

**REQUEST FOR DEVELOPMENT  
PROPOSALS FOR  
PARCEL A**

**LOCATED NORTHEAST SIDE OF 2<sup>ND</sup>  
STREET SOUTH BETWEEN 3<sup>RD</sup> AVENUE  
SOUTH AND 5<sup>TH</sup> AVENUE SOUTH**

**MINNEAPOLIS, MINNESOTA**

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## **INTRODUCTION**

The City of Minneapolis (“City”) is seeking development proposals for certain property located on the northeast side of 2<sup>nd</sup> Street South between 3<sup>rd</sup> Avenue South and 5<sup>th</sup> Avenue South known as Parcel A. The City’s development objectives for the property are set forth below.

## **SITE FACTS**

### Location, size and current improvements

Parcel A is located in the rapidly developing Mill District in downtown Minneapolis and is among the last City-owned parcels in the area available for development. The site is located on the northeast side of 2<sup>nd</sup> Street South between 3<sup>rd</sup> Avenue South and 5<sup>th</sup> Avenue South. There is a parcel bisecting Parcel A that was formerly railroad right of way that is currently owned by Mill Place, Inc. (Mill Place Parcel). Parcel A is thus divided into two parcels, Parcel A West and Parcel A East. All parcels are currently improved with surface parking lot area. Exhibit B shows the site location.

The City has negotiated a tentative agreement with Mill Place to accommodate a land swap that would reconfigure the parcels in such a way that would remove Mill Place ownership from bisecting the two City owned parcels (see attached Exhibit C). It is the City’s expectation that the chosen developer and the City will negotiate the details of the land swap with Mill Place, including reciprocal easements that would allow for interior vehicular access to Mill Place and a pedestrian trail and bike trail connection to 1<sup>st</sup> Street South.

We will accept proposals for development of all or a portion of the reconfigured Parcel A which would have approximately 2 acres. The developer is encouraged to communicate and collaborate with the owner of the Mill Place Parcel when preparing a proposal (Craig Kupritz, [craigk@usinternet.com](mailto:craigk@usinternet.com), 612-339-2651).

#### Zoning and applicable plans

The site is zoned C3A (Community Activity Center District) and there are no plans for any re-zoning. The site is affected by a number of zoning overlay districts. The entire site is within the Downtown Height (DH) overlay, Mississippi River Critical Area overlay (MR), and the Downtown Parking (DP) overlay. More information about the zoning and overlay districts (Title 20 of the Minneapolis Code of Ordinances) may be found at:

<http://www.municode.com/resources/gateway.asp?pid=11490&sid=23>

These parcels are also subject to the policies in the City's comprehensive plan (*The Minneapolis Plan*) and specifically, *Minneapolis Downtown 2010: Extending the Vision into the 21<sup>st</sup> Century*. These parcels are further subjected to the policies in the City's adopted small area plan, *The Historic Mills District Plan* and the *Update to the Historic Mills District Plan*. These plans are available respectively at the websites noted below or you may contact Carrie Flack at 612-673-5010 to make an appointment to review a hard copy:

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

<http://www.ci.minneapolis.mn.us/planning/docs/MinneapolisDowntown2010.pdf>

[http://www.ci.minneapolis.mn.us/cped/update\\_historic\\_mills.asp](http://www.ci.minneapolis.mn.us/cped/update_historic_mills.asp)

#### Surrounding uses/development

Parcel A is near the Mississippi River and the trails and open space that are part of the Central Mississippi Regional Park. Amenities along the river include the nearby Mill Ruins Park and the signature Stone Arch Bridge. Adjacent to Parcel A is a condominium residential development known as RiverWest and an office building called Mill Place. As previously noted, Mill Place owns the parcel that divides Parcel A West and Parcel A East. Across 2<sup>nd</sup> Street South is the Milwaukee Depot which consists of a Renaissance Hotel, Residence Inn, restaurant, ice skating rink, and parking ramp.

