

FINDINGS OF FACT AND RECORD OF DECISION

ENVIRONMENTAL ASSESSMENT WORKSHEET

900 Marquette Development

Location: 900 Marquette Avenue and 94 South 10th Street
City of Minneapolis, Hennepin County, Minnesota

Responsible Governmental Unit (RGU): City of Minneapolis

	RGU	Proposer / Project Contact
Contact persons	City of Minneapolis Hilary Dvorak	Hines Brian Davidoff
Title	Principal City Planner	Associate
Address	505 4 th Avenue South, #320	90 South 7 th Street, Suite 700
City, State, ZIP	Minneapolis, MN 55415	Minneapolis, MN 55402
Phone	612-673-2639	312-419-4710
E-mail	hilary.dvorak@minneapolismn.gov	Brian.Davidoff@hines.com

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 July 21, 2022:

1. The Environmental Assessment Worksheet, the “Findings of Fact and Record of Decision” document, and related documentation for the 900 Marquette 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 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 900 Marquette Development according to the Environmental Review Rules of the Minnesota Environmental Quality Board (EQB) under Minnesota Rules, part 4410.4300, subpart 14B (Industrial, commercial, and institutional facilities). Exhibit A includes the project summary, and Exhibit B includes the Environmental Review Record.

II. EAW NOTIFICATION AND DISTRIBUTION

On May 17, 2022, 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 May 17, 2022, 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 Business, Inspections, Housing & Zoning Committee (BIHZ) of the Minneapolis City Council considered the EAW and the draft of this "Findings of Fact and Record of Decision" document during its July 12, 2022, meeting. Notification of this BIHZ 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) agency comment letters and one (1) public comment letter during the public comment period on the dates identified below:

1. Army Corps of Engineers, May 16, 2022
2. Minnesota Department of Transportation, June 14, 2022
3. Metropolitan Council, June 15, 2022
4. Minnesota Pollution Control Agency, June 15, 2022
5. Minnesota Department of Natural Resources, June 16, 2022
6. Downtown Minneapolis Neighborhood Association, June 13, 2022

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

Agency	Comment	Response
Army Corps of Engineers	We have received your submittal described below. You may contact the Project Manager with questions regarding the evaluation process. The Project Manager may request additional	Thank you, your comment is noted.

Findings of Fact and Record of Decision – 900 Marquette Development EAW

	<p>information necessary to evaluate your submittal. Please note that initiating work in waters of the United States prior to receiving Department of the Army authorization could constitute a violation of Federal law. If you have any questions, please contact the Project Manager</p>	
<p>Minnesota Department of Transportation</p>	<p>Permits: Any use of, or work within or affecting, MnDOT right of way will require a permit. Permits can be applied for at this site: https://olpa.dot.state.mn.us/OLPA/. Please upload a copy of this letter when applying for any permits.</p> <p>Please direct questions regarding permit requirements to Buck Craig of MnDOT’s Metro Permits Section at 651-775-0405 or Buck.Craig@state.mn.us.</p>	<p>It is not anticipated that any work will be within MnDOT right of way; however, if this does occur a MnDOT permit will be applied for.</p>
<p>Metropolitan Council</p>	<p>Item 18 – Transportation (Steve Mahowald, Metro Transit, 612-349-7775) Please note that Marq2 transit lanes are for public transit buses only from 6AM to 9AM, and from 3PM to 7PM, Monday through Friday. Item 20 incorrectly states that the lanes for Marquette Avenue are dedicated for transit use in the AM peak hour and PM peak hour. Outside of these peak periods, the transit lanes are restricted to authorized commercial vehicles.</p> <p>While not addressed by the EAW, please note that Hines reached out to Metro Transit and proposed integrated waiting areas, within the building envelope, in lieu of the existing shelters on Marquette Avenue. While Metro Transit appreciates this consideration, we prefer to maintain the existing shelters. Providing a different waiting facility, integrated into the building envelope, is a change to these bus stops on an important Express Bus corridor. This would require extensive inter- and intra-agency discussion, planning, and engineering, which may not work with the development’s timeline. Additionally, the design of the integrated waiting areas, as proposed, would not provide the same level of service that riders enjoy today.</p>	<p>Comment noted. Thank you for the clarification about transit lanes use.</p>
<p>Minnesota Pollution Control Agency</p>	<p>Water Resources (Item 12) The Project will disturb slightly under one acre of land and therefore does not require an MPCA construction stormwater permit. However, erosion and</p>	<p>Thank you, your comment is noted.</p>

