to the project. City staff considered creating a matrix coded by full, half full, or empty dots, or some other graphic system to represent whether each alternative implemented, complemented, conflicted, was consistent with, inconsistent with, or neutral with that standard, guideline, goal, objective, or policy was applied. Staff determined this exercise in judgment was best left to the reviewer. The reviewer is also in the best position to determine the relative importance of each standard, guideline, goal, objective or policy. They are not all equal and conflicts must be resolved. Commentators Brazaitis, Ted Tucker from the A Mill Task Force, and Grambsoh at the Public Comment Meeting all recognized the need to compromise and find balance among the multiple standards, guidelines, goals, objectives, and policies that will define the "best" development at this site.

3. Assurance of Consideration of Specific Concerns During the Land Use Approval Process

Comment: 10-NPS is concerned the historic character of the area be preserved.

Response: The section in the Draft EIS, “Government Approvals and Next Steps” on page 57 describes the initial regulations that will be applied during permit review process. Additional regulations are described in other environmental documents that are a part of the environmental record for the Project.

Comment: 6-U of M notes the impacts of noise pollution described in the EAW (p. 61), and air pollution and water vapor contact described in the EAW and in the Draft EIS (p. 20) created by the Steam Plant must be considered and addressed during the review and approval of the submitted proposal.

Response: Noted for the record

Comment: 6-U of M believes the water infiltration engineering analysis is wrong

Response: The analysis of the geological and stormwater conditions at this site, beginning on page 24 of the Draft EIS and supported by Exhibit D, was prepared, along with the stormwater management plan, by certified professional engineers and technicians familiar with and practiced with these issues. The assertion of the U of M is noted for the record.

Comment: 15-Bluff/Norton notes the impacts of noise described in the EAW (p. 61) and the plume described in the Draft EIS (p. 24) created by the steam plant and the impact on solar access for the 520 2nd Street Project must be considered and addressed during the review and approval of the submitted proposal.

Response: Noted for the record

Preferences for Individual Alternatives or Features

1. Alternatives

Comment: 10-NPS, 7-SHPO, 8-MSAH, 11-DNR, and Gustafson all prefer or find Alternative 4 least adverse and generally find the other alternatives unacceptable.

Response: Noted for the record

2. Features

Comment: 8-MSAH encourages lower towers, and finds no precedent for the townhouse/terrace/high rise tower design. 11-DNR encourages use of a Green Roof. 7-SHPO encourages the A Mill renovation occur in the first phase of development. 14-Brazaitis recommends the height and style of Building D (next to the red tile elevator) will make a big difference. It should be significantly lower than the red tile elevator and be as “compatible” or as “neutral” as possible in design. 11-DNR supported increased

separation of Building D from the Red Tile Elevator to better differentiate the new development from the Red Tile Elevator.

Response: Noted for the record

Requests for Information

Comment: 12-MHNA requests views from the neighborhood be provided for the submitted Project. 7-SHPO requests a formal plan be provided for protection of the historic buildings until they are redeveloped and occupied. 4-MNDOT offers assistance and a contact to discuss mitigation of the potential failure of the TH 65/University Avenue intersection. 11-DNR asks that if subsurface foundation work above Chutes Cave is necessary, that work will be done in consultation with the DNR. 10-NPS asks conformation the recommended archeological investigation of the “Spooner’s Row” site will be accomplished. 2-Metro Council asks for mitigation of the effects of the height of the buildings by enhancing the local and regional park and trails adjacent to the site.

Response: Noted for the record and provided to the Project proposer and appropriate City staff.

Comment: 2-Metro Council also recommended the storm water management plan provide for a minimum of 80% removal of Total Suspended Solids (TSS).

Response: The City of Minneapolis ordinance requires the removal of 70% total suspended solids. However, the use of the 1.25” rainfall event to model the treatment ends up providing a treatment percentage greater than 70%, actually greater than 80% in the case of the plan for this site.

Comment: 2-Metro Council also requested information on sanitary sewer flow estimates for the Project and the connection to the local system.

Response: A sanitary wastewater flow of 309,620 gallons per day was estimated in the EAW (page 33). This estimate was based water consumption from the Metropolitan Council’s “Service Availability Charge Procedure Manual,” sections “Rules” and “Appendix A” for 1,095 housing units and 105,000 sq. ft. of commercial space. Based on informal review with City staff, capacity to accept this flow is available in the present infrastructure. The conveyance to the Metro system will be developed with City staff when the land use approvals for the Project are complete and the Project’s mechanical engineer calculates the flows.

LIST OF PREPARERS

The following provided information used in the Environmental Impact Statement:

Impacts on Air Quality and from Infiltration:

Air Quality

David Braslau Associates, Inc.

Trinity Consultants, Inc

Infiltration

Braun Intertec Corporation

Stormwater

Sunde Engineering, Inc

Impacts on and within the St. Anthony Falls Historic District: The 106 Group

The EIS was prepared for the City under the direction of Michael Orange, Principal Planner with the Community Planning and Economic Development Department—Planning Division and by Michael Cronin & Associates.

Exhibits

1. Written comments
2. Record of the comments received at the Public Comment Meeting
3. Silo Point Development, Baltimore, Maryland
4. Record of Decision
5. Standards of 36 CFR Part 800.5 dealing with adverse affect
6. Distribution List

Comment Letters

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

From: Andrew Kolstad [mailto:ak@millcitymusic.com]

Sent: Thursday, March 10, 2005 4:42 AM

To: Orange, Michael

Subject: Pillsbury Public statement

Thank you for being receptive. I have new faith in your careful consideration of all sides of this complex and difficult issue.

Would it be possible for your office to be so kind as to send me the dates for any and all upcoming public meetings on the A Mill complex?

Thanks again

Andrew "Cadillac" Kolstad

Pillsbury A Mill

a significant portion of our heritage is under threat.

It seems that developers have targeted Grain elevators and milling complexes as "undeveloped" land

Concrete grain elevators were invented here at St. Louis Park by Peavey in 1899. These structures are as important to our landscape, history and culture, not only as a state but also for our whole nation, as castles are to England, the Coliseum to Rome, the Great Wall to China, the Pyramids to Egypt, the Guinness Brewery to Ireland ETC. **Demolition of these structures can only be described by one word:**

Vandalism. Can we apply the same enforcement towards the destroyers of our landscape as we have to graffiti writers?

The City of Minneapolis website touts the fact that the Mill City Museum has won several awards and extensive praise for the city. Without our real life landscape intact the Mill City Museum is little more than irrelevant.

This is the and I mean THE Pillsbury "A" Mill where Chas A Pillsbury

installed Hungarian wheat brushes in 1878. . .

"A Hungarian point of interest in Minnesota was the development of the Hungarian and American milling industry, when Minneapolis millers C. A. Pillsbury and C. Washburn were eager to obtain in 1878 the "Hungarian Process," the joint use of millstones and rollers. Still in 1878 Pillsbury obtained some steel rollers

from Budapest, and with time Budapest was displaced by Minneapolis as a flour milling center of the world.

(minnesotahungarians.onza.net/history.htm)

. . . allowing MPLS to become the flour milling capitol of the world in 1880. a title that we maintained until 1930. The white concrete grain elevators built around 1913 as well as several smaller buildings are under review for demolition even though they were selected for preservation in 1968. This complex is on the national register of historic places, is a Department of interior national historic landmark, lies within several historic districts, and could be potential UNESCO world heritage sight the entire history of modern milling architecture is encompassed by this one sight. Which at the moment is not only intact but also functional.

The developers and present owners Shafer Richardson purchased this sight in 2003.

This sight was first designated as a national historic landmark in 1968

This designation should not have been a surprise, as it did not sneak up on anyone.

Now the developers Schafer Richardson seek permission to demolish these towers of industry having the Audacity to claim "hardship" and "complain about added cost of delay" All for the sake of "Parking" When there is an Active rail line running right to this sight

This is a protected sight, certain rules apply, and regulating what can be done. These rules and guidelines were and have been well established long before the purchase of the sight by the developer. The developer has stated that this is "

The Condos that S=R want to put on the white elevator sight will not have a river view. Adjacent to this sight is almost a **full city block** of Blacktop surface parking lots. These **open lots** would be able to accommodate all of the developers desires for open space, and thus prevent the senseless denigration of our most significant historic land

Some industry watchers worry that developers may over saturate the market (Twin Cities Business Journal)

I worry that the entire project and developer are inappropriate for this sight. It is telling that in a historic district protected by over 5 distinct bodies, Schafer Richardson feels completely confident in proposing several

projects that all demolish what the EIS itself refers to as a contributing structure. This seems to indicate that Schafer Richardson and their Partner Shamrock Co. Always intended to vandalize the property with no respect for law or process. only love for the color of money.

ADM Determined that it no longer works as a mill, That does not mean it does not work as a mill it only means that it does not work as a mill for ADM it may well be a viable sight for another company. ADM would probably be in direct competition with that other Company, so it is in there best interest to see the mills functionality eliminated. As a mill this sight may still be able to furnishminneapoliswith jobs wealth and Importance

Pillsbury A Mill Important Facts

- 1-The Longest Running flourmill in theUnited States
 - 2-The sight whereMinnesota(and therefore theunited states) became "Flour Milling Capital of the World" in
 - 4-One of Only 2500 National Historic Landmarks in theUnited States
 - 5-Contains entire history of modern milling architecture in this one site.
 6. Set the standard for modern flour milling
 - 7.on the national register of historic places
- Andrew "Cadillac" Kolstad
9 March 2005

March 9, 2005



J. Michael Orange, Principal Planner
Minneapolis CPED – Planning Division
Room 210 City Hall
350 4th Street South
Minneapolis, MN 55415-1385

RE: City of Minneapolis - Draft Environmental Impact Statement - Pillsbury A Mill Complex
Metropolitan Council District 8 (Lynette Wittsack)
Metropolitan Council Referral File No. 19420-1

Dear Mr. Orange:

Thank you for submitting the Draft Environmental Impact Statement (DEIS) for the Pillsbury A Mill Complex to the Metropolitan Council for review. Our staff is responsible for reviewing the DEIS to determine whether it adequately and accurately addresses regional concerns. The proposed project will include 1,095 residential units, 105,000 square feet of commercial and 1,832 parking stalls. The site is located on the east bank of the Mississippi River in downtown Minneapolis, near 2nd Street SE and Main Street SE.

Sanitary Sewers

In our August 16, 2004 comment letter pertaining to the Draft Scoping Decision Document for this project, we wrote

The proposed scoping document adequately addresses Council concerns raised in our March 2, 2004 [EAW] letter. While the Council did not seek an EIS on this proposed project for regional purposes, *we would appreciate inclusion of sanitary sewer flow estimates for the project and an analysis of the ability for the local conveyance system to accommodate the flows. This information is typically included in an EIS and was not included in the EAW.* [Emphasis added]

The requested information is not contained in the DEIS and is necessary for the Council to determine potential impact of the proposed project on the regional wastewater system. We encourage the project proposer to provide this information to the Council to avoid delays in the project. Please contact Donald Bluhm, Manager, Municipal Services at 651-602-1116 or by email at donald.bluhm@metc.state.mn.us

Storm Water Management Plan

The document states on page 27 that a storm water plan for the site has been designed and dimensioned to provide treatment that will remove 70 percent of the total suspended solids (TSS) from the site's storm water runoff prior to its discharge into storm sewers leading to the Mississippi River. This proposed level of treatment falls short of the 90 percent TSS minimum design removal for Nationwide Urban Runoff Program-designed wet detention treatment ponds (or their equal), as recommended by the Council; and, short of the 80 percent minimum TSS removal called for by the Minnesota Pollution Control Agency's (MPCA) construction site storm water runoff permit program. The Council recommends the storm water runoff treatment facilities be redesigned for the proposed project to provide for a minimum of 80 percent

J. Michael Orange, Principal Planner
March 9, 2005
Page 2

removal of TSS, in compliance with MPCA's Storm Water National Pollutant Discharge Elimination System/State Disposal System Permit program criteria.

Building Height Mitigation

As proposed some buildings in the project substantially exceed regional, state and federal standards for building height in the Mississippi River Critical Area and Mississippi National River Recreation Area. The City and the Minnesota Department of Natural Resources have authority to approve or disapprove building heights in the project area under local zoning and state critical area rules. Consideration could be given to mitigating the building heights by enhancing local and regional park and trails adjacent to the site. We encourage the City and proposer to review Council staff comments contained in our March 2, 2004 letter related to the EAW for this project.

If you have any questions or need further information, please contact Jim Uttley, AICP, principal reviewer at 651 602-1361.

Sincerely,



Phyllis Hanson, Manager
Local Planning Assistance

cc: David Frank, Project Manager, St. Anthony Mill, LLC
Lynnette Wittsack, Metropolitan Council Member, District 8
Jack Jackson, MultiFamily Market Analyst, MHFA
Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division MHFA
Keith Buttleman, Environmental Quality Assurance
Jim Uttley, AICP, Principal Reviewer, Local Planning Assistance
Cheryl Olsen, Reviews Coordinator

E:\Municipal\2005 DEIS Pillsbury 3 Mill 19-20-1.doc



Minnesota Pollution Control Agency

March 3, 2005

Mr. Michael Orange
Principal Planner
Minneapolis Community Planning and Economic Development Department
Planning Division
Room 210, City Hall
350 South Fifth Street
Minneapolis, MN 55415-1385

RE: Draft Environmental Impact Statement (EIS): Pillsbury A Mill Complex

Dear Mr. Orange:

The Minnesota Pollution Control Agency (MPCA) has received copies of the draft EIS for the proposed Pillsbury A Mill Complex Project (Project). Due to limited staff resources, the MPCA is unable to review the draft EIS and provide comment on the accuracy and completeness of the material and on the potential impacts that may warrant further investigation before the Project commences.

This decision by the MPCA to not review the draft EIS does not constitute waiver 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.

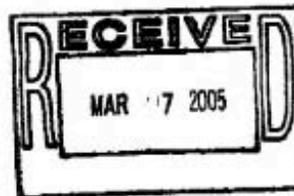
Sincerely,

A handwritten signature in cursive script that reads "Dana A. Vanderbosch".

Dana A. Vanderbosch
Project Manager
Environmental Review and Operations Section
Regional Division

DAV:mln

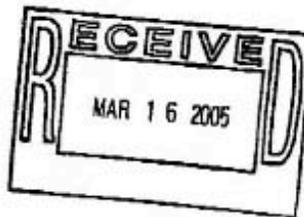
cc: Gregg Downing, Environmental Quality Board





Minnesota Department of Transportation

Metropolitan Division
Waters Edge
1500 West County Road B2
Roseville, MN 55113



March 15, 2005

Ms. Barbara Sporlein
Planning Director - City of Minneapolis
City Hall
350 South 5th Street
Minneapolis, MN 55415-1316

Subject: Pillsbury A Mill Complex Draft EIS
Mn/DOT Review # EIS 05-001
Main Street and southeast quadrant of 3rd Avenue Southeast and 2nd Street Southeast, north of Trunk Highway (TH) I-35W and south (southeast) of TH 65 (Central Avenue)
Minneapolis, Hennepin County
C.S. 2710
Reference Point: 001+00.999

Dear Ms. Sporlein:

The Minnesota Department of Transportation Metro District has reviewed the above-referenced Draft Environmental Impact Statement (EIS). Before any further development, please address the following issues:

- According to the EAW for this development (page 48), this project will cause the TH 65/University Avenue intersection to fail (under the no-build scenario, it would not have failed). Since we recognize that the City wants and needs to be supportive of such re-development efforts, we believe that it would be advantageous for both the City and Mn/DOT to discuss mitigation that the City or developer might implement to prevent the failure of the intersection. To initiate such a discussion, we invite the City to contact Jolene Servatius, Mn/DOT Metro District Traffic Engineering, at (651) 634-2373.
- While this proposed development is not immediately adjacent to Mn/DOT right of way, as a reminder, University Avenue Southeast is County State Aid Highway (CSAH) Route No. 37. Any work on a CSAH route must meet State Aid rules and policies. Also, the County must review any changes to its CSAH highway system so that they stay within its system limitations. Please note that CSAH Route No. 37 is within Hennepin County's jurisdiction and the County must have the opportunity to review and comment on the development as well. You may obtain additional information regarding State Aid rules and policies in any of the following ways:
 - <http://www.dot.state.mn.us/stateaid/> shows or has links to the applicable forms and the Mn/DOT State Aid Manual.
 - Refer to the Mn/DOT State Aid Manual, Chapter 5-892.200 for information regarding standards and policies.
 - Please go to <http://www.revisor.leg.state.mn.us/arule/8820/> for information regarding State Aid Operations Rules Chapter 8820.
 - For driveway standards, the designer is directed to refer to the Mn/DOT Road Design Manual (English) Table 5-3.04A and Figure 5-3.04A for guidance and policies. Please contact Jim Deeny in our State Aid section at (651) 582-1389 with any additional questions.