Other developments and amenities in the Mill District area consist of mixed use residential, the Guthrie Theater complex, Mill City Museum, and the MacPhail Center for Music. For more information on the redevelopment of the Minneapolis Riverfront District, visit

[http://www.ci.minneapolis.mn.us/cped/riverfront\\_central.asp](http://www.ci.minneapolis.mn.us/cped/riverfront_central.asp)

The parcel has excellent access to Washington Avenue South, West River Parkway, I-35W and I-94. It is also within walking distance of two LRT stations, public parking structures and bus lines.

### Crown Roller Mill and Ceresota Mill parking agreement

Parcel A is subject to a parking agreement with the Crown Roller Mill and Ceresota Mill building owners. This agreement provides that 200 parking spaces will be accommodated on the site until 2022. Proposals must accommodate this parking through: a) phasing that does not develop a portion of the site until the end of the parking agreement; b) provision of structured parking to replace this surface parking, in which case, the spaces may be moved temporarily during construction so long as the temporary parking location complies with applicable zoning requirements; or c) other alternatives acceptable to Canal Street Limited Partnership, the tenant under the Parking Agreement and owner of the Crown Roller Mill building.

### Historical

The site is located within the St. Anthony Falls Historic District. All development within this district is required to receive approvals from the City of Minneapolis Heritage Preservation Commission (HPC). The HPC evaluates projects based on adopted guidelines for the district and The Secretary of the Interior's Standards for Rehabilitation. For more information on the Secretary of the Interior's Standards regarding setting in a historic district, visit:

[http://www.nps.gov/history/hps/tps/standguide/rehab/rehab\\_setting.htm](http://www.nps.gov/history/hps/tps/standguide/rehab/rehab_setting.htm)

A complete copy of the St. Anthony Falls Historic District Guidelines adopted by the Minneapolis Heritage Preservation Commission in June 1980 is available in an electronic format.

### Historic trail corridor

Development on Parcel A should be compatible with the City's desire to create stronger links that connect the Mississippi River to the Downtown street grid. This is highly encouraged along the historic rail corridor, the parcel owned by Mill Place that bisects Parcel A. The City would like to see proposals that show separate pedestrian and bike paths with adequate lighting from 2<sup>nd</sup> Street South to 1<sup>st</sup> Street South along the historic rail corridor alignment parcel owned by Mill Place (See Exhibit B, Site Location). This connection should be coordinated to connect with the former Fuji Ya site. These paths should be constructed and maintained by the selected developer, with an appropriate public access easement to be granted to the City by the selected developer. The final land swap with Mill Place will need to provide appropriate easements to facilitate such goals.

### Geotechnical/Environmental

Wenck and Associates previously conducted a remedial investigation of portions of this site. The report indicated contamination in a three (3) to nine (9) foot layer of fill. Since the property will be developed, a response action plan was completed; however it may need to be revised to reflect a new proposal. This document is available in an electronic format. It is envisioned that the contaminated fill will be removed when development is underway. A pollution grant from the Metropolitan Council was previously received; however it has

since been returned. Subject to City Council approval, the City will sponsor a future pollution grant application upon the developer's request. The developer will be responsible for all costs associated with the grant application.

### **ESTIMATED FAIR REUSE VALUE OR ASKING PRICE**

An estimated fair reuse value of the site has not been determined. The price for this parcel will be based upon a Fair Reuse Value to be established after completion of an independent fee appraisal based on the planned use of the property after taking into consideration the impact of the parking agreement, necessary easements, and the land swap.

### **DEVELOPMENT GOALS**

The City has established the following development goals for the property. Proposals will be evaluated according to how well these goals are incorporated into the project.

#### Land uses

The following land uses are considered opportunities for redevelopment of this site and should be considered within the parameters set forth in this RFP:

- Residential
- Mixed use residential with office and/or retail, in which the commercial use(s) clearly take advantage of the intersection of 2<sup>nd</sup> Street South and 3<sup>rd</sup> Avenue South
- Mixed use office, hotel, commercial and/or retail at the intersection of 2<sup>nd</sup> Street South and 3<sup>rd</sup> Avenue South
- Cultural amenities

All uses are subject to the approved plans, policies and regulations of the City of Minneapolis.

