

FINDINGS OF FACT AND RECORD OF DECISION

ENVIRONMENTAL ASSESSMENT WORKSHEET

L&H Station EAW

Location: 2225 East Lake Street, City of Minneapolis, Hennepin County, Minnesota

Responsible Governmental Unit (RGU): City of Minneapolis

	RGU	Proposer / Project Contact
Contact persons	City of Minneapolis Becca Farrar-Hughes	Hennepin County J. Michael Noonan
Title	Senior City Planner	Senior Department Administrator Real Estate Division
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City, State, ZIP	Minneapolis, MN 55415	Minneapolis, MN 55415
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Final action (refer to Exhibit D): Based on the Environmental Assessment Worksheet, the “Findings of Fact and Record of Decision,” and related documentation for the above project, the City of Minneapolis concluded the following on February 19, 2015:

1. The Environmental Assessment Worksheet, the “Findings of Fact and Record of Decision” document, and related documentation for the L&H Station development were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minn. Rules, Parts 4410.1000 to 4410.1700 (2009).
2. The Environmental Assessment Worksheet, the “Findings of Fact and Record of Decision” document, and related documentation for the project have satisfactorily addressed all of the issues for which existing information could have been reasonably obtained.
3. The project does not have the potential for significant environmental effects based upon the above findings and the evaluation of the following four criteria (per Minn. Rules, Parts 4410.1700 Subp. 7):
 - Type, extent, and reversibility of environmental effects;
 - Cumulative potential effects;
 - Extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority;
 - Extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies or the project proposer, including other EISs.
4. The finding by the City that the EAW is adequate and no EIS is required provides no endorsement, approval or right to develop the proposal and cannot be relied upon as an indication of such approval. This finding allows the proposer to formally initiate the City’s process for considering the specific discretionary permissions necessary

Findings of Fact and Record of Decision – L&H Station EAW

for redevelopment, and for the City in this process, informed by the record of the EAW, to identify and encourage the elements for compatible redevelopment, and assure their implementation at this site.

Consequently, the City does not require the development of an Environmental Impact Statement (EIS) for the project.

I. ENVIRONMENTAL REVIEW AND RECORD OF DECISION

The City of Minneapolis prepared a Mandatory Environmental Assessment Worksheet (EAW) for the L&H Station development according to the Environmental Review Rules of the Minnesota Environmental Quality Board (EQB) under Rule 4410.4300 subpart 19, Residential Development (D) - Greater than 375 attached residential units and and Subpart 32, Mixed residential and industrial-commercial projects with a sum of quotients exceeding 1.0. Exhibit A includes the project summary, and Exhibit B includes the Record of Decision.

II. EAW NOTIFICATION AND DISTRIBUTION

On December 15, 2014, the City published the EAW and distributed it to the official EQB mailing list and to the project mailing list. The EQB published notice of availability in the *EQB Monitor* on December 22, 2014, as well. Exhibit C includes the public notification record and mailing list for distribution of this EAW.

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

Exhibit E includes the comment letters received. The Zoning and Planning Committee of the Minneapolis City Council considered the EAW and the draft of this "Findings of Fact and Record of Decision" document during its February 19, 2015, meeting. Notification of this Zoning and Planning Committee public meeting was provided with the EAW and to all persons or agencies commenting on the EAW.

IV. SUBSTANTIVE COMMENTS / COMMENTS RECEIVED AND RESPONSES TO THESE COMMENTS

The City received five (5) written comments during the public comment period on the dates identified from the following:

1. Minnesota Department of Transportation, January 15, 2015
2. Metropolitan Council, January 15, 2015
3. Corcoran Neighborhood, January 15, 2015
4. Minnesota Department of Natural Resources, January 20, 2015, (with an affiliated letter to the applicant dated December 15, 2014)
5. Minnesota Historical Society – State Historic Preservation Office, January 21, 2015

The following section provides a summary of these comments and responses to them (Exhibit E includes the complete comment).

I. Minnesota Department of Transportation (MnDOT)

Comment: West Area and Traffic - "MnDOT anticipates that the 4,000 new trips per day likely to be generated by the proposed development will impact the Hiawatha Ave. / Lake St. single point intersection. Please demonstrate how the Hiawatha Ave. / Lake St. single point intersection can operate effectively despite the potentially lengthy peak hour queues resulting from additional motorists traveling from westbound E. Lake St. to southbound 22nd Ave. S. The existing westbound left turn lane appears to be only about 75 ft. in length."

Response: Noted for the record. The applicant has been provided with a copy of the letter with the appropriate MnDOT contact and has begun to correspond and address the issues as noted above.

Comment: Water Resources – “A MnDOT drainage permit is required to ensure that the current drainage rates to MnDOT right of way will not be increased.”

Response: Noted for the record. The applicant has been provided with a copy of the letter with the appropriate MnDOT contact.

Comment: Permits – Any use of or work within or affecting MnDOT right of way requires a permit.

Response: Noted for the record. The applicant has been provided with a copy of the letter with the appropriate MnDOT contact.