An equal opportunity employer

Ms. Barbara Sporlein
Page 2
March 15, 2005

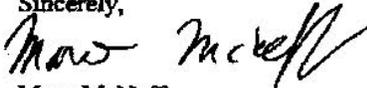
Please address all initial future correspondence for development activity such as plats, site plans, environmental reviews, and comprehensive plan amendments to:

Development Review Coordinator
Mn/DOT - Metro Division
Waters Edge
1500 West County Road B-2
Roseville, Minnesota 55113

Mn/DOT document submittal guidelines require three (3) complete copies of plats and two (2) copies of other review documents including site plans. Failure to provide three (3) copies of a plat and/or two (2) copies of other review documents will make a submittal incomplete and delay Mn/DOT's 30-day review and response process to development proposals. We appreciate your anticipated cooperation in providing the necessary number of copies, as this will prevent us from having to delay and/or return incomplete submittals.

Feel free to contact me at (651) 582-1462 if you should have any questions.

Sincerely,



Marv McNeff
Transportation Planner

cc: Rob Weid, Hennepin County Surveyors Section
Bob Byers, Hennepin County Transportation Planning Section
✓ J. Michael Orange, Principal Planner, City of Minneapolis Planning Division
Gerald Larson, Mn/DOT Environmental Services

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

From: mark gustafson [mailto:gusty@comcast.net]

Sent: Tuesday, March 22, 2005 11:31 PM

To: Orange, Michael

Cc: Mark Gustafson

Subject: Comment on A Mill project

Hello:

I read about the Pillsbury "A" Mill Project in the Skyway News and have reviewed the 64-page DEIS document on the City of Minneapolis web site. I am submitting this e-mail as a public comment on the project.

I think that alternatives 1, 2, and 3 must be thrown out due to the height of the planned buildings. Since the proposed project is in an Industrial Living Overlay District, which limits building heights to 56 feet, this limit should be respected to preserve the beauty and historic character of the riverfront. Alternative 4 is the only one that makes any attempt to blend the new development with the surrounding historical buildings. The illustrations depicted in the Skyway News, with much higher towers than 56 feet, would grossly ruin the existing views of the Stone Arch bridge and the historic "A" Mill complex.

I think that any concerns by the developers that "they can't make enough money" with shorter buildings and fewer units should be dismissed. I have gone into a couple of open houses for riverfront condos on the other side of the river, and with prices exceeding \$500,000 for what amounts to a 1-or 2-bedroom apartment, I think there is plenty of money to be made on "only" 750 units vs. over 1000. You do the math.

I would like to point out how the North Star Blanket building, the Mill City Museum, the new housing building in between them, and even the New Guthrie have managed to preserve the historic character and keep building heights within a similar range on the South side of the river. This is a model for intelligent riverfront development that should be followed on the North side as well.

I am a concerned citizen and photographer that loves to spend time in the Mill Ruins/Stone Arch Bridge area with my camera. If the city caves in to the developers on the tall towers for the "A" Mill property, then I guess I will have to get busy with my camera to preserve on film the historic views that will be lost forever.

Respectfully submitted,

Mark Gustafson
1371 Knoll Drive
Shoreview, MN 55126
gusty@comcast.net

UNIVERSITY OF MINNESOTA

Office of the General Counsel 360 McNamara Alumni Center
200 Oak Street S.E.
Minneapolis, MN 55455-2006

612-624-4100
612-626-9624 Fax

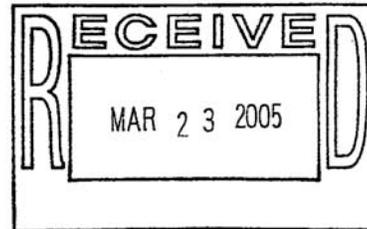
MEMORANDUM

TO: J. Michael Orange
Minneapolis Planning Department

FROM: Kenneth A. Larson
Associate General Counsel

DATE: March 22, 2005

SUBJECT: Proposed Pillsbury A Mill Complex Project -
Comments Regarding Adequacy of Draft Environmental Impact Statement



The University of Minnesota has previously submitted written comments to the City of Minneapolis regarding concerns with environmental impact of the proposed Pillsbury A Mill Complex Project in Minneapolis. Those comments specifically addressed the significant environmental effects of locating a proposed housing complex in such close proximity to the University's Southeast Steam Service Facility ("steam plant"). The University's steam plant is located in an industrial area, is highly industrial in character, and has been used for power and steam generation for over 100 years. The University has recently spent more than \$100 million to renovate the steam plant which serves the University of Minnesota East and West Bank campuses and the Fairview University Medical Center. The University is concerned that the proposed residential development in this industrial area may be incompatible with operation of the steam plant.

The Draft Environmental Impact Statement prepared by the City fails, in the University's view, to adequately take into account the University's concerns.

First, the impact of noise related to operation of the steam plant was not scoped and was not studied. You will recall that noise was an issue when the Stone Arch Apartment complex located immediately east of the proposed A Mill project was under consideration by the City and that the project developer in that case was required to make certain design changes (including eliminating outdoor living spaces) and to provide information to prospective building tenants. While these mitigation measures may be the subject of discussion when the land use approvals for the A Mill project are taken up at a later date, they are also relevant in this context.

Second, the data in Tables 4 and 6 on pages 21 and 22 of the Draft EIS relate to air quality standards. These tables show that, for Alternatives 1 and 3, the modeled concentrations

of SO₂ (24-hour 1988) barely meet standards at 99.6% and 99.98% respectively. These standards are intended to protect the most susceptible members of society and are to be exceeded only once in any year. Given that the modeled concentrations of SO₂ are virtually at the standard, the Draft EIS should have studied the issue with greater thoroughness and proposed more meaningful mitigation measures.

Third, with respect to the possibility that water vapor emitted by the steam plant stacks could result in icing on exterior surfaces of the proposed residential buildings, the draft EIS describes on page 24 what the authors suggest is an analogous situation. However, speculation of this kind is not a substitute for actual study and the Draft EIS is deficient in this regard.

Finally, the University raised concerns about water infiltration into the tunnels serving the steam plant. At pages 24 – 26 of the Draft EIS the authors present an analysis and conclude that the University's concerns are unfounded. The University believes that the engineering analysis is wrong. The University also suggested that a drain tile system that would divert water so that it would not reach the tunnels was a mitigation measure worthy of consideration. The Draft EIS does not consider this suggestion.

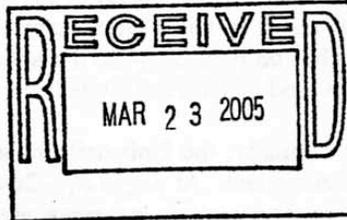
Accordingly, the Draft EIS should be found to be incomplete and insufficient.



MINNESOTA HISTORICAL SOCIETY
State Historic Preservation Office

March 23, 2005

Mr. J. Michael Orange
City of Minneapolis
Community Planning & Economic Development
Planning Division
350 South 5th Street, Room 210
Minneapolis, MN 55415-1385



Re: Pillsbury A Mill Complex Project – Draft EIS
Minneapolis, Hennepin County
SHPO Number: 2003-3346

Dear Mr. Orange:

It is well known and appreciated that the St. Anthony Falls Historic District is important at the local, state, and national levels. Here, at the only falls on the Mississippi River, flourmills led the world for half a century. The mills linked a vast agricultural hinterland to the west with a worldwide market. Recent scholarship and interpretive efforts have made it clear that the area has significant associations with social history, spirituality, and urban archaeology as well.

When the historic district was designated more than 30 years ago, it was characterized by vacant and under-utilized buildings and general lack of recognition. Today, its revitalization as a residential, commercial, and recreational area has brought a tremendous transformation to the overall character of the district. Recognizing the changes that had taken place by the early 1990s, the State Historic Preservation Office (SHPO) conducted an assessment of the historical integrity of the district. We found that some areas of the district had experienced dramatic changes and no longer reflected the historic period. However, many individual properties in the historic district, as well as the residential area on Nicollet Island and the "water power area" (including the falls itself and the adjacent east and west banks), still included a high concentration of historic properties and exhibited strong National Register eligibility. Appropriate treatment of these areas will mean that the vibrant aspects of the history of the falls will continue to co-exist with the revitalization of life on the river.

With this background in mind, we have the following comments on the Draft EIS for the Pillsbury A Mill Complex:

1. We begin with some comments on the Draft EIS analysis of **cumulative effects**, because this section deals with the "big-picture" of the past, present, and future of the historic district. In our previous comments on the EAW, we pointed out the need for a cumulative effects analysis, and we appreciate the effort to address this issue. However, we have concerns regarding the implication in the cumulative analysis that this portion of the historic district may already be lost.

The "tipping-point" method of cumulative analysis considers whether the basic ratio of contributing elements versus non-contributing elements in a historic district has declined to a point where the district loses its historical integrity. The Draft EIS reports that the initial

analysis of this question, which focused on the nine-block East Bank Milling Area as the study unit, concluded that the percentage of contributing properties in this part of the district has dropped from 65 percent in 1971 to 25 percent today, with a further drop predicted to 20 percent if the proposed project is constructed. This overall conclusion implies that the historic district has lost integrity already, and, therefore, that the issue of effects on the district may be moot.

In response to our early concerns, a second “tipping” analysis was completed for the Draft EIS, using the five-block portion of the East Bank Milling Area south of Second Street as the study unit. Inasmuch as the area to the north of Second Street was already judged to have lost district integrity in 1991, and the area to the south of Second Street, extending across the river to the west bank (the water power area), was judged at the same time to have good historical integrity, eliminating the area to the north from the “tipping analysis” is appropriate. Then, we are evaluating potential effects on an area that currently qualifies as a historic district, not on an area that already may have lost integrity as a whole. This second analysis concluded that the five-block portion had 65 percent contributing properties in 1971, has 60 percent today, and would have 40 percent with construction of the project.

Indeed, we feel that an even better “tipping” analysis would be to consider the overall integrity of the entire water power area, which was considered as a whole to have good integrity and significance in the 1991 study. Our assessment of this area, taking into account the contributing nature of buildings, structures, and landscapes, shows a high degree of historical integrity, with over 80 percent contributing properties, both in 1971 and currently. Further, the additional cumulative effects of any of the project alternatives will not diminish the percentage of contributing properties to the point where the water power area as a whole would lose eligibility. Therefore, consideration of project effects on the district is not moot, and deserves careful consideration to preserve the continued high integrity of the area.

2. The Draft EIS utilizes the above “tipping” contributing/non-contributing analysis as the principal means of measuring cumulative project impact. While this approach focuses on the important question of overall loss of historic integrity in the district; it does not adequately address the cumulative **visual impact**. Simply put, major intrusive new construction can occur within and adjacent to a historic district, and can greatly diminish the overall setting and feeling of that district, even though the ratio of contributing properties in the district area remains relatively unaffected. Such effects on setting and feeling can constitute a major assault on a district’s ability to evoke its historical character and contribute appropriately to the urban landscape as a historic area.

The visualizations provided in the Draft EIS for the four alternatives are helpful in assessing the visual effects. Not accounted for in these visualizations are the additional cumulative effects of the 520/521 Second Street Southeast project, as well as the general expectation that residential development of this scale will possibly lead to additional similar future development. In our opinion, the effect of the scale, height, and massing of the new construction in alternatives 1, 2, and 3 deal a devastating blow to the historic feeling of the Pillsbury mill complex as a whole and to the Pillsbury “A” Mill in particular. The essential character of the mill buildings is brawny, assertive, and industrial. The massive amount of proposed new construction - the four buildings of the Pillsbury project, the Phoenix project, and the 520/521 Second Street South project -

serves to greatly diminish and domesticate the mill complex and the Pillsbury “A”, reducing them to minor players on the riverfront’s east bank.

On the other hand, the new buildings proposed in alternative 4, with appropriate attention to design detailing, could co-exist with the historic mill complex and the “A” mill without dominating the overall scene. (Under this scenario, the close proximity and scale of the proposed fifteen story Phoenix project to the six story Pillsbury “A” Mill would continue to be problematic.)

3. The Draft EIS discusses both the local design guidelines for this portion of the historic district and the Secretary of the Interior’s Standards for Rehabilitation. Both of these guidelines address the **rehabilitation of historic properties and new construction in historic areas**.

The discussion of the Secretary’s Rehabilitation Standards is incomplete, and the organization of the section is somewhat confusing. Only four of the ten standards, and only one section of the many sections of the guidelines, are addressed. The Draft EIS asserts that the other standards and guidelines are not pertinent for projects at the conceptual stage. We disagree. A general discussion of all aspects of the standards and guidelines – building exteriors, interiors, building site, and district/neighborhood – is needed. Such a discussion at the conceptual stage will demonstrate that the developer has an informed and workable approach to the issues presented by the standards and guidelines. It is essential to establish this approach at the conceptual stage. We would argue that the need for an especially careful application of the standards is heightened by the presence of the National Historic Landmark “A” Mill; there is no higher designation possible.

Of particular concern is the omission of discussion of the guideline that pertains to the importance of protecting historic buildings against arson and vandalism, particularly before rehabilitation begins. This issue is of highest concern with the Pillsbury complex. As we stated in our previous comments on the EAW, the sequencing of the rehabilitation of the historic buildings with the overall development schedule and the security and protection of the historic properties during project planning and implementation should be addressed.

Also of particular concern vis-à-vis the standards and guidelines is the Draft EIS assertion that none of the project alternatives would meet the standards for compatibility for new construction. Alternatives 1, 2, and 3 clearly diminish relationships among the historic buildings and landscape features and are not compatible with the massing, size, and scale of the historic mill complex and the district. On the other hand, further work on alternative 4 holds the potential to address the compatibility issues successfully.

4. The discussion of the proposed demolition of the historic **concrete grain elevators** does not acknowledge the concern we expressed in our EAW comments about the Minneapolis Heritage Preservation Commission (HPC) action already taken on this issue. It does not appear that the condition imposed by the HPC met the requirements of the Environmental Quality Board guidelines with regard to conditional approvals of aspects of a project before the environmental process is complete. We also feel that failure to include a project alternative that preserves the concrete elevators in the context of a development scenario is a serious flaw and thwarts a central purpose of the Draft EIS – namely, to investigate alternatives that would avoid adverse effects.