	<p>sediment control Best Management Practices will be utilized during construction. Also, stormwater management via various green stormwater infrastructure practices (green & blue roofs, tree boxes/trenches, pervious pavements, etc.) will be employed to improve stormwater runoff conditions from existing and new impervious area at the site. The MPCA appreciates these efforts to improve the site for both stormwater and climate resiliency.</p>	
	<p>Contamination/Hazardous Materials/Wastes (Item 13) Please note that the results of the Phase II Environmental Site Assessment identified petroleum and non-petroleum impacts in soil and soil vapor, including benzene and tetrachloroethene (PCE) in soil vapor below MPCA action levels. The Response Action Plan/Construction Contingency Plan approved by the MPCA addresses the management of these contaminants.</p>	<p>Thank you, your comment is noted.</p>
	<p>Greenhouse Gas (GHG) Emissions/Carbon Footprint (Item 18)</p> <ul style="list-style-type: none"> • The MPCA is supportive of the green infrastructure for this Project and appreciates that Appendix D of the EAW provides the proper inputs to replicate greenhouse gas (GHG) calculations. • This section of the EAW states that “additional landscaping will absorb particulate matter.” The MPCA is not aware of anything to support this statement, and it’s also not discussed thoroughly enough in the EAW. It would be helpful if clarifications could be made, or a more thorough discussion could be provided. 	<p>Comment noted. Through a process known as phytoremediation, trees/vegetation are used to remove, degrade, or stabilize pollutants and contaminants, such as toxic metals, from soil or groundwater¹.</p>
<p>Minnesota Department of Natural Resources</p>	<p>Page 6, Climate Adaptation and Resilience. The DNR appreciates the City of Minneapolis including this section in the EAW, and that the proposer will incorporate adaptations to reduce the heat island effect, as well as improve stormwater infrastructure in the area. We suggest that the proposer also consider reusing stormwater for irrigation.</p>	<p>Thank you, your comment is noted.</p>
	<p>Page 14, Groundwater. It is possible that unknown wells may be encountered at the site. If so, these wells should be sealed in accordance</p>	<p>Thank you, your comment is noted.</p>

¹ Source: U.S. Department of Agriculture, “Trees Can Do the Dirty Work of Waste Cleanup”.
<https://www.usda.gov/media/blog/2019/08/30/trees-can-do-dirty-work-waste-cleanup>

	with the regulations of the Minnesota Department of Health.	
	Page 17, Stormwater. The DNR appreciates that the proposer will look for ways to reduce chloride use.	Thank you, your comment is noted.
	Page 18, Water Appropriation. The project proposes to construct three levels of underground parking, which could very likely require permanent dewatering due to shallow groundwater. If there is a need for permanent dewatering of the new parking structures in quantities that exceed 10,000 gallons per day, or one million gallons per year, a DNR Water Appropriation Permit will be required.	Comment noted. The developer will obtain a DNR Water Appropriation Permit, if required.
	Page 19, Contamination/Hazardous Materials. If it is necessary to remediate polluted groundwater for this development, and the volume of water that is pumped exceeds 10,000 gallons in a day, or one million gallons per year, then a DNR Water Appropriation Permit will be required for the pollution containment.	Comment noted. The developer will obtain a DNR Water Appropriation Permit, if required.
	Page 22, Rare Features. The DNR concurs that impacts to rare species are unlikely to occur as a result of this project.	Thank you, your comment is noted.