The following land uses will not be allowed on these parcels:

- Industrial
- Office that is not part of a mixed-use development with residential
- Stand-alone retail that is not part of a mixed-use development with residential and/or park open space and recreational uses
- Stand-alone parking facilities will not be allowed as a primary use

*Commercial uses:* Washington Avenue South is designated by adopted City plans as the appropriate location for retail uses in this part of the city. However, limited retail uses will be considered for this site if they specifically contribute to the City's goals for enhancing connection to, and experience of, the central riverfront. Any retail uses must be located at the corner of 2<sup>nd</sup> Street South and 3<sup>rd</sup> Avenue South. Otherwise, retail uses are not appropriate along 2<sup>nd</sup> Street South. Limited commercial office uses will be considered only if they are an integral part of a mixed use project.

*Residential uses:* Either ownership or rental housing (or a combination of the two) is possible for Parcel A. Information about the City's Affordable Housing Policy is available at:

[http://www.ci.minneapolis.mn.us/cped/affordable\\_housing\\_resolution.asp](http://www.ci.minneapolis.mn.us/cped/affordable_housing_resolution.asp)

#### Site access and circulation

Vehicular access to and from the site will be allowed only along 2<sup>nd</sup> Street South and 5<sup>th</sup> Avenue South. See also the Site facts and Historic trail corridor sections above.

#### Design guidelines

The existing zoning allows building heights on the site up to six stories or 84 feet, whichever is less. Greater heights may be allowed pursuant to a Conditional Use Permit. However, the *Historic Mills District Master Plan* has indicated that building heights that are 4-5 stories or 63 feet are more appropriate for these parcels. This plan will be taken into consideration when evaluating proposals and relative to any Conditional Use Permit request for an increase in height.

*Street Design:* New development along 2<sup>nd</sup> Street South should be in accordance with the *Historic Mills District Master Plan*. Parcel A should provide a 6 foot grass verge/boulevard with street trees and the City standard 'acorn' fixture and 10 foot sidewalks. The City standard 'acorn' fixture must also be used along 5<sup>th</sup> Avenue South and a 2 foot building setback is encouraged to enhance the pedestrian environment along 5<sup>th</sup> Avenue.

*Parking:* Required parking for all uses on the site as well as the required parking for the Ceresota Mill and Crown Roller Mill buildings (200 spaces) must be clearly described in the proposal. Shared parking between uses is highly encouraged. Surface parking is minimally allowed on these parcels. In keeping with the adopted policies in the small area plan and the build-out of recent development in the Mills District, it is desired that all above-ground parking be 'lined' by active uses that face the surrounding streets to screen any above-grade parking structures from public view from the adjacent streets/parkways.

*Sustainable design, stormwater management and rooftop gardens:* Proposals should give consideration to incorporating design elements that will: a) allow any structures to achieve L.E.E.D certification, and b) reduce the quantity of and improve the quality of stormwater from the parcels. Strong consideration also should be given to including rooftop gardens and green spaces, particularly along the historic rail corridor parcel owned by Mill Place. The City encourages that roofscapes and green spaces be designed to be used by residents and workers in the neighborhood.

*Grade separated connections:* In accordance with the adopted small area plan, skyways are not permitted from these parcels to other buildings or blocks although tunnels will be considered. However, grade separated connections on

Parcel A are permitted to allow for a bridge or a skyway over the historical trail corridor and potential easements.

*Green space:* Any park space or plaza space proposed shall be designed to facilitate and encourage active or passive use by the general public for circulation, seating, gathering or activity space and shall be fully accessible to the general public at all times of the day and year.

The design and placement of public plazas and park space shall maximize natural surveillance and visibility, facilitate pedestrian access and circulation, and maximize penetration of sunlight to the plaza and where possible to surrounding streets. Such spaces shall include architectural features, landscape features, street furniture, and interpretive features and/or public art. Park and plaza space shall be designed to enhance the form, scale and materials of existing structures on the site and in surrounding development.