Although we acknowledge the challenges inherent in rehabilitating concrete silos of this type, an overall development of this magnitude may present one of the best opportunities for a successful outcome to this challenge. Such concrete structures are icons for the city of Minneapolis. We find it regrettable that the Draft EIS dismisses as “untested” such projects as Silo Point in Baltimore, where a creative alternative for re-use of a similar structure is being pursued as part of the development project. In fact, the Peavy Haglin Company built the first concrete grain elevator in the world in St. Louis Park; it, too, was “untested”. We note that the Baltimore project is listed on the National Register of Historic Places and is pursuing use of the historic tax credits, paving the way to a compatible re-use strategy.

5. The Draft EIS proposes a number of **mitigation items** for the project. This mitigation strategy is presented without reference to particular alternatives. Alternative 4, with proper attention to the rehabilitation standards for both the historic buildings and the new construction, would greatly reduce the project effects. Only modest mitigation would be needed. On the other hand, the substantial adverse effects from the other alternatives would merit substantial mitigation measures commensurate with the dramatic change to the setting of the district, the mill complex, and the Pillsbury “A”.

We note that many of the items suggested in this section – such as adequate security, and design according to the Secretary’s Rehabilitation Standards and local design guidelines – are standard aspects of project development in historic districts. We would not view such practices as mitigation items.

The St. Anthony Falls Historic District is Minneapolis’s grand historic space, a centerpiece of heritage, recreation, housing, commercial activity, and civic pride. We are discouraged by the Draft EIS assertion that it is nearly impossible to design economically feasible compatible new construction on a large development parcel in this district. In fact, a central purpose of designating a historic district is to effectively address this challenge, especially in cases where “normal” development would result in a loss of historic values. Large parcels can indeed be developed on an appropriate scale; witness the low-density development on the opposite bank of the river adjacent to the warehouse district. Minneapolis deserves no less than a quality rehabilitation of the historic properties in the Pillsbury complex, coupled with *compatible* new construction in and adjacent to the St. Anthony Falls Historic District.

We appreciate the opportunity to comment on this Draft EIS.

Sincerely,

Britta L. Bloomberg
Deputy State Historic Preservation Officer

cc: Amy Lucas, Minneapolis HPC
Jon Crippen, St. Anthony Falls Heritage Board
Rachel Ramadhyani, Minneapolis Park and Recreation Board
Ann Calvert, City of Minneapolis – CPED
John Anfinson, National Park Service

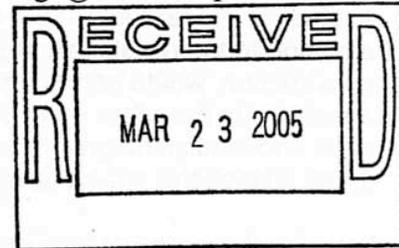
Ted Tucker, Marcy Holmes Neighborhood
Greg Downing, Environmental Quality Board
David Frank, Schafer-Richardson
Anne Ketz, The 106 Group
Chris Morris, National Trust for Historic Preservation

Minnesota Chapter of Society of Architectural Historians
275 Market Street #54
Minneapolis, MN 55405

23 March 2005

delivered by email to michael.orange@ci.minneapolis.mn.us

Mr. Michael Orange
City of Minneapolis Planning Division
350 S. Fifth St. #210
Minneapolis, MN 55415



Dear Mr. Orange:

I wish to make the following comments, on behalf of the Minnesota Chapter of the Society of Architectural Historians (MNSAH), regarding the Pillsbury A Mill Draft Environmental Impact Statement.

Direct Impacts on Historic Resources

The massing, height, and scale of the four "build" alternatives are too great for this pivotal and sensitive historic area. As MNSAH stated in its resolution regarding the Pillsbury A Mill Draft EAW, we believe that the height of new construction should be less than that of the historic A Mill building so that this National Historic Landmark building retains its historic prominence.

Page 33 of the DEIS notes that the Minneapolis HPC has not made a determination of the height standard for this project. The DEIS states the assumption that the HPC height guideline would allow new buildings up to the height of the existing Red Tile Elevator. This assumption is mistaken, as the guidelines are guidelines to be interpreted and applied with judgment; they are not hard and fast rules. As a result, the HPC may not allow six new residential towers approximately equal in height to the Red Tile Elevator, as proposed in Alternative 2. In addition, p. 5 of the 106 Group's report (Exhibit E) notes there is a 35-foot height limit for the entire project area due to Minneapolis's Mississippi River Critical Area Overlay zoning district.

I believe that Alternative 1, 2, and 3 are simply too large. It is not appropriate to construct more buildings nearly the height of Riverplace in a riverfront historic district (the tallest buildings in Alternatives 1 and 3 are only 21-feet shorter than the tallest Riverplace building). The new, infill construction in the West Bank Milling Area, on the other hand, sets a beautiful example of how to sensitively integrate new construction into a historic district.

The DEIS summary states, on p. 5, that "the new development could be intrusive in this setting, and might diminish the integrity of the area's character-defining features." I believe this statement should not be conditional, and should state that the project would be intrusive and would diminish the integrity. Note that the DEIS states on p. 36 that "the project's new construction on Main Street SE would have an overall size and scale incompatible with the historic Pillsbury A Mill industrial complex and would be an intrusive presence for that resource and the East Bank Milling Area."

MNSAH to Michael Orange re: A Mill DEIS, 3.23.2005, p. 2

I disagree with the conclusion stated in the Massing paragraph on p. 36 that the massing of the proposed project would be complementary to the historic industrial complex. The last sentence of that paragraph is not comprehensible, at least to me (“This pattern of massing for the new construction is similar enough to that of the historic buildings to be considered incompatible.”). In my opinion, it should state that the pattern is dissimilar and incompatible.

There are observations and conclusions in a number of places in the DEIS that state all four “build” alternatives do not conform to historic guidelines and standards and that all four fail, in this manner, equally. I strongly suggest that this is not the case and that the DEIS should note that Alternative 4 comes significantly closer to conforming to these standards and guidelines, and would have a lower level of visual and cumulative effects, than Alternatives 1 through 3. (See p. 29, adverse effects #3; p. 37: “None of the project alternatives would meet the standards for compatibility in new construction...”; 106 Group report p. 87: “While the heights of the residential towers vary somewhat, *all* of the “build” alternatives of the Pillsbury “A” Mill Complex project would have a similar effect on the views” (italics not added); and 106 Group report, p. 112, first bullet point’s conclusion that Alternative 4 would result in new construction of a size, height, scale and extent that would be incompatible, intrusive, and diminish the district’s integrity is not substantiated.)

Note also that the EIS Scoping Decision Document (Exhibit A) states on p. A2 that “Alternative 4 involves a lower density development which retains the primacy of the height and massing of the historic mill buildings along this stretch of the river.”

Regarding the proposed demolition of the concrete elevator, it is disturbing that the DEIS and the 106 Group report did not seriously evaluate the elevator’s redevelopment potential for housing or parking—they simply assert its improbability. In addition, the 106 Group report states (p. 53) that adding windows to convert the elevator to residential use would make the structure non-contributing and that such an alteration might not be significantly better than demolition. This judgment and conclusion are erroneous. The federal Secretary of the Interior’s standards make clear that rehabilitation is always preferable to demolition; adding windows to the elevator is less than ideal but much preferable to complete loss of the historic resource. Converting the building to residential use would result in maintaining a historic building and its historic form and materials; the historic origins of the building would be clear.

Is the rail spur corridor that would run through the site at grade, as the tracks are or were, or elevated? It appears that one new building would block the corridor; could, or how could, that be avoided?

It is stated numerous times in the DEIS (e.g., p. 30) and the 106 Group report that direct, visual, and cumulative effects, whether adverse or not, of the four alternatives cannot be avoided due to the large amount of redevelopable land. I do not understand or agree with this conclusion. The significant amount of land available for new construction does not mean that new construction cannot be economically viable and conform to historic standards and guidelines. The amount of

land available is not related to whether a project can be designed that meets the HPC guidelines. The large amount of land available is no justification for not following historic standards and

MNSAH to Michael Orange re: A Mill DEIS, 3.23.2005, p. 3

guidelines regarding height, massing, and scale; neither is it justification for allowing construction of Alternatives 1, 2, or 3. It is a fallacious argument that the size of the redevelopment parcel precludes appropriate scale.

There is a similar, specious assertion made a number of times in the DEIS and the 106 Group report that the proposed development “is the type of change expected in a city” (106 report, p. 107). It would, indeed, be the type of development that might be expected were it not for zoning, planning, and historic district controls, but this is not the case. This site is a pivotal, highly visible, riverfront site located within a historic district. Therefore, due to a variety of important public objectives, maximizing the amount of building or profit is not guaranteed. And this is not the type of development expected in this city at this location.

I am also concerned about the proposed form of the new buildings: townhouses topped by landscaped terraces and mid- and high-rise towers (similar to the new Grant Park building at 10th St. and Portland Av.). It seems to me that there is no precedent for this form in the project’s historic industrial context. The form and massing of new construction should be related to nearby historic structures; this does not appear to be the case with the proposed townhouse/tower scheme.

Pages 31-32 of the 106 Group’s report states that “excellence in urban planning and design” should be taken into account along with the Secretary of the Interior’s Standards in evaluating the project. This is true, but the project’s design is not sufficiently detailed at this stage to be judged of excellent quality and Alternatives 1-3 demonstrate excellence in urban planning only if one embraces the Riverplace/RiverWest, high-rise/wall model of downtown Minneapolis riverfront development.

Lastly, I would like to address the economics of the project. Page 57 of the DEIS notes that Alternatives 1-3 create an internal subsidy for historic rehabilitation. Page 31 of the 106 Group report asserts, but unfortunately does not document or elaborate on, “the exceptional expense of rehabilitation of the A Mill”, the Red Tile Elevator, and the Cleaning House. It should be noted that many historic commercial and industrial buildings have been renovated for office and residential use in the city’s North Loop area without public subsidy or adjacent high-rise development.

It might be that the developer paid too much for the subject property to develop it in conformance with historic district guidelines, particularly regarding height, massing, and scale. That would be unfortunate, but the City should not, as a result, be obligated to approve a proposed development with such significant, damaging, and long-lasting impacts. The developer should have taken into account, if they did not, the historic district restrictions when negotiating or bidding for the property.

1.0 VISUAL IMPACTS

The DEIS and 106 Group report suggest two possible conclusions regarding visual impacts of the project: that they are significant but either adverse or not adverse. I strongly believe the

MNSAH to Michael Orange re: A Mill DEIS, 3.23.2005, p. 4

visual impacts would be adverse, particularly with Alternatives 1-3, for the reasons stated in that conclusion in the DEIS. As noted on pp. 28-9 of the DEIS, one test is the prominence of the historic resources. I disagree with the conclusion at the bottom of p. 41 and top of p. 42 of the DEIS that the project would introduce a second focal point but not be a visual distraction or total shift in emphasis. Alternatives 1-3 would eliminate the visual prominence of the historic A Mill complex. The DEIS does not state or acknowledge that Alternative 4 would have a less significant visual impact than the other build alternatives.

I strongly disagree with the following statements in the 106 Group report:

- Visual effects would not be adverse because the projects don't obstruct views of the mill complex. (p. ii, also DEIS p. 43)
- "The projects would affect *somewhat* the prominence of the historic buildings, the association of those buildings with a historic district, and the perception of change over time in views from across the Mississippi River." (p. 113, italics added)
- "The presence of new construction would reduce *somewhat* the distinctiveness and prominence of the historic buildings in the EBMA." (p. 76, italics added)
- "Changes the project would introduce are not sufficient in intensity to be considered an adverse effect." (p. 77)
- "The projects would affect somewhat the perception of the EBMA as part of a historic district...." (p. 88) I believe the projects would greatly affect that perception, with the historic blocks of Main Street framed by the proposed development and Riverplace.

2.0 CUMULATIVE IMPACTS

I would like to make the following comments regarding cumulative impacts.

- I agree with the conclusion that the projects would have adverse cumulative impacts (106 Group report, p. ii), particularly, in my opinion, with Alternatives 1-3.
- I also agree with these statements in the 106 Group report: "The larger extent of new construction proposed by the Pillsbury "A" Mill Complex project is considered to be intrusive due to its scale." (p. 105) "The determination of the projects' impacts as adverse cumulative effects is based on the loss of contributing properties and introduction of incompatible and intrusive new construction." (p. 108)

- In the DIES, the responses in #2 on p. 45 and #4 on p. 46 neglect to note that Alternative 4 would be less intrusive and, therefore, have fewer cumulative effects.

Thank you for your consideration of these comments.

Sincerely,

Aaron Rubenstein
Preservation Officer
Minnesota Chapter of Society of Architectural Historians

A MILL TASK FORCE COMMENTS ON PILLSBURY A MILL PROJECT DRAFT ENVIRONMENTAL IMPACT STATEMENT

The A Mill Task Force did not believe this project needed an Environmental Impact Statement and finds the DEIS to be a supplementary tool to evaluate the visual impact of the Pillsbury A Mill Project on the riverfront and adjacent neighborhoods.

The A Mill Task Force met March 2, 2005 to review the DEIS and made these comments:

More tax base is good for Minneapolis.

More residents are good for the Central Riverfront.

Project should finance the reuse of A Mill Complex.

Proposed number of units (1095) is acceptable.

Proposed total bulk (1.85 million sq ft) may be too much.

Towers along Main St. must not be a physical or visual barrier between MH and river.

There should be visible gaps between towers.

Project must connect Marcy-Holmes to its riverfront.

DEIS evaluates views for each alternative from the river but not from the neighborhood.

Do lower "links" improve views from the neighborhood?

Are blocked views from private space (on 2nd St SE) considered "adverse"?

Tower heights must vary, the more visually pronounced the variation, the better.

Parcels F, F/G, G (5th to 6th) are different: outside SAFWA and farther from Red Tile El.

What is the origin of the concept of St Anthony Falls Waterpower Area (SAFWA)?

Does SAFWA supersede St Anthony Falls Historic District sub-areas?

Should East and West Banks of SAFWA share size, mass and scale etc?

What are visual characteristics of A Mill Complex? of SAFWA?

Size (dimensions)

Scale (visual unit)

Massing or bulk (proportion)

Extension of the grid (4th and 5th Aves.) should be marked with large (at least 80') gaps.

Building only large, expensive units will mean riverfront living is only for very rich.

Variety of unit sizes and prices fits better into diverse adjacent neighborhoods.

Chosen alternatives are not helpful in evaluation:

Alt 2 is ugly and unvaried, seemingly designed for rejection.

Alt 4 has density too low (esp. replacing White Concrete Elevators with low rise)

Why not an alternative with C3A density and fitting HPC guidelines in SAFWA?

Most of these comments are about the project rather than the DEIS itself. However, one can infer the following comments about the adequacy of the DEIS:

- **The DEIS study of views of alternatives should be as complete from the neighborhood vantage point as from the riverfront vantage point.**
- **The visual characteristics (size, scale and mass) of the St. Anthony Falls Waterpower Area should be assessed and the visual relationship of east and west banks of the SAFWA discussed in greater detail.**
- **The alternatives chosen for evaluation were so unappealing either visually or fiscally as to make the proposer's preferred plan seem the only viable solution to save the A Mill. An**

alternative with more visual variety than Alternative Two and more density than Alternative Four would have been more useful.

--Ted Tucker, A Mill Task Force convener, 03/23/05



United States Department of the Interior

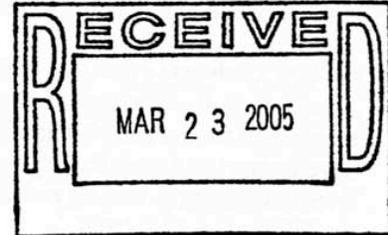
NATIONAL PARK SERVICE
Mississippi National River and Recreation Area
111 E. Kellogg Blvd., Ste. 105
St. Paul, Minnesota 55101-1256

IN REPLY REFER TO:

L8017(MISS)-3/L

March 23, 2005

J. Michael Orange
Minneapolis City Planner
City Hall, Room 210
350 South Fifth Street
Minneapolis, MN 55415



Dear Mr. Orange:

This letter is in regard to the Draft Environmental Impact Statement (DEIS) for the Pillsbury A Mill Complex Project. This proposed development is located entirely within the Mississippi National River and Recreation Area (MNRRA), a unit of the National Park System, the state Mississippi River Critical Area, the St. Anthony Falls National Register of Historic Places District, as well as state and locally designated historic districts. The Pillsbury A Mill is a National Historic Landmark and, therefore, merits exceptional concern. It is one of those nationally significant resources upon which Congress based its decision to establish the MNRRA.