2. Metropolitan Council

Comment: “The staff review finds that the EAW is complete and accurate with respect to regional concerns. An EIS is not necessary for regional purposes. The proposed project implements regional policy with respect to Transit Oriented Development and supports the vision of Lake Street/Midtown as a higher density, mixed-use activity center integrated with transit service.

Response: Noted for the record.

Comment: Item 18 – Transportation – “This project phases out a park & ride lot that has been serving Lake St. Station since it opened in June 2004. As addressed in the TDM plan, the lot is used to the point that its capacity is regularly exceeded. Cars are parked on surrounding streets southwest of the station. The TDM Plan discusses establishing a Critical Park Area. Also important is outreach (supported by Metro Transit) to the park & riders to encourage them to use alternatives (i.e., bus connections, walking, and bicycling) after the facility is closed.”

Response: Noted for the record. The applicant has been provided with a copy of the letter with the appropriate Metropolitan Council contact.

3. Corcoran Neighborhood

TDMP Comment: Figure 3C, page 10 does not show newly installed bicycle lanes on 32nd crossing Hiawatha. Planners should expect increased bicycle demand between 32nd Street at west side of Hiawatha Avenue and Lake Street Station and Market Plaza with construction of a new bicycle trail adjacent to the west side of the LRT bridge approach.

Response: Noted for the record.

TDMP Comment: No parking counts tallied for Saturday market, the busiest day of the Market on page 16.

Response: Noted for the record.

TDMP Comment: Graphic indicates no parking is allowed on 21st between Lake Street and 31st on page 18. Parking is currently allowed on both sides of the street. However, future parking may be limited or eliminated altogether if the planned bike circulator project is completed.

Response: Noted for the record.

TDMP Comment: “Handicapped Parking” designation can be insulting to people with limited mobility, as noted on page 18. “Accessible Parking” nomenclature is preferred.

Response: Noted for the record.

TDMP Comment: “Although city regulations stipulate no bike parking spaces are required for the “temporary” Market, this does not reflect the current or future demand for bike parking. Currently bike parking facilities are inadequate - not just in numbers, but in size and shape as well, considering the rising popularity of hitched bike accessories like “tagalongs,” carts, and trailers.

Response: Noted for the record.

4. Minnesota Department of Natural Resources (DNR)

Comment: Item 5 – Project Location: Please note that there is a typographical error associated with the Township. It is presented as 128 North; the correct Township number is 28.

Response: Noted for the record.

Comment: Item 13.b. – Rare features: Please find attached the Natural Heritage Inventory Review, which states that adverse effects to known occurrences of rare features are unlikely.

Response: Noted for the record.

Comment: Item 13.d. – Mitigation of adverse effects to ecological resources: This site is located 1.5 miles from the Mississippi River, one of 4 continent-wide bird migration routes. According to the National Park Service, 40% of North American waterfowl use the river corridor during spring and fall migration, and 60% of all north American birds (326 species) use the Mississippi River Basin as their migratory flyway. In addition, this site is located between two Audubon Important Bird Areas (IBA): the Minneapolis Chain of Lakes IBA, an urban migratory stopover and the Mississippi River Twin Cities IBA, an important migratory flyway. Given the purpose of the buildings that will require extensive use of windows (office and housing), and the height of the buildings cited (5 and 6 stories, no greater than 75-80 feet), we urge you to employ bird friendly strategies and materials (e.g., glass) during the building designs. For information on this subject, please see “Bird-Friendly Building Design” (Sheppard, 2011. Bird-Friendly Building Design. American Bird Conservancy, The Plains, VA, 58p), available at: <http://www.abcbirds.org/newsandreports/BirdFriendlyBuildingDesign.pdf>.

Response: Noted for the record. The project architects and Hennepin County have made adequate considerations during the design process to avoid creating a significant hazard for resident and any migratory birds that may find themselves in the vicinity of the buildings as the exterior elevations of the County office building are composed of roughly 30% glazing; as such, not designed as a glass box. The only full-glass facades are at street level and landscape plantings would be provided adjacent to these windows as required by the zoning ordinance. Upper floors are designed to have punched windows with at least 5 to 7 feet spacing. The metal panel system is a contrasting material to the color of the sky and is not a reflective finish. Further, the County use is a daytime function, so other than nominal site lighting, the building would not be lit at night.

This same awareness and consideration to minimize hazards to birds would be provided in the design of the residential buildings in Phase One and subsequent phases. All phases of development would be reviewed and

approved through the City’s established regulatory framework. The development is not anticipated to have any significant impact on the bird population in south Minneapolis.

4. Minnesota Historical Society – State Historic Preservation Office

Comment: “Based on our review of the project information, we conclude that there are no properties listed in the National or State Registers of Historic Places, and no known or suspected archaeological properties in the area that will be affected by this project.”

Response: Noted for the record.