All public art is subject to the guidelines and requirements of the Minneapolis Arts Commission, and all interpretive features will be coordinated with the St. Anthony Falls Heritage Board.

## **PROPOSAL DEADLINE**

### **Proposal submission**

Proposers must submit copies of their proposals as follows: **one unbound copy, ten bound copies and one electronic version** in Microsoft compatible or PDF format on diskette or CD. Proposals must be on standard 8½” by 11” paper. All supporting documentation must be on paper no larger than 11’ by 17”. Proposals and supporting documentation must be submitted in a sealed envelope labeled “Parcel A Development.” Telefaxed proposals will not be accepted. Proposers may choose to provide additional sets if and when invited to do so for presentation purposes. Submissions will not be returned.

Proposals shall be delivered to the City on or before:

**February 22, 2008 4:00 p.m.**

To:

**Contract Services  
Department of CPED  
105 Fifth Avenue South, Suite 200  
Minneapolis, MN 55401**

Proposals received after the deadline will not be accepted. It is neither CPED's responsibility nor practice to acknowledge receipt of any proposal. It is the responder's responsibility to assure that a proposal is received in a timely manner.

## **RFP INQUIRIES**

Prospective responders may only direct questions in writing to the department contact person:

Carrie Flack  
Minneapolis CPED Department  
105 Fifth Avenue South  
Minneapolis, MN 55402  
Email: [carrie.flack@ci.minneapolis.mn.us](mailto:carrie.flack@ci.minneapolis.mn.us)  
Fax: 612-673-5113

A pre-proposal meeting will occur on January 31, 2008 in conference room 3 of the Crown Roller Mill building at the above address. All questions are due no later than February 8, 2008. Questions will be answered in writing and posted on the CPED Web site ([www.ci.minneapolis.mn.us/cped](http://www.ci.minneapolis.mn.us/cped)). The department contact person is the only individual who can be contacted about the project by proposers before the proposal deadline. The department contact cannot vary the terms of the RFP. If you would like to tour the property, contact the department contact person in writing to schedule a tour.

## **PROPOSAL CONTENTS**

The information being requested through this RFP is necessary for the City of Minneapolis to adequately evaluate your proposal. Failure to supply the requested information may result in rejection of your proposal. The City is not responsible for the costs incurred by proposers or their subcontractors incurred in connection with this RFP process, including, but not limited to costs associated with preparing a proposal or associated with participating in any presentations or negotiations related to this RFP.

Proposals must include the following:

1. A cover page that includes the following information:
  - a. Developer's name and mailing address
  - b. Developer's current legal status: corporation, partnership, sole proprietor, etc.
  - c. Federal ID number or Social Security number
  - d. State ID number
  - e. Contact person's name, title, phone number, fax number and e-mail address
  - f. Signature of authorized corporate officer for each entity proposing as a partnership or team
  
2. A **description of the proposed development including: narrative, preliminary schematic plans and elevations** (e.g., size of building and square footage of specific components, nature of improvements, number of parking spaces, anticipated materials and design style, circulation patterns, loading/service provisions) to be built on the site. If the development is proposed to be phased, the narrative should clearly define the components and timing of each phase and indicate the nature of the conditions upon which construction of

subsequent phases would be based. If residential development is proposed, the proposal should include information about the bedroom compositions, rents and/or sales prices and amenities/services included. If commercial development is proposed, information should be included about the anticipated type of tenants expected.