We have reviewed the DEIS in order to determine the project's consistency with the MNRRA Comprehensive Management Plan (CMP). Though a significant amount of information on potential impacts to historic and other resources is provided in the DEIS and many of the most critical MNRRA CMP policies are identified and listed, there is no specific discussion with regard to how the project alternatives are consistent with the CMP policies. Without this analysis in the DEIS, our ability to fully determine the proposed project's consistency with the CMP is somewhat limited.

A major concern with the DEIS is that Alternatives 1-3 all represent the same number of residential units, the same square footage for commercial space and the same number of parking spaces. They are the same piece of clay molded into three different shapes, all of which provide the developer with their maximum project. True alternatives would have begun with different quantities of clay. Alternatives 1-3 are then opposed to Alternative 4, which presumably does not make for an economically viable project. Granted, Alternatives 1-3 have different effects on the Pillsbury A Mill Complex; however, an analysis of alternatives offering a varying number of residential units, parking spaces and commercial area would have been preferable.

We recognize that the historical effects analysis was complex and lengthy. This analysis, however, repeatedly appears to minimize or dismiss adverse effects by stating that the project will save most buildings, will reuse the A Mill, or that such development is inevitable. Where an adverse effect is noted, some justification for it is consistently offered. We believe the discussion of effects should be limited to the effects alone and any justification for those effects should come in a separate section.

While the Deputy State Historic Preservation Officer recommended that the DEIS preparers use the Secretary of the Interior's Standards for Rehabilitation and the Minneapolis Historic Preservation Commission St. Anthony Falls Historic District Guidelines, we feel that the preparers should also have applied Section 800.5 of 36 CFR Part 800, which addresses the assessment of adverse effects. The Criteria of adverse effect state that, "An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property..."

Per 800.5, adverse effects on historic properties include, but are not limited to the physical destruction of or damage to all or part of the property and the introduction of visual elements that diminish the integrity of the property's significant historic features. The size and massing of the proposed development under all the alternatives would change the visual character of the Pillsbury A Mill Complex's setting, feeling and association, and, therefore, have an adverse effect on the complex and the Pillsbury A Mill itself.

Even under the Secretary's Standards, we believe the shift in viewshed emphasis adversely affects the St. Anthony Falls Historic District, the Pillsbury A Mill Complex and the Pillsbury A Mill itself. Although the Alternatives 1 and 3 put the tallest buildings away from the A Mill Complex, the distance is minor from a number of viewsheds. The entire east bank would convey a far different feeling than it does now.

The DEIS does acknowledge some important adverse effects. Alternatives 1-4 will adversely affect the Pillsbury A Mill Complex by removing the Concrete Elevator, conveyor bridges that extend from the Concrete Elevator to the Red Tile Elevator and some secondary rail spurs and sidings. A key adverse effect would be that the mass of the new development would change the setting significantly. Alternatives 1-3, in particular, will introduce a mass of new buildings that will overwhelm the Pillsbury A Mill Complex, significantly changing the visual character of this portion of the St. Anthony Falls History District and setting of the Pillsbury A Mill Complex.

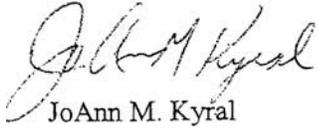
The DEIS presumes that most of the historic buildings within the Pillsbury A Mill Complex will be reused in an appropriate way. The DEIS acknowledges that this is only a "conceptual stage of the project," and "it is impossible to assess whether the rehabilitation projects would preserve the historic character of the buildings as changes are made for new uses." (p. 35) What real assurances are there that the historic character of these buildings will be preserved? If there are no assurances, then the argument that this project mitigates for its adverse effects by preserving most of the historic buildings in the mill complex may be false.

Our concern here extends to the Spooner's Row archeological site. The DEIS states that, "An archaeological investigation and mitigation of post-contact archaeological resources associated with Spooner's Row has been recommended." What assurances are there that the investigation and mitigation will be adequate?

In general, we believe that Alternative 4 is the alternative most likely to support the preservation of nationally significant historic resources. We further believe that Alternatives 1 and 3 are unacceptable due to height and massing that would overwhelm the historic character of the area. Adherence to the Industrial Living Overlay District zoning standards, Minneapolis HPC East Bank Milling Area Guidelines, the St. Anthony Falls Historic District Guidelines and Standards, and the Secretary's Standards contribute greatly to MNRRA CMP conformance.

Thank you for the opportunity to comment on the Pillsbury A Mill Complex Project DEIS. Please call John Anfinson at 651-290-3030, ext. 285 if you have any questions regarding these comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "JoAnn M. Kyril".

JoAnn M. Kyril
Superintendent

cc:

Dennis Gimmestad, Minnesota Historical Society

Greg Mathis, Minneapolis Heritage Preservation Commission

Rebecca Wooden/Sandy Fecht, Minnesota Department of Natural Resources



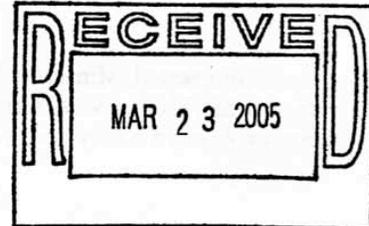
Minnesota Department of Natural Resources

500 Lafayette Road
St. Paul, Minnesota 55155-40__

March 22, 2005

[FACSIMILE]
[Original to follow by U.S. Mail]

Mr. Michael Orange, Principal Planner
Minneapolis Planning and Economic Development Dept.
Room 210 City Hall
350 South Fifth Street
Minneapolis, MN 55415-1385



Re: Pillsbury A Mill Complex Draft Environmental Impact Statement

Dear Mr. Orange:

The Department of Natural Resources (DNR) has reviewed the Draft Environmental Impact Statement (EIS) for the Pillsbury A Mill Complex, located on a 7.9 acre site across the Mississippi River from Downtown Minneapolis in the St. Anthony Falls Historic District. We offer the following comments for your consideration.

The Draft EIS briefly mentions Chute's Cave at the top of page 6, but does not address the issue. While the cave may be outside the scope of the EIS, we stated in our EAW comment letter dated March 3, 2004 that one of our primary concerns with the proposed project is the existence of the Chute's Cave hibernaculum under the site. We reiterate that this is an extremely important ecological site and the DNR would appreciate an acknowledgement that, should subsurface foundation be necessary, that work will be done in consultation with the DNR.

The Draft EIS indicates that a green roof system "may be installed on the roof of Warehouse 2" (page 27). As mentioned in the DNR's March 3, 2004 letter, we continue to encourage the installation of green roofs to remove heavy metals and excess nutrients from rainwater. Green roofs can also lower energy costs for cooling and heating, lessen the urban heat island effect, improve urban air quality by reducing dust and smog, provide sound insulation, and provide wildlife habitat for birds and insects.

DNR Critical Area staff appreciated the opportunity to meet with one of the preparers of the Draft EIS last fall and provide input into the process. The Draft EIS has provided a large amount of information for the visual and historical issues, as well as the impacts to be addressed. The DNR is in support of the reuse and rehabilitation of many of the historical structures as provided for by all of the Alternatives presented. We also encourage implementation of height, scale, and massing of the proposed project in compliance with existing plans and ordinances as presented in Alternative 4. This supports the purposes of the Critical Area to preserve and enhance the

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natural, aesthetic, cultural, and historical value of the Mississippi River Corridor, prevent and mitigate irreversible damage, protect historical sites and areas, and minimize interference with views of and from the river. Extending downtown-like heights for structures ranging up to 297 feet to this area would serve as an adverse precedent for future decisions for redevelopment along the Mississippi River Corridor. The DNR prefers the lower linking structures and variety along Main St. SE, as shown in Alternatives 3 and 4, to reduce the adverse massing of the solid wall-like structures depicted in Alternatives 1 and 2.

Although not a component of the alternatives presented, the DNR would support mitigation through increased distance/setbacks of Building D eastward from the Red Tile Elevator to further enhance the project's differentiation and change in emphasis as a "next component in the landscape," rather than an undistinguished part of the complex and East Bank Milling Area.

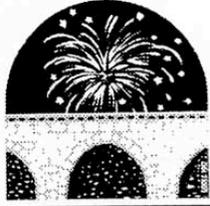
Thank you for the opportunity to review this project. We look forward to receiving the Final EIS at a later date. Please contact me with any questions regarding this letter.

Sincerely,



Thomas W. Balcom, Supervisor
Environmental Policy & Review Unit
Division of Ecological Services
651-296-4796

C: Tim Bremicker
Heather Tetrault
Wayne Barstad
Sandy Fecht
Daniel Stinnett, USFWS
Jon Larsen, EQB
David Frank, SchaferRichardson, Inc.



MARCY
HOLMES

HISTORIC NEIGHBORHOOD

MHNA
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612-623-7633

March 17, 2004

Michael Orange
CPED Planning
210 City hall
350 South 5th Street
Mpls, MN 55415-1385

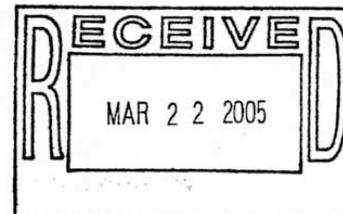
Dear Mr. Orange,

We are enclosing the recommendations of our Land Use Committee regarding the draft Environmental Impact Statement for the Pillsbury A Mill project in our neighborhood.. At the MHNA Board of Directors meeting on March 15, these recommendations were approved by the board.

Thank you for keeping the neighborhood informed as this process moves ahead.

Sincerely,

Brian Biele
President, MHNA



MHNA LAND USE COMMITTEE RECOMMENDATIONS 3/15/05

DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR PILLSBURY A MILL

MHNA goals for area studied:

Save and reuse A Mill Complex
Populate our riverfront
Extend street grid to riverfront
Connect MH to its riverfront
Keep Pillsbury sign as visible as possible from neighborhood (even glimpses)
Keep A Mill Complex visually distinct
Don't visually overwhelm A Mill Complex
Make Second St. a high-density, but livable residential street.

MHNA did not believe EIS for this project needed. However, as it was required by the Minneapolis City Council we expected it would be a useful tool to evaluate the visual impact of the project on our neighborhood and riverfront.

MHNA wants the line of towers, needed to finance the reuse of the A Mill and populate our riverfront, to be physically and visually porous so we can improve the connection to our riverfront.

To that end the DEIS could be more useful answering the following questions about how our views to the riverfront may be altered.

What are views from MH with different alternatives?

Are both summer and winter view sheds considered?

View down avenues (grid)?

View from Holmes Park?

View from 5th St.?

View from 8th St.?

Would MH pedestrians get visual benefit from lower 'links' along Main St.?

Are blocked views from private space considered "adverse"?

What makes a wall as perceived from and towards neighborhood?

Height we can see above two-story rooftops?

Breadth visible from West Bank, Stone Arch Bridge, 3rd Ave. Bridge?

Must we see gaps between towers or just at access points on the grid?

The DEIS introduced the concept, new to us, of a smaller district within the St Anthony Falls Historic district. We ask for more information about this new district.

Is new concept of St Anthony Falls Waterpower Area (SAFWA) adequately explained?

How was this district created?

Does it supersede St Anthony Falls Historic District sub-areas?

Should East and West Banks share size, mass and scale etc.

What are visual characteristics of A Mill Complex? of SAFWA?

Size (dimensions)

Scale (visual unit)

Massing or bulk (proportion)

The issue is accessibility

Physical-can we get past the buildings to our riverfront?

Visual-can we see past the buildings to our riverfront?

Social-can we afford to live on our riverfront?

Questions for MHNA to answer

How does SR plan fit with Mpls. Comprehensive Plan?

Is site downtown?

Is site part of E. Henn. Biz zone?

Is site high-density residential zone?

Are 1095 units too many?

Is 1.85 million square feet too much? (Way above FAR even with PUD bonus)

Is the line of towers, needed to finance the reuse of the A Mill and populate our riverfront sufficiently porous, physically and visually, that we can improve the connection to our riverfront.

Comments from 3/2/05 A Mill Task Force meeting

Line of towers along Main St. must not be a physical or visual barrier to and from MH.

Tower heights must vary, the more visually pronounced the better.

Parcels F, F/G, G (5th to 6th) are different; outside SAFWA and distant from Red tile El.

There should be visible gaps between towers.

Extension of grid (4th and 5th Aves.) should be marked with large (80') gaps.

Project must connect MH to its riverfront.

More tax base is good for Mpls.

Project must finance reuse of A Mill Complex.

Proposed number of units (1095) is acceptable.

Proposed total bulk (1.85 million sq ft) may be too much.

Building only large, expensive units will mean riverfront living is only for very rich.

Variety of unit sizes and prices fit better into diverse MH neighborhood.

Chosen alternatives not helpful in evaluation

Alt 2 is ugly and unvaried, designed for rejection

Alt 4 has density too low (esp. replacing White Concrete Elevators with low rise)

Why not an alternative with C3A density fitting HPC guidelines in SAFWA?

Proposal

1095 slightly smaller units

Place lowest tower next to Red Tile Elevator-Parcel D

Place highest tower on parcel F or F/G (block between 5th and 6th)

Limit height to top of Pillsbury sign

What is subtracted from D, D/E or E in Alt 2 can be added to F, F/G

Maximize height difference between adjacent towers

Leave visible gaps between towers, including Red Tile Elevator

Emphasize 5th Ave. as public connection to riverfront from MH

Keep 'links' low on parcels F, F/G and G to provide glimpses to NNG and 520

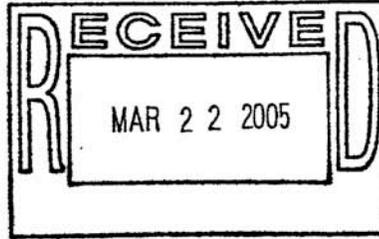
Allow 90% (1.67 million sq ft) of proposed bulk (built volume)

Replace White Concrete Elevators with equal bulk plus bonus

Allow bonus proportional to 4th Ave gap. (80', width of MH street ROW, is ideal)

15 March 2005

J. Michael Orange,
City Planner, City of Minneapolis,
City Hall Room 210,
350 S. 5th Street,
Minneapolis, MN 55415



Dear Michael Orange

Pillsbury A Mill Complex EIS: public comment

No Name Exhibitions are the owners and occupiers of The Soap Factory; the building that forms the street frontage along 2nd St SE on the corner of 5 Ave SE (Parcel ID 2302924410031, 110 5th Ave SE). We are the immediate neighbors of the proposed A Mill Development and the building that will be most affected by the development plans for this site. As such we would like to make a number of comments, for the record, on that development's Draft Environmental Impact Statement of February 14th 2005.

Firstly, we should say that, No Name Exhibition's board and staff support the redevelopment of the A Mill site. As a non-profit gallery showing work of young and emergent visual artists, we rely on the support of the general public. Any project that increases footfall in the area of the gallery is to be welcomed. The vision of a vibrant new neighborhood of shops, offices and housing, right across the river from downtown and the new Guthrie is an attractive one. It offers us more visitors, more volunteers, more potential donors and a greater audience for our artists and programs. We believe that it is essential that the city encourage redevelopment of this area.