V. ISSUES IDENTIFIED IN THE EAW

The only significant environmental impact/issue that was identified in this EAW was potential traffic and parking issues. A Traffic Demand Management Plan (prepared by Westwood) was provided for the proposed development that analyzed the existing and proposed site and surrounding site conditions including:

- . Present and future land uses;
- . Pedestrian, bicycle and transit use;
- . On-street and off-street parking inventory and the pattern of demand including the impact of Park & Ride and “hide-and-ride” users of the Hiawatha LRT Lake Street–Midtown Station;
- . Parking requirements of the Minneapolis Zoning Code and parking requirements identified by the Institute of Transportation Engineers (ITE);
- . Establishment of a “Critical Parking Area”;
- . Opportunities for shared parking within the development;
- . Traffic impacts including operations, access and site circulation.

The results of the existing condition analysis indicates that all study area intersections operate at acceptable overall Levels of Service now and predicts each of the studied intersections would continue operating at acceptable overall Levels of Service under the 2017 and 2025 build alternatives.

VI. COMPARISON OF POTENTIAL IMPACTS WITH EVALUATION CRITERIA

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

A. Type, extent, and reversibility of environmental effects:

The environmental effects identified in the EAW and within the comment letters are localized and can be mitigated through the City’s land use application process. The identified effects are reversible until the potential final discretionary approvals of each phase of the proposed project are granted through the City approval process. Each phase will require City approvals including but not limited to the Planning Commission, Zoning and Planning Committee and City Council.

B. Cumulative potential effects:

The issues identified in the EAW shall be resolved via the City's land use approval process on a project by project basis. Any potential future redevelopments within the area would be considered through the formal land use application

process that has been applied to this project. The City's existing regulatory process and framework captures and evaluates development proposals not only from a Planning perspective, which encompasses community planning, heritage preservation and development services analysis, but also includes evaluations by the Public Works Department related to stormwater management, sewer design, traffic, streets, water, right-of way, etc. This has and will continue to allow the City to manage potential cumulative effects of future development within the vicinity and throughout the City as a whole.

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

The City has discretionary authority through its land use approval process, and the City and State have authority through the permit approvals required for this project to address, mitigate or avoid the environmental effects identified in the EAW and the comment letters.

The City's formal land use application process is comprehensively administered by City Staff and implemented by experienced Commissions and the City Council. The City's existing regulatory process and framework captures and evaluates development proposals not only from a Planning perspective which encompasses community planning, heritage preservation and development services analysis but also includes evaluations by the Public Works Department related to stormwater management, sewer design, traffic, streets, water, right-of way, etc. Any potential environmental effects are mitigated by the City's formal development review efforts.

It is important to note that City Staff and the City Planning Commission consider the context, character, and compatibility of new development.

D. Extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies or the project proposer, including other EISs:

The construction of additional office and residential structures in this area follows many precedents, and is a known event with known effects. Redevelopment of this type within an urban setting is neither unique nor unanticipated. The environmental effects of this redevelopment can be anticipated and controlled by the City's formal land use application and regulatory processes.

VII. DECISION ON THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

Based on the EAW, the "Findings of Fact and Record of Decision" document, and related documentation for this project, the City of Minneapolis, as the (RGU) for this environmental review, concludes the following:

1. The Environmental Assessment Worksheet, the "Findings of Fact and Record of Decision" document, and related documentation for the L&H Station project were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minn. Rules, Parts 4410.1000 to 4410.1700 (2009).
2. The Environmental Assessment Worksheet, the "Findings of Fact and Record of Decision" document, and related documentation for the project have satisfactorily addressed all of the issues for which existing information could have been reasonably obtained.
3. The project does not have the potential for significant environmental effects based upon the above findings and the evaluation of the following four criteria (per Minn. Rules, Parts 4410.1700 Subp. 7):
 - Type, extent, and reversibility of environmental effects;
 - Cumulative potential effects;

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- Extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority.
 - Extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies or the project proposer, including other EISs.
4. The finding by the City that the EAW is adequate and no EIS is required provides no endorsement, approval or right to develop the proposal and cannot be relied upon as an indication of such approval. This finding allows the proposer to formally initiate the City's process for considering the specific discretionary permissions necessary for redevelopment, and for the City in this process, informed by the record of the EAW, to identify and encourage the elements for compatible redevelopment, and assure their implementation at this site.

Consequently, the City does not require the development of an Environmental Impact Statement (EIS) for the project.

Exhibits:

- A. Project Description
- B. Environmental Review Record
- C. Public Notification Record
- D. Council/Mayor Action
- E. Comments Received

EXHIBIT A

Project Description

As proposed, the L&H Station project would result in the redevelopment of a six and one half-acre site at the intersection of Lake Street and Hiawatha Avenue adjacent to the Lake Street/Midtown Blue Line LRT Station. The site is currently occupied by a three-story, 51,000 square foot classroom building, a fenced playground area and a 450 space surface parking lot. The parking spaces located east of 23rd Avenue extended are used as a Park and Ride lot established through a lease with the Metropolitan Council. The lease for that use is set to terminate in 2015. In addition, the Midtown Farmer's Market has operated on the northern portion of the parking lot abutting Lake Street on Saturday mornings from May to October, and Tuesday evenings from June through October, since 2003.

The proposed phased development would incrementally result in the construction of 565 residential units, a 100,000 square foot office building, up to 16,075 square feet of retail space and a public plaza/market square. The proposed public plaza/market square would be located adjacent to the LRT station and would also serve as the permanent home of the Midtown Farmer's Market. The redevelopment would be served by up to 840 structured parking spaces.