3. An **identification of the entities** that will be involved, a description of the roles they will play (e.g., developer, architect, building owner, property manager, tenant, professional consultant) and a summary of the team's past experience in working together. A description of each of the entities' experience in developing similar projects must be included, including location, type of development, proposer's role(s), cost of project, funding sources, status of project, and information about any continued financial or operating interest in each. Include specific previous relevant experience with public entities, including reference contact information. The City may ask for supporting documentation substantiating claims of previous experience. Summarize any lawsuits to which the responder or any principals of the responder have been a party. Identify the principal person who will speak for the development team and any other key participants who will be involved in negotiating the project terms. Specify whether the development entity is or intends to form a corporation, a general or limited partnership, a joint venture or other type of business association to carry out the proposed development. The developer must also provide two years of financial statements, which may be submitted confidentially to the CPED director under separate cover. Design consultants on the team must be licensed in the State of Minnesota and contractors must be licensed to work in the City of Minneapolis; the submission must include a certification that identified team members meet these requirements.
4. A preliminary **capital pro forma** showing the detailed sources and uses of funds (debt, equity and other) to acquire the parcel and construct the development (including any tenant improvements). Information as to the status of securing those funds should be included and inclusion of a conditional financing commitment is strongly encouraged. Clearly indicate any public assistance to be requested. If the project includes multiple uses, the capital pro forma should be broken down for the component uses (commercial, housing, etc.).
5. For rental projects, a preliminary **operating pro forma** of at least 20 years for the building operation, including the assumptions underlying the income and expense projections. Also show the Cash-on-Cash Return and Internal Rate of Return. If the project includes multiple uses, the operating pro forma should be broken down for the component uses. Detailed pro formas (separate commercial vs. housing) in a format acceptable to CPED will be required during the negotiation of a redevelopment agreement.
6. A **market study** or other information documenting the demand for the proposed space.

8. A **description of the public benefits** that will result from the development, e.g., the number and types of housing units, the creation or retention of jobs (including the estimated number, type and wage levels), tax base enhancement, the provision of retail goods and services, etc. This should include an estimate of the taxable value upon completion and annual real estate taxes.
9. A **proposed timeframe** for the development, including identification of any conditions that must be met before the proposal can become a reality. The schedule should include the time needed to obtain financing, complete design and secure permits and approvals, prepare the site, start and complete construction, and start and complete lease-up and/or sellout.
10. An executed “**Consent for Release of Response Data**” form Exhibit A. Proposals that do not include an executed “Consent for Release of Response Data” form shall be considered incomplete which will be grounds for rejection of the entire proposal.
11. Any **other information** that would help City staff understand and evaluate the proposal.

The contents of the proposal and any clarification to the contents submitted by the successful proposer may become part of the contractual obligation and be incorporated by reference into the redevelopment contract between the selected developer and the City.

Developers responding to this RFP are not required to provide a good faith deposit on the land with their proposals. However, the developer whose proposal is ultimately selected by the City Council must make the required deposit consistent with City policy at the time of selection.

## **EVALUATION CRITERIA**

In reviewing potential development concepts, the following criteria are among those that will be considered:

1. The experience and the financial and organizational capacity of the developer in successfully planning and completing development projects of similar type and scale, on time and within budget
2. The extent to which the proposed development is in compliance with the Minneapolis zoning code, Historic Mill District Plan, comprehensive plan and other relevant planning documents for the area
3. The extent to which the project can move forward on a timetable that will coordinate with the other development in the area
4. The market and financial feasibility of the project
5. The anticipated ability of the project to secure necessary public and private funds
6. The public benefits that would be provided by the project, including the proposed land price

7. Overall quality of the submission
8. Review of related previous experience

The City may, in its sole discretion, expand or reduce the criteria upon which it bases its final decisions regarding selection of the developer for this parcel.

### **CITIZEN PARTICIPATION**

The City of Minneapolis has established a citizen participation process for development projects impacting neighborhoods and values advice/input from the public obtained through this process. The neighborhood group officially designated to provide input on responses to this RFP is Downtown Minneapolis Neighborhood Association, and input also will be sought from the Industry Square Project Committee. Under the Minnesota Government Data Practices Act, Minnesota Statutes Ch. 13, public disclosure of RFP response data prior to execution of a contract is restricted. In order to meet the City's citizen participation goals, the City requires each proposer to execute and submit a "Consent for Release of Response Data" form as attached to this RFP as Exhibit A. Failure to submit the "Consent for Release of Response Data" will be grounds for rejection of the entire proposal as unresponsive. Notwithstanding the foregoing, if proposers are being asked to provide financial statements as part of the RFP response, proposers may submit such financial statements confidentially under separate cover pursuant to the Minnesota Government Data Practices Act.