To this end I sit on the MHNA taskforce that has met with Schafer Richardson, and, in general have been pleasantly surprised by the honesty, openness and willingness to discuss the issues that Schaffer Richardson have demonstrated.

However, the draft EIS does raise issues that we feel should be placed on record. These are primarily concerns of omission; points that we feel should have been covered in the EAW but appear to not have been.

- 1) **Zoning.** The application to re-zone these three blocks by both Schafer Richardson and the other developer(s) currently working in this area will obviously have an impact on our property and the use of The Soap Factory building. While several choices for the new zoning designation are listed, there is no analysis or discussion of these choices and their potential impacts, and no

No Name Exhibitions @ The Soap Factory is a nonprofit arts organization dedicated to supporting and exhibiting the work of emerging visual artists; enhancing the public's understanding of and appreciation for artistic expression; and fostering strength and vitality in the arts, cultural, and educational communities of the Twin Cities.

Executive Director: Ben Heywood

Board: Herman Milligan (Chair), Christi Atkinson, Jamie Hook, Julie Caniglia, Stephen Mahring, John Capecci, Peter Ekberg

No Name Exhibitions @ The Soap Factory
↑ P.O. Box 581696 Minneapolis, MN 55458
↑ # 612 623 9176 / www.soapfactory.org

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indication of the most likely choice. We would like to see this addressed in greater detail.

- 2) **4th and 5th Ave Pedestrian Access.** Access from 2nd Avenue to Main Street is discussed for both of these streets, but without clarification of the right-of-way status. Currently 5th Ave. is not a public street, but instead is owned by the adjacent property (three quarters Schafer Richardson and one quarter No Name Exhibitions). The status of this "street" in the future, either public or private, is not addressed.
- 3) **5th Ave.** The Design options along 5th show a hard street wall right up against the sidewalk, a "zero-lot line" condition which the historic district guidelines promote reflecting the original warehouse structures which lined the streets. However, we suggest that 5th Ave is a different condition, with loading docks and storage sheds -- there was never a strong property line along that street. We question whether there is a desirable way to approach that street, given that a more variegated approach to facades along that street would be moiré historically representative and desirable in terms of sight lines to and from the river.
- 4) **Renderings.** Currently the renderings for the project show Warehouse No. 2 as visible from the Stone Arch Bridge and from across the river (e.g. Fig 5 page 11). The text makes it clear that as currently disposed the new buildings will block views of both the Soap Factory and Warehouse No 2 structures completely. As discussed above, a different approach to 5th Ave might preserve some of those views.
- 5) **Historic District and Historic Waterpower Area.** It would be helpful to have an up to date direction from the city as to what are the historical interests in this area. We have considered our building to be within a district of significant historic interest, and yet we are shown outside the Historic Waterpower Area. By drawing different boundaries and distinguishing between the historic elements, the EIS begins to blur what in these three blocks is of historic interest and what is not.

I hope that these comments are of use in your deliberations. Please do not hesitate to get in contact with me if you any further information.

Sincerely ,



Ben Heywood
Executive Director, No Name Exhibitions @ The Soap Factory

No Name Exhibitions @ The Soap Factory is a nonprofit arts organization dedicated to supporting and exhibiting the work of emerging visual artists; enhancing the public's understanding of and appreciation for artistic expression; and fostering strength and vitality in the arts, cultural, and educational communities of the Twin Cities.

Executive Director: Ben Heywood

Board: Herman Milligan (Chair), Christi Atkinson, Jamie Hook, Julie Caniglia, Stephen Mohring, John Capecci, Peter Ekberg

Edna C. Brazaitis
4A Grove Street
Minneapolis, MN 55401-1502

March 23, 2005

Michael Orange
Community Planning & Economic Development Planning Division
350 South 5 th Street,
Room 210
Minneapolis, MN 55415-1385

Transmitted via e-mail to:
<michael.orange@ci.minneapolis.mn.us>

Re: Draft EIS for the Pillsbury A Mill Complex

Dear Mr. Orange:

I am a home-owner in Grove Street Flats, a contributing building to the St. Anthony Falls Historic District. I also worked for Pillsbury for 20 years and visited the A-Mill many times while it was operational. I have read the Draft Environmental Impact Statement for the Pillsbury A Mill Complex and these are my comments regarding the historical impacts of the proposed project.

The best way to preserve the A-Mill complex is to find a use for it. While I am saddened at the loss of the concrete elevators, I am convinced by the Project 106 report, attached as Exhibit E to the DEIS, that their reuse is almost impossible and am extremely pleased that the other 8 historic elements will be preserved. A most welcome surprise is that a number of the historic mechanical interior elements of the A-Mill, including the "man-l ifts" which I rode, will be preserved and open for public view for the first time¹.

What both the DEIS and the 106 Group's report make ver y clear is that developing the site will involve compromise. We have a large piece of land that

¹ Page 27 of Exhibit E states that the following will be retained: Interior bulkheads, water raceways, gates and controls (where they exist) and access ways to the water wheels and turbines in the basement of the "A" Mill; • Interior traveling cranes, bins and "Humphrey Manlifts" in the "A" Mill building, drive wheels and shafts, and other features, including the Pillsbury test ovens.

Mill" which the city will have to consider. Much of the decision of what will be built will be placed on the MHPC and their efforts and attention to historic detail and compatibility will make a huge difference in how this project impacts the Historic District.

In short:

1. The historic buildings must be renovated first. This is important for security reasons as stated on page 46 of the DEIS.
2. The MHPC use of the Secretary of Interior's guidelines in evaluating the renovation would be very reassuring to the historic preservation community. As the development of the historic structures is now for commercial purposes and therefore eligible for tax credits, it should be a real advantage for the developer to use those standards.
3. Insure that the structures are as aesthetically pleasing as possible. We have let too many embarrassments through the city planning process. The quality of the buildings will help make up for their impact on the riverfront. I know that the developers want to have a project that they will be proud of. In addition to pride, aesthetics will also help them gain a top price for their efforts. Curb appeal means a lot.
4. The height and style of Building D (next to the red tile elevator) will make a big difference. It should be significantly lower than the red tile elevator and as "compatible" or as "neutral" as possible in style. This is not the place for an "intrusive" building. After looking for a considerable time at the artist's drawings, it is my opinion that as Building D is so close to the A-Mill complex, the viewer "reads" Building D as part of the complex. Making it lower and in a compatible "in-fill" style, puts the emphasis on the historic complex. Personally, I do not like Building D linked to E and therefore I prefer alternatives 3 & 4 better. In those, E, F & G seem to be part of a different 21st century project.
5. The height and style of Buildings B & C are important as well. From the artist's drawings, it is sometimes difficult to tell the impact of them on the project.
6. The St. Anthony Falls Historic District is close to a "tipping point". The integrity of the restoration may make a difference as to whether or not that designation is retained.

Comments on DEIS
Pillsbury A-Mill
Page 3 of 3
March 23, 2005

7. The impact on the pedestrian's view is unclear. Perhaps it is too early, but none of the artist's drawings show views from the street level.

In closing the DEIS was very thought provoking, and presented a balanced view of the positives and negatives that this project places on the historic resources of St. Anthony Falls.

Sincerely,

(transmitted electronically)

Edna C. Brazaitis



Lupe
Development
Partners

March 23, 2005

Mr. J. Michael Orange
Principle Planner
Minneapolis Planning Department
Room 210, City Hall
350 South Fifth Street
Minneapolis, MN 55415-1385

In Re: Pillsbury A-Mill Complex

Dear Mr. Orange:

I herewith transmit comments for the DEIS related to Pillsbury A-Mill Complex. Please find enclosed; Memo – from Michael Norton; Letter – from Scott McGinnis, contract historian; and shadow studies as prepared for alternatives 1, 3 & 4.

As a courtesy, I have also included two extra originals of the shadow study. Please feel free to contact me if you have any questions.

Very truly yours,

Steven Minn alk

Steven Minn
Project Principal

SMM: alk

Enclosures (5)

9304 Lyndale Avenue Se

Bloomington, MN 55420

952.888.2001 Office

952.888.1592 Fax

March 17, 2005

Mr. Steve Minn
Lupe Development Partners
9304 Lyndale Avenue South
Bloomington, MN 55420

Dear Mr. Minn,

In response to your request, I have studied the *Draft Environmental Impact Statement for the Pillsbury A Mill Complex* and the *Analysis of Effects For The Proposed Pillsbury "A" Mill Complex Project Minneapolis, Hennepin County, Minnesota*, as prepared by The 106 Group in the appendix.

I find that The 106 Group compiled a thorough and well-organized study of the Pillsbury A Mill Complex and the impact of the proposed building alternatives proffered by Schafer-Richardson. I find only a few additional topics that merit discussion.

The 106 Group substantially limits its discussion of the impact of new construction to the Pillsbury A Mill Complex. Their report substantially ignores the remainder of the Saint Anthony Falls Historic District. While I believe that all the proposed alternatives will divert visual emphasis away from the Pillsbury A Mill Complex, these new structures will dramatically infringe upon the integrity of the Historic District to the Northeast. Historic District contributing buildings such as the Union Railway Storage Company at 110 5th Avenue SE and the Shepard Manufacturing Company at 129 6th Avenue SE will be dwarfed by the massing of the new buildings in every alternative. Views of downtown Minneapolis will be obliterated and the shadows cast by these new buildings will cover an enormous area, especially during winter months. The new construction will alter this area such that it will have no semblance of the surrounding Historic District. Further, The 106 Group described a "uniform street wall" continued down Main Street SE and on past the Pillsbury A Mill Complex, however, this new "street wall" will be comparatively enormous in both height and width. New buildings with block-long continuations instead of the short-width organic infill and as needed industrial-use construction of the previous 125 years. All the proposed alternatives will appear out of place and provide more of a New York City atmosphere.

The industrial-use driven and organic development of the Historic District should be continued with a view to the past. This will assist in meeting more Preservation Guidelines. Buildings B and C should be combined into one long structure and conform to the approximate footprint of the concrete silos, perhaps with curved stacked balconies reminiscent of the former silos. Buildings F and G should conform to the footprint of former Pillsbury Warehouse Number 4. This recognizes the past environment and allows the railroad sidings that curve down toward Main Street SE to be interpreted in the future while giving the new structure a unique and organic layout. Additionally, skyways between Buildings C and D, if a function can be found, would be reminiscent of the conveyors between the Concrete and Red Tile Elevators. Incorporating these elements will greatly assist in preserving and interpreting the historic railroad view corridor.

While I believe that the successful adaptive reuse of the Concrete Elevators would be difficult at best, The 106 Group fails to seriously consider this option. The Concrete Elevators are dismissed with a valid suggestion that if so altered, they would no longer be considered a contributing asset to the Historic District. However, to retain even a minimal amount of historical integrity will be interpretively more valuable than replacement structures as proposed.

Lastly, I question the adaptation made of the height guideline, “New buildings to be no higher than that of existing silo-mills in the area.” It appears that Schafer-Richardson and The 106 Group have conveniently interpreted this to mean the Red Tile Elevator and have included the head-house atop the silos. I am not aware of any official definitive interpretation of this vague guideline; however, it was my long-time impression that the concrete silos, not including the head-house, were the standard.

Sincerely,

Scott D. McGinnis
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&

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MEMORANDUM

TO: J. Michael Orange, Principal Planner

FROM: Michael T. Norton on behalf of Bluff Street Development, LLC (Bluff Street)

DATE: April 19, 2005

RE: Comments on Draft Environmental Impact Statement (DEIS) for the Pillsbury A-Mill Complex Project (the “Project”)

INTRODUCTION

The DEIS for the Project generally addresses the required elements of the environmental impact statement (EIS) for the Project pursuant to Minn. R. 4410.2100. However, the DEIS fails to meet the requirements imposed upon the City by Minn. R. 4410.0200-4410.6500 (the “Environmental Rules”) and specifically Minn. R. 4410.2100, as discussed below.

GENERAL COMMENTS

City staff and consultants have obviously invested considerable time and energy in the preparation of the DEIS, thereby addressing our concern that the DEIS could not be prepared without benefit of qualified consultants. As well, the staff and consultants have taken additional time to develop the DEIS and attempted to identify the environmental impacts of the Project. Nonetheless, in spite of the efforts by staff and consultants, the DEIS perpetuates the error first promulgated in the EAW, failing to adequately identify the “project” for purposes of analysis of

its impacts, and thereby fails to develop or recommend appropriate mitigation measures as required by the environmental rules. Further, it is clear that the DEIS does not fully meet the standards for analysis set forth by the Minneapolis City Council in its decision on the need for an environmental impact statement for the Project (the “Findings and Decision”).

Bluff Street has been an early and vigorous critic of the refusal of Schafer-Richardson (the “Proposer”) to adequately define the Project for purposes of meaningful environmental review during the preparation of the environmental assessment worksheet (EAW) for the Project, as well as the Scoping Decision document (“Scoping Decision”) developed in preparation for the DEIS. The 106 Group, the consultants who have prepared the analysis of the impacts of the Project in the St. Anthony Falls Historic District, agree that the alternatives presented for analysis are “conceptual.” Essentially, the Proposer is progressing through the process without a defined project, using flawed mitigation assumptions. Bluff Street believes that failure to analyze a real project precludes an accurate assessment of alternatives, which must occur prior to application of the City’s regulatory processes. We reach this conclusion because the Proposer has given no indication that any of the staff developed alternatives could or would be built. Moreover, it is now known that the Proposer has auctioned off the two largest tower pad sites to a third party developer, leaving a PUD and Master Plan analysis impossible. Thus, we are left with a pseudo-comprehensive analysis which cannot adequately assess impacts on historic properties.

The inadequacy of the scoping document and its failure to meet the standards mandated by the City Council in the Findings and Decision noted by Bluff Street in the Scoping Decision process, have unfortunately carried over to the DEIS process as analyzed below.

1. Project description.

Discussion:

The DEIS continues to offer four alternatives, with variations, which surfaced during the EAW and Scoping Decision processes. None have been adopted by the Proposer as the Project the Proposer will construct. The DEIS continues to build on these errors in the EAW and Scoping Decision processes by failing to select the Preferred Alternative or scope the actual “project” for purposes of analysis of the environmental impacts of the Project as required by Minn. R. 4410.2000, Subp. 1 and Subp.3; 4410.2100, Subp. 2, and Subp. 6. None of these previous documents define the Project. An examination of the specific requirements of the Environmental Rules clearly illustrates the problem and the resulting failure to comply with the Rules:

Minn. R. 4410.0200, Subp. 65: a project must be defined “. . . by reference to the physical activity to be undertaken and not to the governmental process of approving the project”.

Minn. R. 4410.2000, Subp 1: “the purpose of an EIS is to provide information . . . [on] . . . proposed projects which have the potential for significant environmental effects, to consider alternatives to the proposed projects, and to explore methods for reducing adverse environmental effects”.

The City and the Proposer to date have failed to define “a project” for purposes of environmental review, and have taken the position that conceptual drawings with some narrative by the Proposer is a sufficiently developed “project”, notwithstanding the failure to define the Project in terms of its “physical activity”. The staff alternatives certainly represent interesting abstract concepts, but are not “alternatives” which can be analyzed for the purpose of “reducing environmental effects”, since we are still left with the unanswered question of ‘what project are we analyzing?’

Alternative 1, which purports to be the Proposer's original "concept", was "studied" in the EAW and found to present the greatest negative impacts by the 106 Group. Alternative 3 is closely modeled on Alternative 1 and presents a similar level of negative impacts. The Proposer is clearly attempting to "negotiate" its way through the EIS process by artfully avoiding the selection of a "project" which can be effectively measured and evaluated.