The Proposed Site Development Plan (Figure 3c) shows the overall master plan for the site. Construction on the first phase is anticipated to begin in 2015, and continue incrementally over ten years with the fourth phase concluding in 2025. The initiation of each phase after Phase One would be determined based on the timing of the relocation of Minneapolis Public Schools (MPS) and their functions that currently operate out of the existing building on the premises (the South Campus of the Adult Basic Education Program), and on market acceptance and conditions.

Phase One: 2015

As proposed, the first phase of the development would be constructed on the surface parking area located directly west of the existing MPS building. Phase One would include 100,000 square feet of office space, 8,000 square feet of commercial space at the street level of the office building and a total of 125 residential units as indicated on the Phase One Development Plan (Figure 3d), and as further described below. Figures 4 and 5 are renderings of the Phase One office/retail and residential buildings.

The office building would be occupied by Hennepin County Human Services and Public Health Department (HSPHD). The structure would be approximately five stories or 79 feet in height, and 100,000 square feet in size. The principal entrance to the facility and the retail spaces would be located directly off of Lake Street. Approximately 500 employees are expected to office out of the new facility; however, it is anticipated that the on-site count of employees at any one time would total approximately 325 individuals as these employees would meet clients both in and out of the office building. The new building would be one of its six regional service hubs that are now being developed by the County that provide various services to county residents including assessments and program referrals. Clients would be able to apply for food support and medical assistance, address homelessness, deal with utility shut-offs, evictions and other emergencies, get support for seniors in their homes, learn about early childhood programs and programs for people with disabilities as well as programs geared towards improving mental health and eliminating chemical dependencies.

The County has established human services centers in four HSPHD service regions in Brooklyn Center (Northwest Family Service Center), north Minneapolis, south suburban (Bloomington), and west suburban (Hopkins). There are three satellite locations as well that include Plymouth at Interfaith Outreach and Community Partners, Brookdale and Sabathani Community Center in Minneapolis. Construction is underway at the northeast/central human services center (located in the Health Services Building) and nearing completion at satellites in northeast Minneapolis (Eastside Neighborhood Services) and in Eden Prairie (located in the former Eden Prairie Service Center/library).

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Approximately, 8,000 square feet of new retail space would be integrated into the ground level of the office building along the Lake Street frontage. The space is expected to accommodate approximately three to five tenants.

Phase One would also include a six-story, 125 unit market-rate residential building. The project would have a combination of studios, one-bedroom and two-bedroom units ranging from 550 to 850 square feet. There would be approximately 23 units per floor. All units would have outdoor space in the form of a balcony, terrace (at the amenity deck) or walk-up patio. Exterior materials are proposed to be brick, metal, cement fiber board and glass. The main entrance for the housing would be located off of 22nd Avenue. Ground level townhouse units would be developed along the private street connecting 22nd Avenue to 23rd Avenue (extended). See Figures 3c and 5.

As part of the first phase, a 441 space parking structure that includes both below grade and one level of at grade parking that is covered by a green roof canopy, would be developed to serve the office, retail spaces and the residential building. At-grade parking for Phase One would be controlled via gate access and would require patrons to receive validation. The below-grade parking spaces would have secured access via a FOB system. The Phase One housing development would have 75 dedicated parking spaces. There would also be 50 shared spaces available for housing use at off-peak hours. During Phase One the County would also have use of the remaining surface spaces located directly south of Phase One.

During Phase One, MPS would continue to operate out of the existing building. The use of the 143 leased and 27 dedicated parking spaces located along the east edge of the site for the Metropolitan Council's Park and Ride lot would terminate. The MPS would use these 170 spaces in the interim, replacing the parking spaces lost by the development of Phase One.

Subsequent Phases Two – Four: 2017 – 2025

The construction on the remainder of the site would begin when MPS relocates to a new site, thus allowing for the demolition of the existing 51,000 square foot building that occupies the subject property. A potential new site has been identified but assembly and construction may require five to eight years to complete.

Future phased development would provide a new public plaza/market square, along the east side of the site, with permanent facilities for the Midtown Farmer's Market and a platform for programming other public events. The public plaza/market square would provide a connection to the Lake Street/Midtown LRT station for visitors to Hennepin County's regional human services office, and other businesses and services on the site, for other destinations in the district beyond L&H Station, and for nearby residents.

The additional 8,075 square feet of proposed commercial space would be located within the residential building proposed in a future phase along the edge of the public plaza/market square.

Hennepin County is currently in discussion with the Metropolitan Council, owner of the triangle-shaped parcel on the east edge of the site, identified on the Phase One Development Plan, to be incorporated into the development of the public plaza/market square.

The multiple new residential buildings on the site would have a total of 440 housing units served by 399 parking spaces.

Two residences, 3029 and 3055 22nd Avenue South, located in the southwest corner of the site identified as existing houses on the Phase One Development Plan are not included in the County's purchase of the site from MPS but are designated for redevelopment. It is anticipated that the owners of these parcels will be contacted for purchase of their parcels when appropriate as the redevelopment proceeds.