### **REVIEW/SELECTION PROCESS**

A committee that will include City staff will review proposals received by the due date. Input also will be sought from the affected neighborhood organization(s). Some or all of the proposers may be requested to present their proposals to the review committee and/or neighborhood organizations. It is hoped that this review process will be completed by March 15, 2008.

The review committee will then make a recommendation as to the proposal that best meets the evaluation criteria. This recommendation will be considered by the CPED Director and then forwarded to the City Council for action.

If the City Council selects a development proposal that does not entail any additional public investment, staff will proceed to negotiate with the selected developer the terms of the proposed land sale. If the selected proposal requests additional public investment, staff will determine what types of further analysis, underwriting and/or other processes are required. Unless further analysis indicates that the selected proposal is infeasible, staff will negotiate the terms of the proposed transaction during this period.

Once redevelopment contract terms have been negotiated and any further analysis completed, staff will return to the City Council for a land sale public hearing and consideration of approval of the land sale and related terms.

**The City reserves the right to reject any or all proposals or parts of proposals, to negotiate modifications of proposals submitted, and to negotiate specific work elements with a proposer into a project of lesser or greater magnitude than described in this RFP or the proposer's reply.**

## **TIMING**

Following is the anticipated timeline:

Pre-proposal meeting	January 31, 2008
Final questions due in writing	February 8, 2008
Submission deadline for proposals:	February 22, 2008
Review/evaluation of proposals:	February 28, 2008
Neighborhood review of proposal(s)	March 12, 2008
Recommendation to City Council Community Development Committee on the selected developer:	May, 2008
Final action by City Council:	May, 2008

## **CITY CONTRACTING REQUIREMENTS**

The selected developer will be required to enter into a redevelopment contract with the City and comply with any applicable City requirements. These requirements vary depending upon the type of development and the source and amount of public investment, if any, and may include, without limitation, the payment of prevailing wages for construction, the preparation of affirmative action plans, competitive bidding, compliance with the Small and Underutilized Business Enterprise program or equivalent federal program, and Business Subsidy Act/Living Wage Policy, and reporting requirements for those programs. Some of the standard requirements are further discussed below, but the following list is not exhaustive. Proposers unfamiliar with these standard requirements are urged to seek further information.

- 1. Equal opportunity (nondiscrimination and affirmative action)** The selected developer and contractor will be required to submit a written affirmative action plan for the development project and to comply and cause its contractors to comply with applicable provisions of Chapters 139 and 141 (Title 7, Civil Rights), Minneapolis Code of Ordinances, nondiscrimination provisions contained in Chapter 181, Minnesota Statutes, the Americans with Disabilities Act of 1990 (as amended), Section 109 of the Housing and Community Development Act of 1974 (as amended), the Age Discrimination Act of 1975 (as amended) and Executive

Order 11246, as amended by Executive Order 12086. The selected developer will be required to agree not to discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability or other handicap, age (40 – 70), marital status, or status with regard to public assistance. The selected developer also will be required to take affirmative action to ensure that all employment practices are free of such discrimination. These employment practices include, but are not limited to the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation and selection for training, including apprenticeship. The developer will post in conspicuous places, available to employees and applicants for employment, notices to be provided by the City setting forth the provisions of this non-discrimination clause. The selected developer also will be required to, in all solicitations or advertisements for employees placed by or on behalf of the developer, state that it is an equal opportunity or affirmative action employer. CPED will require compliance in demolition, construction and marketing of development projects.