Alternative 4, which purports to comply with existing zoning for an industrial living overlay district (ILOD) is in fact defective on that analysis. Alternative 4 could only be implemented with substantial deviation from required height limits found in the DNR shoreland regulation, and City shoreland ordinance (collectively, the "Regulations"), and as well violates the requirements of all the local, state, and federal historic and critical area district standards (collectively, the "District Standards"). The height proposed in Alternative 4 would require variances denied to other applicants in recent challenges to the shoreland ordinance, as well as the granting of a conditional use permit ("CUP") to achieve the proposed height.

The DEIS fails to offer an alternative which meets the mandatory height requirements of the District Standards along Main Street. It appears that staff and the consultants consider such an alternative to be essentially another "no build" alternative. Every alternative presented will require an unprecedented departure from applicable standards and regulations. Moreover, the City's failure to address this issue of what is the "project" in light of the four alternatives is also glaring, since the DEIS notes that "No plan for the phasing of the elements of each phase has been proposed," another direct violation of the City Council in its Findings and Decision to order an EIS for the Project in 2004.

The so called analysis of the alternatives fails to meet the requirements of Minn. R. 4410.2100, subp 2. **EAW as scoping document:**

- All” *projects*” requiring an EIS must have an EAW filed with the RGU.
- “*The EAW shall be the basis for the scoping process.*”

As Bluff Street pointed out above and in the EAW and Scoping Decision processes, the EAW is flawed because there is no “project” analyzed. The DEIS perpetuates that flaw, as well as violating the direction of the City Council in its action ordering the EIS. The DEIS clearly fails to meet the requirement of Minn. R. 4410.2100, subd. 6. **Scoping decision: contents:**

- requires development of alternatives
- requires identification of potential impacts “*resulting from the project itself*”
- requires identification of necessary studies based on existing information or new data to be developed.

In order to comply with the Environmental Rules, the City in the FEIS must require the Proposer to clearly and unequivocally define the Project. The alternatives, including a project which does not require massive deviation from applicable regulatory requirements, can then be studied.

Finally, the DEIS gives lip service to analyzing the fate of the concrete silos which have been “conditionally” approved for demolition by the City’s Heritage Preservation Commission (HPC). This decision is a glaring example why Bluff Street and other commenters have stated that the identification and analysis of environmental impacts cannot safely be left to the regulatory processes of the City. There is no historic preservation or environmental review ordinance, regulation, standard or statute which supports demolition of historic resources except in the context of the comprehensive analysis of such impacts in light of an actual project. At a minimum the City must repudiate this ill-considered decision and direct further review of the proposed demolition of the concrete silos.

In order for this analysis to meet the requirements of the Environmental Rules, the analysis must confront the glaring failure to conduct any meaningful analysis of an alternative which considers the retention of the concrete silos in their existing physical configuration. Bluff

Street acknowledges that reuse of these structure is challenging. Therefore, the analysis of the retention of the silos must minimally address new development in the context of the same footprint and massing of the silos and the view corridor presented by the rail spur lines. These rail spur lines have recently been found by the City Council to have “historic view corridor” value. The protection of same was required of other developers in the project area. The unequal application of this standard for the Proposer would at minimum raise legal challenges to the City Council’s prior action and at maximum render the EIS invalid since neither the Project nor its alternatives evaluate the impacts on historic resources under this new regulatory standard.

The City has consistently maintained that well defined regulatory standards will mitigate any environmental impacts. Now, not only are the impacts unknown because retention of the silos and the rail view corridor have not been studied, the regulatory standards themselves are in flux.

Comments:

1. *The FEIS must describe and analyze the actual project the Proposer seeks to build, and a preferred alternative must be selected by the Proposer.*
2. *By law, the FEIS must provide an analysis of an alternative which can be built at a height and density which will meet all guidelines and regulations, without variances, indicating either a change in Alternative #4, or a new Alternative #5..*
3. *The FEIS must comprehensively analyze the retention, not just the assumed loss, of the concrete silos and their related contributing elements, such as the rail spurs, which are essential elements of the railroad view shed, and the “skyways” to the A-Mill complex.*

2. Impacts on air quality.

Discussion:

City staff and consultants have provided in most instances a much more comprehensive and scientific analysis of air quality and infiltration issues than was originally proposed in the Scoping Decision. The glaring omission amidst the plethora of technical data is the insufficient analysis of the “plume effect” (created by Steam Plant activities) on any of the alternatives described in the DEIS.

In addition, the development of mitigation measures relating to noise and air quality impacts on future residents is completely missing. The City has already established a noise mitigation strategy for NAC-1 residential uses in a NAC-3 industrial area. In the case of the Stone Arch Apartments, built in 2001-2003, the City set specific sound attenuation requirements, including window performance and specific exterior to interior sound-noise ratios. While not codified, these standards must clearly be applied to a project in proximity to the steam plant “plume,” lest the City be exposed to failure to meet the constitutional equal protection standard. Moreover, the failure to equally apply current regulatory standards to the Project precludes the City from finding that the EIS is adequate because of the failure to analyze the impacts of well-developed regulatory controls.

The DEIS does recognize the Pillsbury Canal and Tail Races as important historic elements, as well as functional elements of the stormwater management plan for the Project. We thank the staff for effecting that analysis in the public’s interest.

Comment:

1. *After defining the Project the City must insure that the Project and the alternatives are analyzed to address the impact of the Steam Plant “plume”.*

2. *The City must develop a mitigation strategy to address air quality and noise alternative requirements consistent with prior regulatory decisions for adjacent projects.*

3. Impacts on and within the St. Anthony Falls Historic District (the “SAFHD”).

Discussion:

The analysis of the historic impacts by the 106 Group is certainly extensive when compared to the efforts of the Proposer in the EAW. The 106 Group discusses a framework for analysis of the direct impacts in light of the SAFHD guidelines adopted by the HPC, Secretary of Interior Standards for Treatment of Historic Properties, and the Secretary of Interior Standards for Rehabilitation. The analysis of the direct impacts addresses the four alternatives proposed, but not in the required context of an actual project or Preferred Alternative. Moreover, the analysis of the 106 Group is deficient in its discussion of the negative impacts presented by the Project due to the impacts of massing, height and destruction of rail road view corridors. These issues are discussed in this comment and in the report of Scott D. McGinnis attached as Exhibit A (the McGinnis Report”). The failure to analyze impacts in the context of a “project” which would meet the Regulations and District Standards, coupled with comparative analysis of the “preferred” alternative, makes the comparison provided inadequate by law.

This last deficiency continues to be problematic, since Bluff Street has consistently raised the issue of the Proposer’s need for significant height for the Project in order to recover the investment made in the purchase of the project site. It is undisputed that the District Standards applicable to the Project do not permit height variances solely for economic reasons, and of course, the City cannot consider solely economic reasons in approving necessary variances and a

CUP or other approval for the Project. (Bluff Street will provide additional comments on regulatory actions of the City and other entities later in its comments.)

The 106 Group clearly recognizes the impacts of the size and scale of all four alternatives on the historic Pillsbury A-Mill. The 106 Group recognizes that it is not possible to evaluate the compatibility of architectural features of the Project with the historic structures, given the merely “conceptual” alternatives that were presented for analysis. Moreover, the 106 Group finds that the “conceptual design of the Pillsbury A-Mill complex project” has components that do meet several of the guidelines. However, the 106 Group fails to address the massive height of the Project in the context of the historic height and footprint of structures along Main Street, as well as the historic pattern of short width, organic industrial infill over the period of significance of the SAFHD. Analysis of these historic elements would assist in the development of mitigation measures which meet applicable guidelines, preserve the historic development patterns in the SAFHD and prevent SE Main Street from looking like mid-town Manhattan. See, the McGinnis Report. The Proposer should be held to a higher standard of analysis that fully develops and evaluates the actual project.

Comments:

1. *The Consultants must analyze a real, rather than a conceptual project, which complies with the Regulations and District Standards.*

2. *The Consultants must address the Project massing and height along Main Street in the context of historic building foot print, height and pattern of in-fill development of the SAFHD.*

The 106 Group failed to analyze recent actions of the City and its HPC with respect to the adjacent 520 2nd Street SE Project (the “520 Project”) and the interpretation and application in

those decisions of guidelines also applicable to the Project. In the 520 Project, Bluff Street asserted that a height of 84' was permitted for its project because the standard for height is that of the existing silo mills, pursuant to the HPC guidelines concerning height in the East Bank Milling Subdistrict. However, the City specifically determined that the "general guidelines" for the entire area, including the A-Mill site, must regulate height in the SAFHD and therefore, the requested height of 84' was denied as "incompatible."

The 106 Group should be directed to provide an analysis of the actual application of HPC guidelines to the Project. The analysis should address the incompatibility of the height proposed in the alternatives with the adjacent historic structures, including the Pillsbury A-Mill. This missing analysis is critical because the City has determined it will address environmental impacts in the regulatory processes, including HPC review. The gold standard for assessing height impacts is now the 63' standard established in the 520 application and approved, and not the height of the A-Mill or the concrete silos. To apply a different standard would again be a failure to afford equal protection to all applicants before the law, as well as a failure to meet the requirements of the Environmental Rules to study appropriate alternatives for the proposed mitigation of environmental impacts.

If the City remains confused as to whether the 63' height limit is the standard applicable to the Project, notwithstanding its recent regulatory actions, then it should first define the height limit to be applied to the Project and only then analyze the Project and the alternatives in the FEIS in light of the actual regulation.

Comment:

1. *The FEIS must consider and analyze the impact of the application of the height limit of 63' in the SAFHD, on the alternatives.*

2. *If there is disagreement as the actual height standard to be applied to the Project, the standard must be defined before the Project and the alternatives are studied in the FEIS.*

The 106 Group conducted significant analysis of most of the historic view corridors by analyzing “view sheds” of impacted areas. However, the 106 Group failed to analyze the view shed from the upland aspect of the St. Anthony Falls Historic District in any comprehensive way, such as by modeling or shadow studies. All of the alternatives will result in obstruction of visibility, change in emphasis and reduction of the perceived accessibility of the Mississippi River bank when analyzed in relation to the view shed from 2nd Street SE to University Avenue back towards the River, and towards the other elements of the St. Anthony Falls Historic District, in light of the massive “wall” effect of Alternatives 1-4. The 106 Group failed to address the impact of height and massing of the Project on important contributing buildings such as the Union Railway Storage Co. at 110 5th Street SE and the Shepard Manufacturing Co. at 129 6th Street SE. The massing and height of the Project, on existing historic properties (and new infill properties) in this area to the northeast of the Project, will result in the obliteration of the view corridor from this area to the SAFHD, and to the West Bank of the SAFHD towards Downtown. The new construction of the Project will isolate this area from the rest of the SAFHD, which in turn will result in the destruction of the historic character of this area and its relationship with the SAFHD as a contributing element to the District. See, the McGinnis Report. This view shed must be analyzed comprehensively in the FEIS, and effective mitigation measures developed which minimize the impacts of the massing, height and footprint of the Project.

Comment:

1. *The view shed from the northeast area of the SAFHD , including 2nd Street SE and points to the north to University Avenue SE back towards the River must be analyzed to address the “wall effect” of the Project and the Alternatives.*

2. *The impacts on existing historic structures of massing, height and the footprint of the Project must be analyzed.*

The 106 Group and the City failed to consider the impacts on the 520 Project of any of the alternatives proposed in the DEIS. Bluff Street proposed to construct a “green roof” with related environmentally friendly elements. These concepts were approved by the HPC and the City. One of the critical “green” elements of the 520 Project is its proposed reliance on solar energy to provide a significant proportion of its heated water for use by residents. These solar rights were perfected in the City Planning Commission and site approval applications for the 520 Project, and in the City approvals for that project.

Bluff Street believes that the solar access for its property will be severely impacted by any of the alternatives in the DEIS, with the result that mitigation of this impact must be comprehensively evaluated with respect to each Alternative. The Proposer purposely evades this standard by omitting shadow studies for each Alternative on the newly-designated “rail view shed” and the Second Street frontages. In the public interest, Bluff Street has commissioned these studies, which are incorporated in these comments as Exhibit “B”. Clearly, each Alternative currently in the DEIS violates the solar access rights of the 520 Project, as promulgated by Minnesota law. Minn. Stat. § 473.859 subd. 2(b) requires the City’s Comprehensive Plan to provide for a “land use plan” which includes “. . . an element for protection and development of access to direct sunlight for solar energy systems.” Bluff Street’s proposed solar water heating system is a “solar energy system” within the meaning of Minn.

Stat. § 216C.06. Moreover, Minn. Stat. § 462.357 subd. 1 requires the City to exercise its zoning authority to regulate “. . . access to direct sunlight for solar energy systems as defined in section 216C.06 . . .” Minneapolis Code of Ordinances (MCO) § 537.110 permits a “solar energy systems” consistent with applicable district regulations. The height of the various alternatives will adversely impact Bluff Street’s perfected solar access rights guaranteed by law. For this reason alone, heights of structures on the F/G or G parcel cannot exceed 63’.

Comment:

State law indicates that impacts on the solar access rights of the 520 Project by the Alternatives cannot be abridged without mitigation. The FEIS must provide for further analysis of solar access rights and development of mitigation measures to protect those rights.

The 106 Group developed an analysis of potential mitigation of impacts on the historic resources by the renovation of the A-Mill and most of the other historic properties as part of the first phase of the Project. However, as is pointed out elsewhere in this Comment, and in the EAW and Scoping Decision record, there is no 1) master plan; 2) schedule; or 3) resource protection plan as to how the renovation and reuse of the historic resources will be accomplished. Absence of a specific alternative or “project” complicates how the Proposer can concretely provide for the security of these historic resources, and minimizes opportunities to narrate how they will be renovated and reused. These are shortcomings specifically required to be addressed in the City Council Findings and Decision.

This problem is magnified by the contracted sale of much of the project site for economic reasons, making a phasing, master plan, and resource protection plan critical. The DEIS states, “No plan for the phasing of the elements of each phase has been proposed. The City of Minneapolis at this time has no preferred alternative.” This is a direct contravention of the

Findings and Decision. In order to be “adequate”, the FEIS must address this issue and provide a solution for the security, renovation and reuse of the historic resources as part of the first phase. Bluff Street believes that the only way to accomplish this important goal is for the City to require the proposer to state with reasonable specificity which alternative is preferred, and is to be constructed, so that this issue can be concretely addressed in the FEIS. Further, if the sale of critical land on the project site is imminent, it should be so disclosed, and the required master plan and phasing be developed and provided for each Alternative under review.

Comment:

1. *The FEIS must describe a specific project and develop a specific mitigation plan to ensure that the first phase of the Project provides for renovation of the historic resources, including the A-Mill.*
2. *Any City approvals must be conditioned on compliance with the mitigation plan.*

The 106 Group failed to analyze the impact of the Project on the historic resources in the context of a master plan for the site. It is not clear why this analysis was not done, given the otherwise comprehensive analysis performed for most of the other important issues. Bluff Street and others commented during the EAW and Scoping Decision processes that the City could and should require the Proposer to prepare a master plan for the project site in order to provide a framework to address mitigation effects on historic resources. The City Council directed that preparation of a master plan be discussed in the DEIS process. There is no master plan, the DEIS fails to address this requirement (other than to note its absence), with the result that the FEIS cannot be completed prior to preparation of a master plan for the project site. Of course, the only way that this requirement of the City Council can be met is for the City to prepare, or require the Proposer to prepare, a master plan for the site for review and approval by the City,

which addresses the phasing of the Project and all the elements of the Project contained in each phase.

Comment:

A master plan for the project site must be developed to ensure mitigation of impacts on historic resources and full compliance of the environmental and regulatory findings by future or prospective developers who are not now before the RGU, but may impact the historic resources prior to approval of the FEIS.