EXHIBIT B

Environmental Review Record for the L&H Station EAW

Date	Action
12/15/2014	City Staff distributes EAW to official EQB mailing list and Project List. EAW is posted on the City's website.
12/22/2014	Minnesota Environmental Quality Board (EQB) publishes notice of availability in <i>EQB Monitor</i> and the 30-day comment period commences.
1/21/2014	EAW public comment period closes.
2/19/2015	Zoning and Planning Committee (Z & P) of the City Council considers the "Draft Findings of Fact and Record of Decision" report, provides recommendation to the City Council.
2/27/2015	City Council approves Z & P Committee recommendation and makes a finding of Negative Declaration: EAW is adequate and no EIS is necessary.
3/06/2015	Mayor approves Council action regarding EAW
3/07/2015	City publishes notice of Council/Mayor decision in <i>Finance and Commerce</i> .
3/09/2015	City publishes and distributes Notice of Decision and availability of final "Findings" report to official EQB List and the Project List
3/16/2015	EQB publishes Notice of Decision in <i>EQB Monitor</i> .

EXHIBIT C

Public Notification Record

The following describes the public notification process of CPED for the L&H Station EAW:

1. The City maintains an updated list based on the Official EQB Contact List. The L&H Station EAW project list follows. All persons on that list were sent copies of the EAW. CPED also distributes copies of the EAW to elected and appointed officials, City staff and others who have expressed interest in the project.
2. A notice of the availability of the L&H Station EAW, the dates of the comment period, and the process for receiving a copy of the EAW and/or providing comment was published provided with each copy of the EAW and in the *EQB Monitor* and was provided to the City's CPED Media contact for notice and distribution.
3. CPED distributed the Notice of Decision with information regarding the final "Findings" document to the Official EQB Contact List and the project list.
4. The EQB published the Notice of Decision in the *EQB Monitor*.

Attached:

Official EQB Contact List

Project List

**EAW DISTRIBUTION LIST
October 14, 2014**

STATE AGENCIES

Department of Agriculture (1 copy)

Becky Balk
625 N. Robert St.
St. Paul, MN 55155
Becky.Balk@state.mn.us

Department of Commerce (1 copy)

Ray Kirsch
85 Seventh Place East, Suite 500
St. Paul, MN 55101

Environmental Quality Board (1 copy)

Environmental Review Program
520 Lafayette Road North – 4th Floor
St. Paul, MN 55155-4194
EOB.Monitor@state.mn.us

Department of Health (1 copy, prefer electronic)

Michele Ross
Environmental Health Division
625 N. Robert St.
St. Paul, MN 55155
Health.Review@state.mn.us

Department of Natural Resources (3 copies or electronic)

Kate Frantz
Environmental Review Unit
500 Lafayette Road
St. Paul, MN 55155-4025
Kate.Frantz@state.mn.us

Pollution Control Agency (1 copy and 1 CD)

Dan Card, Supervisor
Environmental Review Unit – 4th Floor
500 Lafayette Road North
St. Paul, MN 55155

Department of Transportation (1 copy)

Debra Moynihan
Mn/DOT Office of Environmental Stewardship
395 John Ireland Blvd., MS 620
St. Paul, MN 55155

Board of Water and Soil Resources (1 copy)

Travis Germundson
520 Lafayette Rd.
St. Paul, MN 55155
Travis.Germundson@state.mn.us

LIBRARIES

Technology and Science (2 copies)

Hennepin County Library – Minneapolis Central
Attn: Helen Burke
Government Documents, 2nd Floor
300 Nicollet Mall
Minneapolis, MN 55401-1992

FEDERAL

U.S. Army Corps of Engineers (1 copy)

Tamara Cameron
Regulatory Functions Branch
190 Fifth St. E
St. Paul, MN 55101-1638

U.S. Environmental Protection Agency (1 copy)

Kenneth Westlake
Environmental Planning & Evaluation Unit
77 W Jackson Blvd., Mailstop B-19J
Chicago, IL 60604-3590

U.S. Fish and Wildlife Service (1 copy)

Twin Cities Field Office E.S.
4101 American Blvd. East
Bloomington, MN 55425-1665

REGIONAL

Metropolitan Council (NOTE: 5 copies IF the project is in the seven-county metro area)

Review Coordinator, Local Planning Assistance
Metropolitan Council
390 Robert St. No.
St. Paul, MN 55101-1805
raya.esmaeili@metc.state.mn.us

OTHER

National Park Service (1 copy)

Stewardship Team Manager
111 E Kellogg Blvd., Suite 105
St. Paul, MN 55101-1288
(If project is located within, or could have a direct impact upon, the Mississippi River Critical Area/ Mississippi National River and Recreation Area. This is a 72-mile stretch of river from the mouth of the Crow River at Dayton/Ramsey to the Goodhue County border.)