V. ISSUES IDENTIFIED IN THE EAW

No substantive environmental impacts/issues were identified in this EAW.

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 petition are visual, localized, and can be mitigated through the City’s existing formal development review process. This process 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, water and sewer design, traffic, streets, right-of way, etc., the Construction Code Services Division of CPED related to building code review and inspections and the various utility companies.

B. Cumulative potential effects:

All future development within the area will be considered through the City’s development review process; either administratively or through a public hearing process. 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 development review 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 development review process is comprehensively administered by City Staff and implemented by experienced Commissions and the City Council. Any potential environmental effects are mitigated by the City’s development review process.

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:

A project of this type within an urban setting is neither unique nor unanticipated. Residential, commercial and mixed-use developments that have been significantly more intense than the proposed project have been the subject of EAWs and EISs as well as the City’s development review process. Based on these studies, the environmental effects of this project can be anticipated and controlled by the City’s development review process.

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 900 Marquette 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;

Findings of Fact and Record of Decision – 900 Marquette Development EAW

- 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. Record of Decision
- C. Public Notification Record
- D. Council/Mayor Action
- E. Comments Received

EXHIBIT A

Project Description

The proposed 900 Marquette Development will be a redevelopment of an approximately 0.87-acre site located at 900 Marquette Avenue and 94 South 10th Street in downtown Minneapolis. The site consists of two parcels, which are currently surface parking lots, plus the public alley between them. The project is anticipated to include approximately 719,000 square feet of office space, 21,000 square feet of retail/restaurant space, and a three-level underground parking ramp with approximately 183 parking spaces.

EXHIBIT B

Environmental Review Record for the 900 Marquette Development EAW

Date	Action
05/17/2022	City Staff distributes EAW to official EQB mailing list and Project List. EAW is posted on the City's website.
05/17/2022	Minnesota Environmental Quality Board (EQB) publishes notice of availability in <i>EQB Monitor</i> and the 30-day comment period commences.
06/16/2022	EAW public comment period closes.
07/12/2022	Business, Inspections, Housing & Zoning Committee of the City Council considers the "Draft Findings of Fact and Record of Decision" report, provides recommendation to the City Council.
07/21/2022	City Council approves Business, Inspections, Housing & Zoning Committee recommendation and makes a finding of Negative Declaration: EAW is adequate and no EIS is necessary.
07/22/2022	Mayor approves Council action regarding EAW
07/29/2022	City publishes notice of Council/Mayor decision in <i>Finance and Commerce</i> .
08/09/2022	City publishes and distributes Notice of Decision and availability of final "Findings" report to official EQB List and the Project List
08/09/2022	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 900 Marquette Development EAW:

1. The City maintains an updated list based on the Official EQB Contact List. The 900 Marquette Development 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 900 Marquette Development 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

Agency and Organization Distribution List

Environmental review documents must be sent to the agencies listed on pages 12-13 in accordance with the requirements for each environmental review process. CDs or electronic copies may be submitted in lieu of paper copies, unless a paper copy is specifically noted. Confirmation of receipt is advised when submitting electronic copies to an email address provided on the following pages.