2. The **Job Linkage Program** links economic development with employment. The purpose of the program is to insure increased employment opportunities for Minneapolis residents. All commercial/industrial development projects whose primary purpose is job creation or retention, that receive non-City public development assistance, are required by contract to identify positions that are reserved for Minneapolis residents.
3. The City of Minneapolis **Living Wage Policy** established certain wage and hiring requirements applicable to the owner and tenants of development projects where the primary objective of the project is job creation or retention.
4. In accordance with the City's **Prevailing Wage Policy**, the selected developer covenants and agrees that it will cause its general contractor to comply with the wage and hour standards issued by the United States Secretary of Labor pursuant to the Davis Bacon Act, 40 U.S.C. Sections 276a to 276a-5, as amended, and the Contract Work Hours and Safety Standards Act 40 U.S.C. Sections 327-333. The developer shall maintain appropriate payroll documentation for a three-year period after completion of the project.
5. City of Minneapolis regulations require that all development projects that receive public financial assistance in excess of \$100,000 must comply with Chapter 423 of the Ordinance where subcontracting opportunities exist. Such requirements encourage the use of businesses owned by women and minorities in securing construction and professional services, and are applicable to developers and contractors. List of certified businesses can be

obtained by contacting the **Small and Underutilized Businesses** Program at 612 673-2112 or on the World Wide Web at [www.govcontracts.org](http://www.govcontracts.org).

6. The developer's contractor will be subject to the City's **Apprenticeship Training Policy** for development projects where public financial assistance is provided to the developer/owner.
7. Depending upon the level and purpose of public assistance that may be received, provisions of the Minnesota **Business Subsidy Act and/or the City's Responsible Public Spending Ordinance** may also apply to the project. Should these requirements apply, they will be incorporated into the development agreement.
8. The development must be in conformance with the Uniform Federal **Accessibility Standards** as published on April 1, 1988. Developers must describe the accessibility design for people with disabilities of each of the code-required handicapped-accessible units, any proposed housing development (e.g. roll-in showers), the mix of accessible units in the project and where they are located, and any appropriate safety features for vision- and hearing-impaired people.
9. The City's **Affordable Housing Policy** applies to any residential development (rental or ownership) with ten units or more, or a project with a residential component of 10 or more units, that receives any public financial assistance. Public financial assistance includes the receipt of City-wide resources through the normal, competitive RFP funding processes established by the City, or the receipt of non-City resources that are either passed through the City or requires the City to be a co-applicant (see Affordable Housing Policy at: [http://www.ci.minneapolis.mn.us/cped/affordable\\_housing\\_resolution.asp](http://www.ci.minneapolis.mn.us/cped/affordable_housing_resolution.asp))
10. **Soil Conditions:** The property will be sold "as-is" and it will be the developer's responsibility to correct and pay for all costs associated with soil problems. Any environmental reports in CPED's possession regarding the property may be reviewed during normal business hours at the CPED offices by making arrangements with the department contact person. Any potential proposer may also reasonably conduct its own environmental testing of the property by contacting the department contact person, entering into a Right of Entry Agreement with the City and providing the requisite insurance coverage.

A pollution grant from the Metropolitan Council was previously received; however it has since been returned. CPED will sponsor a future pollution grant application upon the developer's request. The developer will be responsible for all costs associated with the grant application. It will be the responsibility of the selected developer to perform and pay for geotechnical tests when the building and foundation design work have been completed.

11. **Rezoning Responsibility:** It is the selected developer's responsibility to undertake and finance any rezoning, variance and use permits necessary for approval of the proposed development.
12. **Utilities:** It is the selected developer's responsibility to identify the locations of and provide for the installation of electricity, gas, water, sewer service and other utilities servicing the site from the public mains to the individual units.
13. **Construction Standards:** Residential development must meet FHA minimum property standards and all Minneapolis City codes, and projects will be reviewed for energy efficiency.
14. **Residential Sale and Commercial Sale/ Lease:** The completed units must be advertised and offered publicly and must be sold to the general public.
15. **Hold Harmless:** The selected developer must agree to defend, indemnify and hold CPED harmless from any and all claims or lawsuits that may arise from the developer's activities under the provisions of the development agreement, that are attributable to the acts or omissions, including breach of specific contractual duties of the developer or the developer's independent contractors, agents, employees or officers.