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State Archaeologist (1 copy)

Fort Snelling History Center
St. Paul, MN 55111-4061

Minnesota Historical Society (1 copy)

State Historic Preservation Office
345 Kellogg Blvd.
St. Paul, MN 55102

Indian Affairs Council (1 copy)

Jim Jones, Cultural Affairs Director
Indian Affairs Council
113 2nd Street NW Ste 110A
Bemidj, MN 56601

L&H Station EAW Project Mailing List 12/15/14

Michael Cronin & Associates
8809 West Bush Lake Road
Minneapolis, MN 55438

Hennepin County
J. Michael Noonan
Real Estate Division
Strategic Planning and Resources Department
701 4th Ave. S., Ste. 400
Minneapolis, MN 55415-1843

Council Member Alondra Cano
Ward 9 – 307 City Hall

Minneapolis Central Library
300 Nicollet Mall
Minneapolis, MN 55401

Corcoran Neighborhood
3451 Cedar Avenue
Minneapolis, MN 55407

East Phillips Improvement Coalition
2407 17th Ave. S.
Minneapolis, MN 55404

Longfellow Community Council
2727 26th Ave S.
Minneapolis, MN 55406

Jason Wittenberg – Room 300 PSC

Becca Farrar – Room 300 PSC (**2 copies**)

Erik Nilsson- 210 CH

Allan Klugman – 300 Border Avenue

Dave Jaeger
Henn. Co. Environmental Services
701 4th Avenue South
Minneapolis MN 55415

EXHIBIT D

Council /Mayor Action

Zoning and Planning Committee (Z & P) of the City Council Meeting –2/19/2015

L&H Station Project, 2225 E Lake St:

Approving staff recommendation that the Environmental Assessment Worksheet (EAW) and Findings of Fact prepared for the L&H Station located at 2225 E Lake St are adequate and that preparation of an Environmental Impact Statement (EIS) is not required.

Action Taken: The EAW and Findings of Fact were found adequate and the preparation of an EIS found to not be required.

City Council Meeting – 2/27/2015

Z&P – Your Committee, having under consideration the environmental review process for the L&H Station Project proposed at 2225 E Lake St, and having received a determination from staff that the Environmental Assessment Worksheet was adequate, now recommends that the development of an Environmental Impact Statement not be required, therefore making a Negative Declaration, and that the Findings of Fact and Record of Decision document set forth in the Department of Community Planning and Economic Development staff report be adopted.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

EXHIBIT E

Comments Received on the L&H Station EAW:

1. Minnesota Department of Transportation, January 15, 2015
2. Metropolitan Council, January 15, 2015
3. Corcoran Neighborhood, January 15, 2015
4. Minnesota Department of Natural Resources, January 20, 2015, (with an affiliated letter to the applicant dated December 15, 2014)
5. Minnesota Historical Society – State Historic Preservation Office, January 21, 2015



Minnesota Department of Transportation

Metropolitan District

Waters Edge Building
1500 County Road B2 West
Roseville, MN 55113

January 15, 2015

Becca Farrar-Hughes
City of Minneapolis – Community Planning and Economic Development
250 4th Street South – Room 300
Minneapolis, MN 55415

SUBJECT: L&H Station
MnDOT Review # EAW14-014
Southwest quadrant of MN55 and Lake St. (2225 East Lake St)
Minneapolis, Hennepin County
Control Section 2724

Dear Ms. Farrar-Hughes:

Thank you for the opportunity to review The EAW for the proposed L&H station development at Highway 55 and Lake St. As plans are refined, we would like the opportunity to meet with our partners and to review the updated information. MnDOT's staff has reviewed the document and has the following comments:

West Area and Traffic:

MnDOT anticipates that the 4,000 new trips per day likely to be generated by the proposed development will impact the Hiawatha Ave/Lake St. single point intersection. Please demonstrate how the Hiawatha Ave./Lake St. single point intersection can operate effectively despite the potentially lengthy peak hour queues resulting from additional motorists traveling from westbound E. Lake St. to southbound 22nd Ave. S. The existing westbound left turn lane appears to be only about 75 ft. in length. For questions concerning this comment, please contact Ron Rauchle at 651-234-7880.

Water Resources:

A MnDOT drainage permit is required to ensure that current drainage rates to MnDOT right of way will not be increased. The drainage permit application, including the information below, should be submitted to:

Minnesota Department of Transportation
Metropolitan District - Permit Office
1500 W. County Road B-2
Roseville, MN 55113

The following information must be submitted with the drainage permit application:

- 1) A grading plan showing existing and proposed contours,

- 2) Drainage area maps for the proposed project showing existing and proposed drainage areas. Any off-site areas that drain to the project area should also be included in the drainage area maps. The direction of flow for each drainage area must be indicated by arrows,
- 3) Drainage computations for pre and post construction conditions during the 2, 10, 50 and 100 year rain events, and
- 4) An electronic copy of any computer modeling used for the drainage computations.

For any questions regarding these comments please contact Brian Kelly at 651-234-7536.

Permits

As mentioned above, any use of or work within or affecting MnDOT right of way requires a permit. Permit forms are available from MnDOT's utility website at <http://www.dot.state.mn.us/utility/>

Please include one 11 x 17 plan set and one full size plan set with each permit application. Please direct any questions regarding permit requirements to Buck Craig (651-234-7911) of MnDOT's Metro Permits Section.