STATE AGENCIES			
Agency/ Organization	Distribution Instructions	Mailing Address	Electronic Submission (if applicable)
Environmental Quality Board	1 copy	Environmental Quality Board Environmental Review Program 520 Lafayette Road N – 2 nd Floor St. Paul, MN 55155-4194	*Please use the EQB Monitor Submission Form
Department of Agriculture	1 copy	Stephan Roos Department of Agriculture 625 North Robert Street St. Paul, MN 55155	stephan.roos@state.mn.us
Department of Commerce	1 copy	Ray Kirsch Department of Commerce 85 Seventh Place East, Suite 280 St. Paul, MN 55101	raymond.kirsch@state.mn.us
Department of Health	1 copy	Department of Health Environmental Health Division 625 North Robert Street St. Paul, MN 55155	health.review@state.mn.us
Department of Natural Resources	1 copy	Jill Townley Department of Natural Resources Environmental Review Unit 500 Lafayette Road St. Paul, MN 55155-4025	jill.townley@state.mn.us
Pollution Control Agency	1 copy	Karen Kromar Pollution Control Agency Environmental Review Unit 520 Lafayette Road N St. Paul, MN 55155	karen.kromar@state.mn.us
Board of Water and Soil Resources	1 copy	Annie Felix-Gerth Board of Water and Soil Resources 520 Lafayette Road N St. Paul, MN 55155	annie.felix-gerth@state.mn.us
Department of Transportation	1 copy	Katherine Lind Department of Transportation Mn/DOT Office of Environmental Stewardship 395 John Ireland Boulevard, MS 620 St. Paul, MN 55155	katherine.lind@state.mn.us
State Archaeologist	1 copy	Amanda Gronhvd Office of the State Archaeologist Kellogg Center 328 W. Kellogg Blvd. St. Paul, MN 55102	mn.osa@state.mn.us
Indian Affairs Council	1 copy	Melissa Cerda Indian Affairs Council 161 St. Anthony Avenue, Suite 919 St. Paul, MN 55103	melissa.cerda@state.mn.us

State Historic Preservation Office	1 copy	Sarah Beimers Minnesota State Historic Preservation Office 50 Sherburne Ave, Suite 203 St. Paul, MN 55155	ENReviewSHPO@state.mn.us
LIBRARIES			
Hennepin County Library	1 electronic or 2 paper copies	Erin Cavell Hennepin County Library – Minneapolis Central Business/Science/Gov Docs – 2nd Floor 300 Nicollet Mall Minneapolis, MN 54401-1995	govdoc@hclib.org
FEDERAL AGENCIES			
U.S. Fish and Wildlife Service	1 copy (electronic only)	Project Leader U.S. Fish and Wildlife Service Minnesota-Wisconsin Field Office E.S. 4101 American Boulevard E Bloomington, MN 55425-1665	Shauna.Marquardt@fws.gov
U.S. Army Corps of Engineers	1 copy	Chad Konickson U.S. Army Corps of Engineers Regulatory Branch 180 Fifth Street East, Suite #700 St. Paul, MN 55101-1678	mvp-reg-inquiry@usace.army.mil
U.S. Environmental Protection Agency	1 copy	Kenneth Westlake U.S. Environmental Protection Agency US EPA, Region 5 Office of Enforcement and Compliance Assurance 77 West Jackson Boulevard Chicago, Illinois 60604	westlake.kenneth@epa.gov
National Park Service	1 copy. NOTE: Send only if project is located within, or could have a direct impact upon, the Mississippi River Critical Area/Mississippi National River and Recreation Area (72-mile stretch of river from the mouth of the Crow River at Dayton/Ramsey to the Goodhue County border)	Stewardship Team Manager National Park Service 111 East Kellogg Boulevard, Suite 105 St. Paul, MN 55101-1288	N/A

900 Marquette Development EAW Project Mailing List

Hines
Brian Davidoff
Associate
90 South 7th Street, Suite 700
Minneapolis, MN 55402
Brian.Davidoff@hines.com

Council Member Goodman
Ward 7 - 307 City Hall

Downtown West Neighborhood

Public Works - Allan Klugman – Room 300 Border Avenue

City Attorney's Office - Erik Nilsson and Joel Fussy– Room 210 City Hall

EXHIBIT D

Council/Mayor Action



Council Action No. 2022A-0526

City of Minneapolis

File No. 2022-00684

Committee: BIHZ

Public Hearing: None

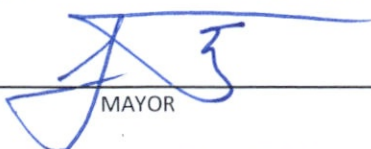
Passage: Jul 21, 2022

Publication: JUL 29 2022

RECORD OF COUNCIL VOTE				
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT
Payne	X			
Wonsley	X			
Rainville	X			
Vetaw	X			
Ellison	X			
Osman	X			
Goodman	X			
Jenkins	X			
Chavez	X			
Chughtai	X			
Koski	X			
Johnson	X			
Palmisano	X			