The 106 Group recognizes the existence of the rail view corridor, but fails to adequately define the extent of this rail view corridor, and its related rail spur lines, in two principal aspects. First, as discussed above, the study failed to analyze the historic pattern of in fill development along Main Street in the context of the massing, height and foot print of former historic structures. This failure of analysis is important because the Project and the alternatives severely impact the future interpretation of the rail spurs which curved down towards Main Street from the concrete silos. Second, the 106 Group fails to analyze the extent of the rail view corridor and the related rail spur lines, in light of the prior regulatory action of the City Council with respect to the 520 Project. Bluff Street is required to maintain two rail spurs on property which it owns, notwithstanding that these two rail spur lines do not comprise any part of the original rail spur corridor running from east to west and through the Project. These additional rail spurs related to the Project are readily apparent in historic diagrams and photos presented to the Zoning and Planning Committee in its consideration and ultimate approval of the 520 Project, and are particularly evident in relation to the number of spurs and their proximity to the concrete silos and the A-Mill.

The analysis of the 106 Group on this important rail view corridor and its supporting elements is starkly missing. As a result, the DEIS fails to define or study impacts on the rail spur lines adjacent to the A Mill and which feed the concrete silos in light of the current regulatory environment. If the City permits the massing, height and foot print of the project along Main Street, and the silos are permitted to be destroyed, what “corridor” of view is being preserved? Again, this failure of analysis presents an equal protection issue the Council bears a burden to heed, as well as the burden of comprehensively analyzing environmental impacts on historic resources in order to produce an adequate EIS.

Comment:

1. *The FEIS must analyze fully the impact of the Project’s massing, height and wall effect along Main Street on the rail view corridor and the rail spur lines in light of regulatory actions of the City to require preservation of rail spur lines as a condition for approval of new construction.*

2. *The FEIS must analyze fully the demolition of the concrete silos and their affiliated structures such as the “skyways”, in the context of the railroad view shed as it runs east to west through the Project, and retention of the rail spur lines which provide historical context for the silos and the project site, in light of regulatory actions of the City to require preservation of rail spur lines as a condition for approval of new construction..*

City staff analyzed the City’s comprehensive plan and potential zoning districts for the Project. Staff notes that the action of the City Council with respect to the rezoning of 520/521 2nd Street to C3A is inconsistent with the type of zoning that staff believe is appropriate for the Project and supported by the Comprehensive Plan. Therefore, there exists a profound conflict between the Comprehensive Plan and the Zoning Code which has to be resolved as required by

statute before the Project could be considered eligible for PUD status. Moreover, this process must be resolved prior to final consideration of the FEIS, since staff has consistently argued that the City's regulatory authority can mitigate negative environmental impacts of the Project. These impacts cannot be known or mitigated if the extent of the actual application of the regulatory scheme governing the Project is in flux.

Comment:

The conflict between the City's comprehensive plan and regulatory codes must be resolved, and the Project's impacts analyzed in light of that resolution, prior to final consideration of the FEIS.

4. Economic and Social Impacts

Bluff Street has consistently argued that the City is impermissibly considering granting significant height and density for the Project based solely on economic considerations resulting from the Proposer having paid too much for the project site. This argument is clearly supported by the staff analysis in this section which finds, for example, that "alternative four may represent a 'no build' alternative absent significant public assistance." This Alternative 4 has a lesser number of negative impacts than the other alternatives. If the City is agreeing in the DEIS that significant public subsidy is important to minimize impacts, then the City must require the Proposer to come clean as to the specific elements of the Project so that the economic impacts of the Project on the historic resources can be adequately measured, and the economic impacts of any subsidy required by the Project can be identified in the FEIS. Regardless, the consideration of public assistance when the Proposer is selling the land now seems moot. The Proposer clearly is not being penalized by the market for real estate prices, only by his desire to maximize density at the public's expense. In this scenario, the public interest is to grant less density.

Comment:

The Proposer must be required to disclose the sales contract and the density formula it contains so that arguments of financial need are adequately illuminated in the light of public scrutiny, and such claims can be studied as part of the FEIS, if it is intended that public subsidy will be used to mitigate negative impacts of the Project.

5. Government Approvals.

Bluff Street has consistently argued that well defined case law authority precludes the City from using the regulatory process to mitigate as yet undefined negative environmental impacts. City staff and consultants believe otherwise. Since the City seems intent on using the regulatory process to mitigate environmental impacts not yet studied in the environmental review process, these processes and their applicable standards as applied in recent actions in the SAFHD must be available to examine well-defined impacts of a real project.

The City Council must repudiate the HPC's "conditional" approval of the demolition of the concrete silos in light of the analysis of the 106 Group. There is no such provision of law that permits pre-condition prior to an EAW. This ill-considered decision is clearly unsupported factually in light of the discussion of the impacts on the concrete silos by the 106 Group. As well, loss of the rail spurs to the concrete silos and the A Mill must be examined and mitigation measures developed by the HPC or the City prior to the FEIS decision.

As discussed above, the present conflict between the Comp Plan and the Zoning Code must be resolved prior to the approval of the FEIS so it can be determined whether the zoning process can appropriately mitigate the impacts of the Project.

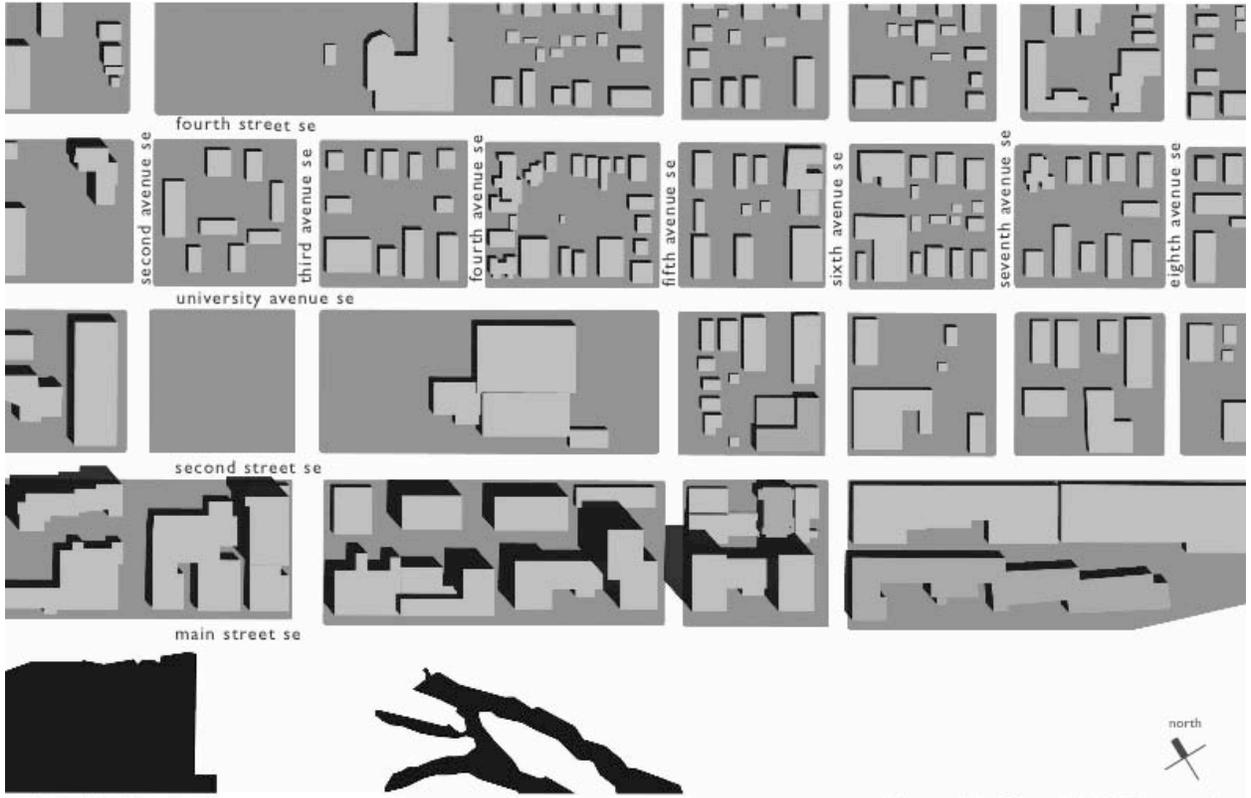
Comment:

1. *The conditional approval for demolition of the concrete silos and destruction of the rail spurs must be reviewed de novo by the City Council in the context of the EIS process and voided as to this project review by HPC.*

2. *The City must resolve the planning and zoning conflicts before approval of the FEIS so it can be understood whether the City's zoning authority can mitigate the impacts of the Project.*

3. *The recently-developed regulatory standards regarding the applicable building height, as well as noise and air quality standards, must be clearly defined prior to their application in the FEIS.*

J. Michael Orange
Principal Planner
CPED
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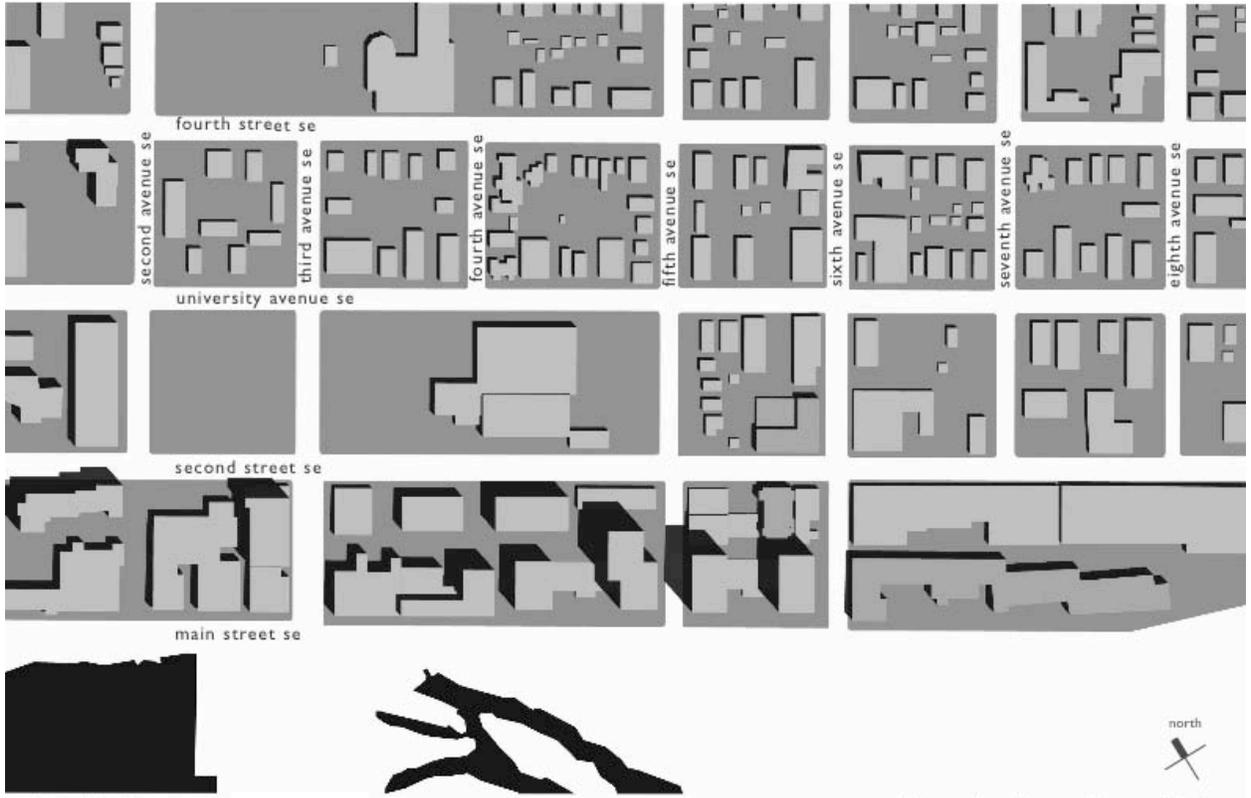


June 21, 12 noon

Alternative One - EAW Proposal

Pillsbury 'A' Mill Complex
 response to the Environmental Impact Statement



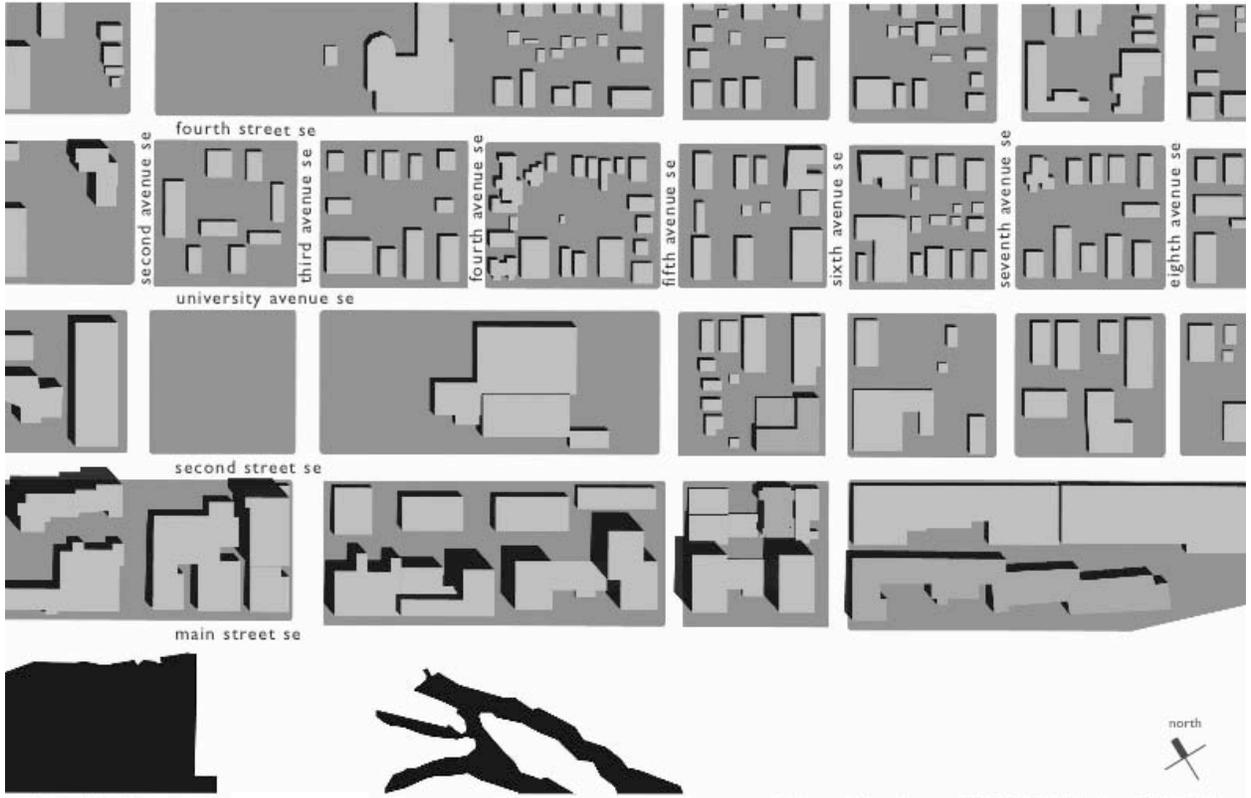


June 21, 12 noon

Alternative Three - Lower Links

Pillsbury 'A' Mill Complex
 response to the Environmental Impact Statement





June 21, 12 noon

Alternative Four - ILOD/R5 Zoning District

Pillsbury 'A' Mill Complex
 response to the Environmental Impact Statement



Minneapolis Planning and Economic Development Department

Planning Division

350 South Fifth Street, Room 210

Minneapolis, MN 55415-1385

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(612) 673-2728 Fax

(612) 673-2157 TDD

MEMORANDUM

DATE: 4/16/05
TO: A Mill EIS file
FROM: J. Michael Orange, Principal Planner (612-673-2347,
michael.orange@ci.minneapolis.mn.us)
SUBJECT: Summary of phone messages from Rochelle Quast and David Malcolm Scott

On 3/23/05, Ms. Rochelle Quast left me a phone message (no return number or address) with the following comments:

- Keep the buildings on 5th Ave. low down closer to the river so that the development does not wall off the community. A tunnel effect would not be desirable. There can be taller buildings but more to the center of the blocks.
- The development should have two-to-three very tall buildings and lower ones all around rather than be of uniform height and form a wall of development. It should be low from 1st. to 2nd, then higher from 2nd to University, and higher still from University to 4th. Don't block off the river with a wall.
- The river is so important and this site is too important to make a mistake. Do not build a wall.