Review Submittal Options:

MnDOT's goal is to complete the review of plans within 30 days. Submittals sent in electronically can usually be turned around faster. There are four submittal options. Please submit either:

1. One (1) electronic pdf. version of the plans. MnDOT can accept the plans via e-mail at metrodevreviews.dot@state.mn.us provided that each separate e-mail is under 20 megabytes.
2. Three (3) sets of full size plans. Although submitting seven sets of full size plans will expedite the review process. Plans can be sent to:

MnDOT – Metro District Planning Section
Development Reviews Coordinator
1500 West County Road B-2
Roseville, MN 55113

3. One (1) compact disc.
4. Plans can also be submitted to MnDOT's External FTP Site. Please send files to: <ftp://ftp2.dot.state.mn.us/pub/incoming/MetroWatersEdge/Planning> Internet Explorer doesn't work using ftp so please use an FTP Client or your Windows Explorer (My Computer). Also, please send a note to metrodevreviews.dot@state.mn.us indicating that the plans have been submitted on the FTP site.

If you have any questions regarding this review please contact me directly,

Sincerely

A handwritten signature in black ink, appearing to read "KScheffing". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Karen Scheffing
Principal Planner

Copy sent via E-Mail:

Ron Rauchle, Area Engineer
Brian Kelly, Water Resources
Nancy Jacobson, Design
Buck Craig, Permits
Doug Nelson, Right-of-Way
Chad Erickson, Traffic Engineering
Clare Lackey, Traffic Engineering
Mark Larsen, Hennepin County
Russell Owen, Metropolitan Council

January 15, 2015

Becca Farrar-Hughes, Senior City Planner
City of Minneapolis
250 South 4th Street, Room 300
Minneapolis, MN 55415

RE: City of Minneapolis Environmental Assessment Worksheet (EAW) - L&H Station
Metropolitan Council Review No. 21316-1
Metropolitan Council District 8

Dear Ms. Farrar-Hughes:

The Metropolitan Council received the EAW for the L&H Station project on December 22, 2014. The proposed project would result in the redevelopment of an approximately 6.5 acre site adjacent to the METRO Blue Line station southwest of the intersection of Hiawatha and Lake Street in Minneapolis. The project is anticipated to be developed in four separate phases over ten years, and would provide at completion a total of 575 residential units, a 100,000 square foot office building, 16,075 square feet of commercial space, 840 off-street parking spaces and a public plaza/marketplace.

The staff review finds that the EAW is complete and accurate with respect to regional concerns. An EIS is not necessary for regional purposes. The proposed project implements regional policy with respect to Transit Oriented Development and supports the vision of Lake Street/Midtown as a higher density, mixed-use activity center integrated with transit service. We offer the following comments for your consideration.

Item 18 – Transportation (John Dillery, 612-349-7773)

This project phases out a park & ride lot that has been serving Lake St. Station since it opened in June 2004. As addressed in the TDM plan, the lot is used to the point that its capacity is regularly exceeded. Cars are parked on surrounding streets southwest of the station. The TDM plan discusses establishing a Critical Park Area. Also important is outreach (supported by Metro Transit) to the park & riders to encourage them to use alternatives (i.e., bus connections, walking, and bicycling) after the facility is closed.

This concludes the Council's review of the EAW. The Council will not take formal action on the EAW. If you have any questions or need further information, please contact the listed technical reviewer or Michael Larson, Principal Reviewer, at 651-602-1407.

Sincerely,



Mark VanderSchaaf, Director
Regional Planning

CC: Crystal Shepeck, MHFA
Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Adam Duininck, Metropolitan Council District 8
Michael Larson, Sector Representative and Principal Reviewer
Raya Esmaili, Reviews Coordinator

N:\CommDev\PA\Communities\Minneapolis\Letters\Minneapolis 2015 EAW L&H Station 21316-1.docx

Review of Environmental Assessment Worksheet prepared for:
L&H Station
2225 LAKE STREET EAW
Formal Comments of the Corcoran Neighborhood Organization
Approved by the Board of Directors, Thursday, January 15th, 2015

Comments on the TRAVEL DEMAND MANAGEMENT PLAN

Page 10.

Factual Error: Figure 3C does not show newly installed bicycle lanes on 32nd crossing Hiawatha.
Comment: Planners should expect increased bicycle demand between 32nd Street at west side of Hiawatha Avenue and Lake Street Station and Market Plaza with construction of a new bicycle trail adjacent to the west side of the LRT bridge approach.

Page 16

Omission: No parking counts tallied for Saturday market, the busiest day of the Market.

Page 18

Factual Error: Graphic indicates no parking is allowed on 21st between Lake Street and 31st.
Parking is currently allowed on both sides of the street. However, future parking may be limited or eliminated altogether if the planned bike circulator project is completed.

Page 18

Comment: "Handicapped Parking" designation can be insulting to people with limited mobility.
"Accessible Parking" nomenclature is preferred.

Page 28

Comment: Although city regulations stipulate no bike parking spaces are required for the "temporary" Market, this does not reflect the current or future demand for bike parking. Currently bike parking facilities are inadequate - not just in numbers, but in size and shape as well, considering the rising popularity of hitched bike accessories like "tagalongs," carts, and trailers.