MAYOR ACTION

APPROVED VETOED


MAYOR

JUL 22 2022

DATE

Certified an official action of the City Council

ATTEST: 
CITY CLERK

Presented to Mayor: JUL 21 2022

Received from Mayor: JUL 25 2022

The Minneapolis City Council hereby:

1. Approves the adequacy of the Environmental Assessment Worksheet (EAW) for the proposed 900 Marquette Development located at 900 Marquette Ave and 94 S 10th St.
2. Approves the determination that an Environmental Impact Statement (EIS) is not required.
3. Adopts Findings of Fact as prepared by the Department of Community Planning & Economic Development.

EXHIBIT E

Comments Received on the 900 Marquette Development EAW:

The City received five (5) agency comment letters and one (1) public comment letter during the public comment period on the dates identified below:

1. Army Corps of Engineers, May 16, 2022
2. Minnesota Department of Transportation, June 14, 2022
3. Metropolitan Council, June 15, 2022
4. Minnesota Pollution Control Agency, June 15, 2022
5. Minnesota Department of Natural Resources, June 16, 2022
6. Downtown Minneapolis Neighborhood Association, June 13, 2022



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

05/16/2022

Regulatory File No. MVP-2022-00800-DCR

THIS IS NOT A PERMIT

Hilary Dvorak
505 4th Avenue South #320

Minneapolis, MN 55415

Dear Mr./Ms. Dvorak:

We have received your submittal described below. You may contact the Project Manager with questions regarding the evaluation process. The Project Manager may request additional information necessary to evaluate your submittal.

File Number: MVP-2022-00800-DCR

Applicant: Brian Davidoff

Project Name: 900 Marquette

Project Location: Section 27 of Township 29 N, Range 24 W, Hennepin County, Minnesota (Latitude: 44.9738952725435; Longitude: -93.2729657811351)

Received Date: 05/16/2022

Project Manager: Daniel Reburn
(651) 290-5900
Daniel.C.Reburn@usace.army.mil

Additional information about the St. Paul District Regulatory Program can be found on our web site at <http://www.mvp.usace.army.mil/missions/regulatory>.

Please note that initiating work in waters of the United States prior to receiving Department of the Army authorization could constitute a violation of Federal law. If you have any questions, please contact the Project Manager.

Thank you.

U.S. Army Corps of Engineers
St. Paul District
Regulatory Branch

June 13, 2022

Brian Davidoff
Hines
90 South 7th Street, Suite 700
Minneapolis, Minnesota 55402

Hilary Dvorak
City of Minneapolis
505 4th Avenue South, Room 320
Minneapolis, Minnesota 55415

SUBJECT: 900 Marquette Development
MnDOT Review EAW22-013
900 Marquette Avenue and 94 South 10th Street in downtown Minneapolis
Control Section: 2782
Minneapolis, Hennepin County

Dear Brian Davidoff and Hilary Dvorak,

Thank you for the opportunity to review the 900 Marquette Development EAW. Please note that MnDOT's review of this EAW does not constitute approval of a regional traffic analysis and is not a specific approval for access or new roadway improvements. As plans are refined, we would like the opportunity to review the updated information. MnDOT's staff has reviewed the document and has the following comments:

Permits

Any use of, or work within or affecting, MnDOT right of way will require a permit. Permits can be applied for at this site: <https://olpa.dot.state.mn.us/OLPA/>. Please upload a copy of this letter when applying for any permits.

For questions regarding this comment, contact Buck Craig, Permits, at buck.craig@state.mn.us or 651-234-7911.