On 3/23//05, Mr. David Malcolm Scott left me a phone mail message (no return number or address) saying the proposed A Mill project is out of scale with the A Mill itself.

Summary of the Public Comment Meeting

Pillsbury A Mill Draft Environmental Impact Statement

March 9, 2005, Marcy Open School

The meeting was convened at 7:08 pm by Michael Orange of the City Planning staff. Mr. Orange reviewed the purpose of the meeting, the history of the environmental review process and the availability of the complete environmental review record at the City Planning Division's web site, the next steps and expected timeline to complete the environmental review process and begin the consideration of the necessary land use approvals to permit redevelopment of the site. Printed and electronic copies of the DEIS were distributed. Mr. Orange introduced Michael Cronin who reviewed the content of the Draft EIS.

Irene Jones, 46 E 4th Street, noting that no preferred alternative has been identified, asked how this alternative would be provided. Mr. Cronin confirmed the City has no preferred alternative at this time. The City's preferred alternative would be the proposal that is approved by the City Council at the end of the land use approval process described in the "Next Steps" section of the Draft EIS and in the "Draft Findings of Fact" document prepared for the Pillsbury A Mill EAW.

Public Comments

1. Andrew Kolstad, 1403 4th Street SE, Minneapolis. Mr. Kolstad spoke to the history and the importance of preserving all the historic buildings and structures, including the white elevators along Second Street SE, and continuing flour milling at the site. He supported an alternative for preserving the elevators, as he reported the City of Buffalo, New York, is requiring, and accommodating any displaced development on adjacent sites. (Mr. Kolstad subsequently submitted a written summary of his remarks, which is included in the "written comments" section of the Final EIS)
2. P. Victor Grambsoh, 132 Bank Street, Minneapolis. Mr. Grambsoh cautioned against allowing total adherence to a single set of values or guidelines determine the redevelopment of the site. He encouraged balance among all of the present elements and the potential benefits redevelopment of the site can provide. The goal should be accomplishing the greatest overall civic value from the redevelopment of the site.
3. Ben Heywood, 1337 Monroe Street NE, Minneapolis. Mr. Heywood noted the depiction of the view of Warehouse 2 in some of the illustrations of the alternatives may not be absolutely accurate, and asked if the Minnesota Historical Society staff had provided any written correspondence on the use of the boundaries of the "Water Power Area" in addition to the District boundaries in assessing the impacts of the redevelopment of the site.

No further comments were offered, and the meeting was adjourned at 8:00 pm

3/14/05

The Silo Point Development

Silo Point is a former ADM terminal elevator on the Baltimore harbor that received grain by rail for loading into ships for overseas destinations (see Photos 1 and 2). The facility consisted of three elements. The first is a cube consisting of 187 silos with a 40,000-sq. ft. footprint. The second, the “Work Tower,” is the tallest building on the site. The lower portion of this building consists of grain bins and the upper portion (which included windows), was a warehouse or processing space. A third building, the “Front Building” on the Harbor side of the Work Tower, was as tall as the bin portion of the Work Tower and is barely visible in Photo 1. This building has been demolished, exposing the Harbor side of the Work Tower bins (refer to Photo 4). The proposed development will replace the demolished Front Building with a mixed-use residential and commercial addition with a glass facade that will be attached to the Work Tower and will wrap around its sides. This addition will extend to the height of the Work Tower above the bins. The portion of the Work Tower with windows will be converted into housing. The mechanical structure on the roof of the Work Tower will be replaced by two-story penthouse units. The cube of silos has been hollowed out to provide structured parking for the development inside of a perimeter of preserved silos (refer to Photo 3). Additional housing in a new structure may replace parts of the remaining perimeter wall of silos where additional demolition would occur. No reuse is proposed for either the remaining silos or the bins in the Work Tower.

City of Baltimore Commission on Historical and Architectural Preservation

The site was placed on the National Register of Historic Places in 2003, which qualified the development for Federal, State, and Local credits and grants. The developer has determined the restrictions and conditions for compliance with the Secretary of the Interior’s Standards and Guidelines necessary for participation in the Federal tax credit program would not allow an economical development, even with the assistance provided by the program. The developer stopped pursuing this assistance and demolished the Front Building and the interior of the cube of silos. The developer has chosen to not seek a State grant. Baltimore City staff described the State program as very competitive and under funded. The City of Baltimore has a “Historic Restoration and Rehabilitation Tax Credit” program that approximately 54,000 properties in the City qualify for. This is an incremental tax abatement program that could be worth \$3.5 million to the Silo Point development if the renovation were approved as consistent with the guidelines of the Commission on Historical and Architectural Preservation (CHAPS). Because of the potential value of the grant to the project, it will also be reviewed and must be approved by the City's Financial Committee. It was unclear on April 11, 2005, if the developer was continuing to pursue this grant. In Baltimore, the demolition permit/building permit trigger for CHAPS review applies solely to locally designated structures. Because Silo Point is not locally designated, CHAPS review of the plans will only occur if the developer continues to seek the Tax Credit grant from the City.

Photo One Site



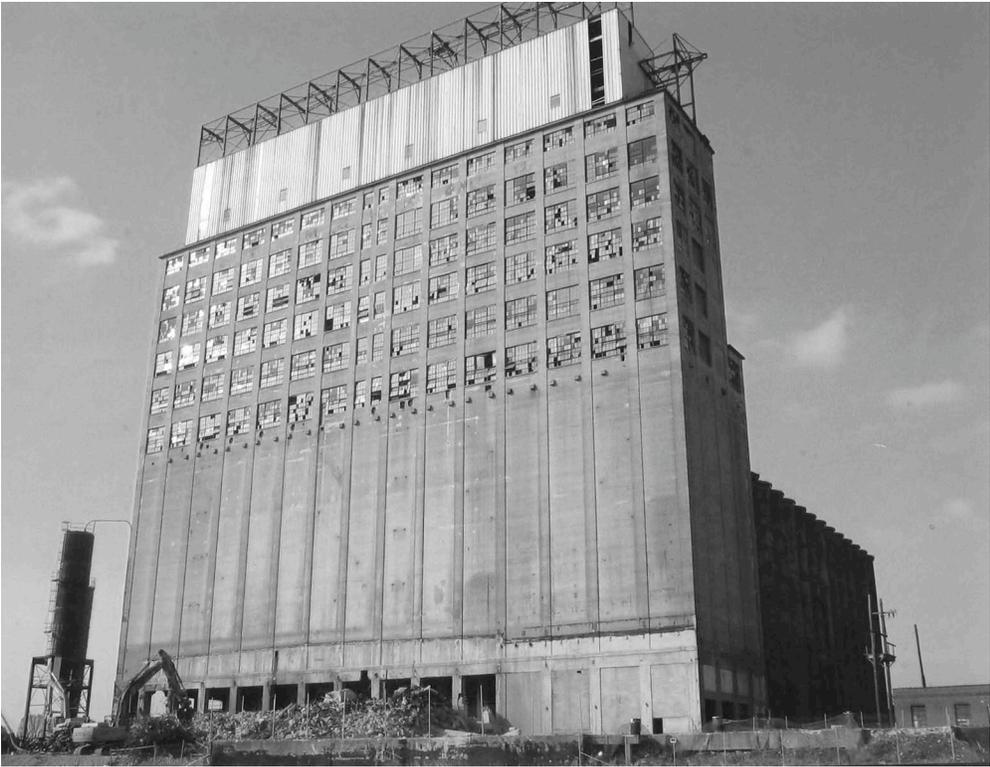
Photo Two Silos and Work Tower



Photo Three Interior of the Silos



Photo Four Work Tower



Standards of 36 CFR Part 800.5 Dealing with Adverse Affect

36 CFR PART 800 -- PROTECTION OF HISTORIC PROPERTIES (incorporating amendments effective August 5, 2004) Subpart B -- The Section 106 Process § 800.5
Assessment of adverse effects.

(a) Apply criteria of adverse effect. In consultation with the SHPO/THPO and any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to identified historic properties, the agency official shall apply the criteria of adverse effect to historic properties within the area of potential effects. The agency official shall consider any views concerning such effects which have been provided by consulting parties and the public.

(1) Criteria of adverse effect. An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.

(2) Examples of adverse effects. Adverse effects on historic properties include, but are not limited to: (i) Physical destruction of or damage to all or part of the property; (ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines; (iii) Removal of the property from its historic location; (iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance; (v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features; (vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and (vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

Record of Decision

Environmental Impact Statement for the Pillsbury A Mill Complex Project

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

4/14/05

DATE ITEM

Environmental Assessment Worksheet:

1/30/04	City staff distributes EAW to official EQB mailing list and to the project mailing list.
2/02/04	Minnesota Environmental Quality Board (EQB) publishes notice of availability in <i>EQB Monitor</i> . 30-day comment period commences.
2/12/04	Notice of availability of EAW is published in the StarTribune newspaper.
2/18/04	Public Comment Meeting at Marcy School
3/3/04	End of EAW public comment period.
3/15/04	Proposer requests 60 day extension of the period for the City's decision on the need for an EIS to allow preparation of additional documentation in response to comments received on the EAW
5/12/04	Proposer again requests extension of the period for the City's decision on the need for an EIS to allow preparation of additional documentation in response to comments received on the EAW
6/10/04	City staff provide EAW and Findings of Fact to City Planning Commission (CPC), Committee of the Whole.
6/24/04	Zoning and Planning Committee (Z & P) of the City Council considers "Findings of Fact and Record of Decision" report and EAW and recommends Negative Declaration.
7/1/04	City Council Committee of the Whole considers "Findings of Fact and Record of Decision" report and EAW.
7/2/04	City Council makes a finding of Positive Declaration and requires preparation of an EIS.
7/8/04	Mayor approves Council action regarding EAW.
7/10/04	City publishes notice of Council/Mayor decision in Finance and Commerce.
7/12/04	City publishes and distributes Notice of Decision official EAW mailing list and Official Project List.
7/19/04	EQB publishes Notice of Decision in <i>EQB Monitor</i> .

Scoping Decision for the Environmental Impact Statement:

7/26/04:	Notice of Positive Declaration and notice of time, date and place of scoping meeting to Environmental Quality Board (EQB).
8/2/04:	Draft EIS Scoping Report prepared and distributed to Official mailing lists.

- 8/2/04: Notice of Positive Declaration notice of time, date and place of scoping meeting published in the *EQB Monitor*
- 8/16/04: Scoping Decision meeting (5:00 Room 220 City Hall)
- 8/26/04: Zoning and Planning Committee of the City Council considers draft EIS Scoping Decision
- 9/2/04: Close of public comment on the draft Scoping Decision Document
- 9/3/04: City Council approves EIS Scoping Decision.
- 9/9/04: Mayor signs EIS Scoping Decision Document
- 9/11/04: Official publication of the EIS Scoping Decision
- 9/24/04: EIS Preparation Notice and Notice of Accelerated Review published in *StarTribune*
- 9/27/04: Final Scoping Decision, EIS Preparation Notice, and Notice of Accelerated Review published in *EQB Monitor*

Draft Environmental Impact Statement:

- 2/14/05: Draft EIS prepared and distributed to Official mailing lists (included herein)
- 2/14/05: Notice of Draft EIS availability; public comment period; and notice of time, date, and place of public comment meeting published in the *EQB Monitor*
- 2/14/05: City distributes notice of Draft EIS availability; public comment period; and notice of time, date, and place of public comment meeting via its public information system of emails, public notices, and a press release to the *Star Tribune* newspaper.
- 2/16/05: Notice of Draft EIS availability had incorrect date for the end of the public comment period. City redistributed the notice of Draft EIS availability; public comment period; and notice of time, date, and place of public comment meeting via its public information system of emails, public notices, and a press release to the *Star Tribune* newspaper.
- 2/28/05: Corrected Notice of Draft EIS availability; public comment period; and notice of time, date, and place of public comment meeting published in the *EQB Monitor*
- 3/9/05: Public comment meeting for the Draft EIS (7:00 pm at Marcy Open School)

Final Environmental Impact Statement:

- 4/21/05: Final EIS prepared and distributed to Official mailing lists (included herein)
- 4/25/05: Notice of Final EIS availability; public comment period published in the *EQB Monitor*
- 5/6/05: Close of the public comment period.
- 5/19/05: Expected date the Zoning and Planning Committee of the City Council will consider the adequacy of the EIS.
- 5/27/05: Expected date that the City Council will consider the adequacy of the EIS.
- 6/2/05: Expected date that the Mayor will approve the action of the City Council.
- 6/6/05: Earliest date the City can make final decisions regarding permit applications for the project.
- 6/20/05: Expected date of publication in the *EQB Monitor* of the City's decision.

Official Distribution Lists

State EQB List Updated: 8-9-04

Jim Haertel	Board of Water & Soil Resources	One W. Water St., Suite 200	St. Paul MN 55107
Corey Conover	City Attorney	300 Metropolitan Center	Interoffice
Becky Balk	Department of Agriculture	90 W. Plato Blvd.	St. Paul MN 55107
Marya White	Department of Commerce	85 7th Place East, Suite 500	St. Paul MN 55101
Environ. Health Division	Department of Health	121 E. Seventh Place, Suite 230	St. Paul MN 55101
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Gerald Larson (3)	Department of Transportation	395 John Ireland Blvd, MS 620	St. Paul MN 55155
Mpls Public Library (2)	Environ. Conservation Library	250 Marquette	Minneapolis MN 55407
Bill Anderson	Environ. Mgmt.	400 Public Health	Interoffice
Jon Larsen	Environmental Quality Board	658 Cedar St., #300	St. Paul MN 55155
Dave Jaeger	Henn. Co. Environmental Services	417 N. 5th Street	Minneapolis MN 55407
Maria Paulson	HUD	920 2nd Ave. S. Ste. 1300	Minneapolis MN 55407
Carol Blackburn	Legislative Reference Library	645 State Office Building	St. Paul MN 55155
Reviews Coordinator (5)	Metropolitan Council	230 E. Fifth Street	St. Paul MN 55101
Dennis Gimmestad	Minnesota Historical Society	345 Kellogg Blvd.	St. Paul MN 55102
Beth Lockwood (3)	MN Pollution Control Agency	520 Lafayette Road	St. Paul MN 55155
Stewardship Team Manager	National Park Service	111 East Kellogg Blvd, Suite 105	St. Paul MN 55101-12
Tamara Cameron	U.S. Army Corp of Engineers	190 Fifth Street E.	St. Paul MN 55101
William Franz	U.S. Environ. Protection Agency	77 W. Jackson Blvd.	Chicago IL 60604-359
T.C. Field Office ES	U.S. Fish & Wildlife Service	4101 E. 80th Street	Bloomington MN 55421665

This is: SE Environmental List
Updated: 2/17/05

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**Final Environmental Impact Statement for the Pillsbury A Mill Complex
City of Minneapolis**

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**Final Environmental Impact Statement for the Pillsbury A Mill Complex
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