Prepared by Phillip Koski, Land-Use and Housing Committee Chair

Farrar, Rebecca D.

From: Haworth, Brooke (DNR) <Brooke.Haworth@state.mn.us>
Sent: Tuesday, January 20, 2015 1:39 PM
To: Farrar, Rebecca D.
Subject: DNR comments - L & H STATION REDEVELOPMENT EAW
Attachments: L&H Station-NHIS Review.pdf

Ms. Farrar,

The Minnesota Department of Natural Resources (DNR) has reviewed the EAW for the L&H Station project, and offers the following comments for your consideration.

- Item 5. Project Location: please note that there is a typographical error associated with the Township. It is presented as 128 North; the correct Township number is 28.
- Item 13.b. Rare features: please find attached the Natural Heritage Inventory Review, which states that adverse effects to known occurrences of rare features are unlikely.
- Item 13.d. Mitigation of adverse effects to ecological resources: This site is located 1.5 miles from the Mississippi River, one of 4 continent-wide bird migration routes. According to the National Park Service, 40% of north American waterfowl use the river corridor during spring and fall migration, and 60% of all north American birds (326 species) use the Mississippi River Basin as their migratory flyway. In addition, this site is located between two Audubon Important Bird Areas (IBA): the Minneapolis Chain of Lakes IBA, an urban migratory stopover and the Mississippi River Twin Cities IBA, an important migratory flyway. Given the purpose of the buildings that will require extensive use of windows (office and housing), and the height of the buildings cited (5 and 6 stories, no greater than 75-80 feet), we urge you to employ bird friendly strategies and materials (e.g., glass) during the building designs. For information on this subject, please see "Bird-Friendly Building Design" (Sheppard, 2011. *Bird-Friendly Building Design*. American Bird Conservancy, The Plains, VA, 58p), available at: <http://www.abcbirds.org/newsandreports/BirdFriendlyBuildingDesign.pdf>.

Thank you for the opportunity to review this document. Please contact me if you have any questions about these comments.

Brooke Haworth

Environmental Assessment Ecologist, Central Region
MnDNR Division of Ecological and Water Resources
1200 Warner Road, St. Paul, MN 55106
Phone: 651-259-5755
Email: Brooke.haworth@state.mn.us



Minnesota Department of Natural Resources

Division of Ecological and Water Resources, Box 25

500 Lafayette Road

St. Paul, Minnesota 55155-4025

Phone: (651) 259-5109 E-mail: lisa.joyal@state.mn.us

December 15, 2014
20150163

Correspondence # ERDB

Mr. J. Michael Noonan
Hennepin County Transportation Department
1600 Prairie Drive
Medina, MN 55340

RE: Natural Heritage Review of the proposed L&H Station Redevelopment;
T28N R24W Section 1; Hennepin County

Dear Mr. Noonan,

As requested, the above project has been reviewed for potential effects to known occurrences of rare features. A search of the Minnesota Natural Heritage Information System did identify rare features within an approximate one-mile radius of the proposed project, but these records did not include any federally listed species and were either historical or not of concern given the project details that were provided with the data request form. As such, I do not believe the proposed project will adversely affect any known occurrences of rare features.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location (noted above) and project description provided on the NHIS Data Request Form. Please contact me if project details change or if an updated review is needed.

Furthermore, the Natural Heritage Review does not constitute review or approval by the Department of Natural Resources as a whole. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. Additional rare features for which we have no data may be present in the project area, or there may be other natural resource concerns associated with the proposed project. For these concerns, please contact your DNR Regional Environmental Assessment Ecologist (contact information available at http://www.dnr.state.mn.us/eco/ereview/erp_regioncontacts.html). Please be aware that additional site assessments or review may be required.

Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources. An invoice will be mailed to you under separate cover.

Sincerely,

Samantha Bump
Natural Heritage Review Specialist

STATE HISTORIC PRESERVATION OFFICE

January 21, 2015

Becca Farrar-Hughes
Senior City Planner
City of Minneapolis
250 South 4th Street, Room 300
Minneapolis, MN 55415

RE: EAW – L&H Station – Redevelopment of block immediately west of the Lake Street/Hiawatha Avenue
LRT Station
Minneapolis, Hennepin County
T128 R24 S1 NW
SHPO Number: 2015-0941

Dear Ms. Farrar-Hughes:

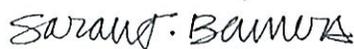
Thank you for the opportunity to review and comment on the above project. It has been reviewed pursuant to the responsibilities given the Minnesota Historical Society by the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act.

Based on our review of the project information, we conclude that there are **no properties** listed in the National or State Registers of Historic Places, and no known or suspected archaeological properties in the area that will be affected by this project.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36CFR800, Procedures of the Advisory Council on Historic Preservation for the protection of historic properties. If this project is considered for federal assistance, or requires a federal permit or license, it should be submitted to our office by the responsible federal agency.

Please contact our Compliance Section at (651) 259-3455 if you have any questions regarding our review of this project.

Sincerely,



Sarah J. Beimers, Manager
Government Programs and Compliance