Review Submittal Options

MnDOT's goal is to complete reviews within 30 calendar days. Review materials received electronically can be processed more rapidly. Do not submit files via a cloud service or SharePoint link. In order of preference, review materials may be submitted as:

1. Email documents and plans in PDF format to metrodevreviews.dot@state.mn.us. Attachments may not exceed 20 megabytes per email. Documents can be zipped as well. If multiple emails are necessary, number each message.
2. For files over 20 megabytes, upload the PDF file(s) to MnDOT's Web Transfer Client site: <https://mft.dot.state.mn.us>. Contact MnDOT Planning development review staff using the same email above for uploading instructions, and send an email listing the file name(s) after the document(s) has/have been uploaded.

You are welcome to contact me at 651-234-7785, or Jake.Schutt@state.mn.us with any questions.

Sincerely,

Jake Schutt
Principal Planner

Copy sent via email:

Jason Swenson, Water Resources

Buck Craig, Permits

Douglas Nelson, Right of Way

Ashley Hansen, Traffic

Brandi Kastner, Traffic

Aaron Tag, Area Engineer

Lance Schowalter, Design

Mike Samuelson, Ped/Bike Planning

Mackenzie Turner Barger, Multimodal Planning

Jesse Thorsen, Ped/Bike Planning

Tod Sherman, Planning

Cameron Muhic, Planning

David Elvin, Planning

David Kratz, Planning

Russell Owen, Metropolitan Council



June 15, 2022

Hilary Dvorak, Principal City Planner
City of Minneapolis
505 4th Avenue South, Room 320
Minneapolis, MN 55415

**RE: City of Minneapolis - Environmental Assessment Worksheet (EAW) –
900 Marquette Development**
Metropolitan Council Review No. 22763-1
Metropolitan Council District No. 7

Dear Hilary Dvorak:

The Metropolitan Council received the EAW for the 900 Marquette Development project in Minneapolis on May 16, 2022. The proposed project is located at 900 Marquette Avenue and 94 South 10th Street in downtown Minneapolis. The proposed development consists of 0.87 acres and is anticipated to include approximately 719,000 square feet of office space, 21,000 square feet of retail/restaurant space, and a three-level underground parking ramp with approximately 183 parking spaces.

The staff review finds that the EAW is complete and accurate with respect to regional concerns and does not raise major issues of consistency with Council policies. An EIS is not necessary for regional purposes.

We offer the following comments for your consideration.

Item 20 – Transportation (Steve Mahowald, Metro Transit, 612-349-7775)

Please note that Marq2 transit lanes are for public transit buses only from 6AM to 9AM, and from 3PM to 7PM, Monday through Friday. Item 20 incorrectly states that the lanes for Marquette Avenue are dedicated for transit use in the AM peak hour and PM peak hour. Outside of these peak periods, the transit lanes are restricted to authorized commercial vehicles.

While not addressed by the EAW, please note that Hines reached out to Metro Transit and proposed integrated waiting areas, within the building envelope, in lieu of the existing shelters on Marquette Avenue. While Metro Transit appreciates this consideration, we prefer to maintain the existing shelters. Providing a different waiting facility, integrated into the building envelope, is a change to these bus stops on an important Express Bus corridor. This would require extensive inter- and intra-agency discussion, planning, and engineering, which may not work with the development's timeline. Additionally, the design

of the integrated waiting areas, as proposed, would not provide the same level of service that riders enjoy today.

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 Michael Larson, Principal Reviewer, at 651-602-1407 or via email at Michael.Larson@metc.state.mn.us.

Sincerely,

A handwritten signature in black ink that reads "Michael D. Larson for". The signature is written in a cursive, slightly slanted style.