#### EXHIBITS

- A. Form of Consent for Release of Response Data
- B. Site Location
- C. Mill Place land swap

EXHIBIT A  
Form of Consent for Release of Response Data

\_\_\_\_\_, 20\_\_

City of Minneapolis  
Department of Community Planning and Economic Development  
105 5<sup>th</sup> Avenue S.  
Minneapolis, MN 55401

Re: \_\_\_\_\_ Request for Proposals  
Consent for Release of Response Data

\_\_\_\_\_, on behalf of \_\_\_\_\_, hereby consents to the release of its development proposal in response to the \_\_\_\_\_ Request for Proposals and waives any claims it may have under Minnesota Statutes Section 13.08 against the City of Minneapolis for making such information public. The foregoing consent and waiver does not extend to financial statements submitted under separate confidential cover, which shall be treated by the City consistent with Minnesota Statutes, Section 13.591.

\_\_\_\_\_  
\_\_\_\_\_

Exhibit B  
Site Location

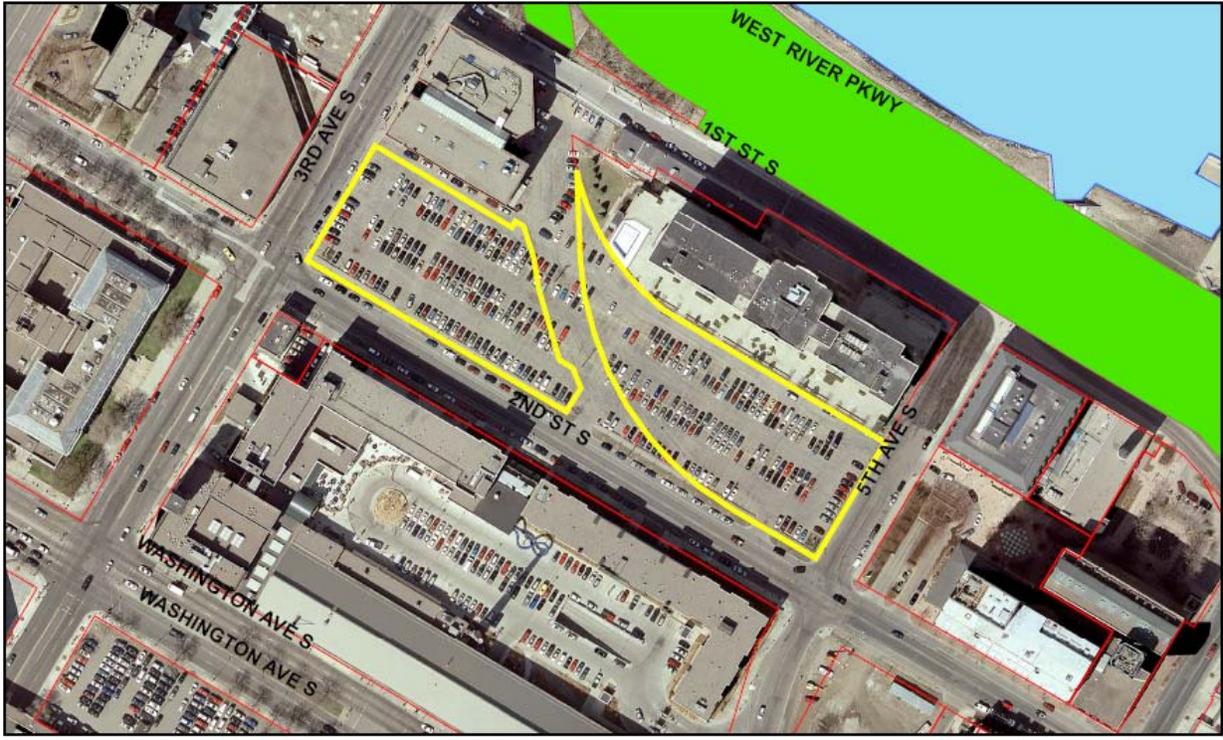


Exhibit C  
Proposed Mill Place Land Exchange  
For Reconfigured Parcel A