Angela R. Torres, AICP, Senior Manager
Local Planning Assistance

CC: Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Robert Lilligren, Metropolitan Council District 7
Michael Larson, Sector Representative/Principal Reviewer
Reviews Coordinator

N:\CommDev\LPA\Communities\Minneapolis\Letters\Minneapolis 2022 900 Marquette Development EAW Complete 22763-1.docx

June 15, 2022

Hilary Dvorak
Principal City Planner
505 4th Avenue South, Room 320
Minneapolis, MN 55415

Re: 900 Marquette Development Environmental Assessment Worksheet

Dear Hillary Dvorak:

Thank you for the opportunity to review and comment on the Environmental Assessment Worksheet (EAW) for the 900 Marquette Development project (Project) located in Minneapolis, Hennepin County, Minnesota. The Project consists of the redevelopment of 2 parcels currently occupied by parking lots. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA staff has the following comments for your consideration.

Water Resources (Item 12)

The Project will disturb slightly under one acre of land and therefore does not require an MPCA construction stormwater permit. However, erosion and sediment control Best Management Practices will be utilized during construction. Also, stormwater management via various green stormwater infrastructure practices (green & blue roofs, tree boxes/trenches, pervious pavements, etc.) will be employed to improve stormwater runoff conditions from existing and new impervious area at the site. The MPCA appreciates these efforts to improve the site for both stormwater and climate resiliency.

Contamination/Hazardous Materials/Wastes (Item 13)

Please note that the results of the Phase II Environmental Site Assessment identified petroleum and non-petroleum impacts in soil and soil vapor, including benzene and tetrachloroethene (PCE) in soil vapor below MPCA action levels. The Response Action Plan/Construction Contingency Plan approved by the MPCA addresses the management of these contaminants.

Greenhouse Gas (GHG) Emissions/Carbon Footprint (Item 18)

- The MPCA is supportive of the green infrastructure for this Project and appreciates that Appendix D of the EAW provides the proper inputs to replicate greenhouse gas (GHG) calculations.
- This section of the EAW states that “additional landscaping will absorb particulate matter.” The MPCA is not aware of anything to support this statement, and it’s also not discussed thoroughly enough in the EAW. It would be helpful if clarifications could be made, or a more thorough discussion could be provided.

We appreciate the opportunity to review this Project. Please provide your specific responses to our comments and notice of decision on the need for an Environmental Impact Statement. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) 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. If you have any questions concerning our review of this EAW, please contact me by email at Karen.kromar@state.mn.us or by telephone at 651-757-2508.

Sincerely,

Karen Kromar

This document has been electronically signed.

Karen Kromar
Planner Principal
Environmental Review Unit
Resource Management and Assistance Division

KK:rs

cc: Dan Card, MPCA, St. Paul
Roberta Getman, MPCA, Rochester
Rebecca Ryser, MPCA, St. Paul
Jenna Ness, MPCA, St. Paul

Division of Ecological and Water Resources
Region 3 Headquarters
1200 Warner Road
Saint Paul, MN 55106

Transmitted by Email

June 16, 2022

Hilary Dvorak
Principal City Planner
City of Minneapolis
825 Washington Avenue SE
Minneapolis, MN 55414

Dear Hilary Dvorak,

Thank you for the opportunity to review the 900 Marquette Development Environmental Assessment Worksheet (EAW) located within the City of Minneapolis in Hennepin County. The DNR respectfully submits the following comments for your consideration:

1. Page 6, Climate Adaptation and Resilience. The DNR appreciates the City of Minneapolis including this section in the EAW, and that the proposer will incorporate adaptations to reduce the heat island effect, as well as improve stormwater infrastructure in the area. We suggest that the proposer also consider reusing stormwater for irrigation.
2. Page 14, Groundwater. It is possible that unknown wells may be encountered at the site. If so, these wells should be sealed in accordance with the regulations of the Minnesota Department of Health.
3. Page 17, Stormwater. The DNR appreciates that the proposer will look for ways to reduce chloride use.
4. Page 18, Water Appropriation. The project proposes to construct three levels of underground parking, which could very likely require permanent dewatering due to shallow groundwater. If there is a need for permanent dewatering of the new parking structures in quantities that exceed 10,000 gallons per day, or one million gallons per year, a DNR Water Appropriation Permit will be required.
5. Page 19, Contamination/Hazardous Materials. If it is necessary to remediate polluted groundwater for this development, and the volume of water that is pumped exceeds 10,000 gallons in a day, or one million gallons per year, then a DNR Water Appropriation Permit will be required for the pollution containment.
6. Page 22, Rare Features. The DNR concurs that impacts to rare species are unlikely to occur as a result of this project.

7. Page 27, Dust and Odors. Should water for dust control be taken from a lake, wetland, river or stream in volumes that exceed 10,000 gallons of water in a single day, then a DNR Water Appropriation Permit will be needed for the taking of the water. Please do not use products containing chloride for dust control in areas that drain to Public Waters.

Thank you again for the opportunity to review this document. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Melissa Collins". The signature is written in a cursive style and is set against a light blue rectangular background.

Melissa Collins

Regional Environmental Assessment Ecologist | Ecological and Water Resources
Minnesota Department of Natural Resources

CC: Brian Davidoff, Hines



40 S. 7th Street, STE 212 PMB 172
Minneapolis, Minnesota 55402
Phone: (612) 659-1279
Online: www.thedmna.org

The DMNA Land Use Committee works to promote a safe, active, and welcoming public realm; a stable, civically engaged residential neighborhood; and architecturally distinctive urban design.

June 13, 2022

Hilary Dvorak
Principal City Planner- Land Use, Design and Preservation
City of Minneapolis – Community Planning and Economic Development
505 4th Avenue South, #320
Minneapolis, MN 55415

RE: Hines project at 900 Marquette Avenue and 94 South 10th Street

Dear Ms. Dvorak:

I am writing on behalf of the Downtown Minneapolis Neighborhood Association's Land Use Committee (DMNA LUC) to **express support for the preliminary concept plans for the Hines project located at 900 Marquette Avenue and 94 South 10th Street.** Brian Davidoff and Sargent Johnson from Hines and Arno Adkins from COOKFOX Architects met with DMNA LUC on June 7, 2022.

Mr. Davidoff introduced the development team and provided some background on Hines' work in Minneapolis over the past 40 years. Mr. Johnson and Mr. Adkins then reviewed the project itself, providing information on the location in the Downtown West neighborhood, the site plan and architectural renderings. The preliminary plans include a 31-story building with 740,000 square feet of commercial / office space and 21,000 square feet of retail and restaurant space. There are also three floors of below-grade parking, but there is also ample ramp parking in the area. The building will also connect to the Skyway system.

The team summarized the building design by stating that it reflects the next generation of the office environment by taking into consideration the new needs and wants of today's office worker. Finally, the team noted that in addition to meeting with the DMNA, they have also met with the property owners of the surrounding buildings and have received positive feedback and support for their preliminary plans.

After some questions and discussion, **the DMNA LUC passed a motion supporting the preliminary concept plans for 900 Marquette Avenue and 94 South 10th Street.** The DMNA LUC appreciates the commitment to the future of downtown shown by this project, its sensitivity to surrounding historic buildings like Young-Quinlan and Schmitt Music, and the next-generation office concept. The DMNA LUC looks forward to meeting with the developer again as they further refine their plans for the project. The DMNA LUC has a particular interest in reviewing the landscaping and lighting plans. These project elements are important to the safety and livability of the public realm.

If you have any questions regarding this letter, please feel free to contact me at christie@thedmna.org, or 320-583-4573.

Sincerely,

Christie Rock Hantge
DMNA Executive Director

CC: Brian Davidoff, Hines
Sargent Johnson, Hines
Council Member Michael Rainville
Council Member Lisa Goodman
Pam McCrea, DMNA Board President
Kevin Frazell, DMNA Land Use Committee Chair
LB Guthrie, DMNA Land Use Committee Vice Chair