

ENVIRONMENTAL ASSESSMENT WORKSHEET

This Environmental Assessment Worksheet (EAW) form and EAW Guidelines are available at the Environmental Quality Board's website at:

<http://www.egb.state.mn.us/EnvRevGuidanceDocuments.htm>. The EAW form provides information about a project that may have the potential for significant environmental effects. The EAW Guidelines provide additional detail and resources for completing the EAW form.

Cumulative potential effects can either be addressed under each applicable EAW Item, or can be addresses collectively under EAW Item 19.

Note to reviewers: Comments must be submitted to the RGU during the 30-day comment period following notice of the EAW in the *EQB Monitor*. Comments should address the accuracy and completeness of information, potential impacts that warrant further investigation and the need for an EIS.

1. Project title: Pastoret Terrace Building Potential Demolition

2. Proposer: Duluth Economic Development Authority

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3. RGU: City of Duluth

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4. Reason for EAW Preparation: (check one)

Required:

EIS Scoping
 Mandatory EAW

Discretionary:

Citizen petition
 RGU discretion
 Proposer initiated

If EAW or EIS is mandatory give EQB rule category subpart number(s) and name(s):

5. Project Location:

County: **St. Louis**
City/Township: **Duluth**
PLS Location (¼, ¼, Section, Township, Range): **NW ¼, NE ¼ S27, T50N, R14W**
Watershed (81 major watershed scale): **Lake Superior – South (2)**
GPS Coordinates: **46.789563, -92.097355**
Tax Parcel Numbers: **010-0930-00270**

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6. Project Description:

- a. Provide the brief project summary to be published in the *EQB Monitor*, (approximately 50 words).

The Pastoret Terrace building was constructed in 1886 which and, pursuant to a previous district court decision, has been considered a contributing building to a judicially-created commercial historic district. The Pastoret Terrace building has undergone material interior and exterior modifications and additionally has deteriorated substantially as a result of numerous fires and resulting weather damage and vacancy since 2010. Following tax forfeiture of the property, the Duluth Economic Development Authority (“DEDA”) acquired the property in 2016. DEDA has listed the property for sale, and continues to receive periodic interest from potential real estate developers, none of which have been judged to be financially viable or in conformance with the City of Duluth’s planned objectives for the neighborhood. As no viable options for redevelopment of the property have been forthcoming and given the continuing deterioration of the building however, and the nuisance and blight stemming there from, DEDA has commenced with this voluntary environmental assessment in the event that DEDA is forced to determine that the only feasible and prudent option consistent with the reasonable needs and requirements of the public’s health, safety and welfare, is demolition of the building and any attached structures.

- b. Give a complete description of the proposed project and related new construction, including infrastructure needs. If the project is an expansion, include a description of the existing facility. Emphasize: 1) construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes, 2) modifications to existing equipment or industrial processes, 3) significant demolition, removal or remodeling of existing structures, and 4) timing and duration of construction activities.

Although the Pastoret Terrace property located at 109 North 2nd Ave East in Duluth, Minnesota (Figures 1, 2, and 3) remains listed for sale, and DEDA continues to receive inquiries from potential real estate developers with respect to the property, DEDA has commenced with this voluntary environmental assessment in the event that DEDA determines that the only feasible and prudent alternative, consistent with the reasonable needs and requirements of the public's health, safety and welfare is the demolition of the building and any attached structures. The Pastoret Terrace building was constructed in 1886 by Michael Pastoret which has been considered a contributing building to a judicially-created commercial historic district. (the "District") (see Item 14). The building has been extensively modified, both externally and internally, over the years from its original construction. In 2010, the entire building suffered a fire that left the building vacant of its tenants and has remained vacant and in disrepair since that time, and the building also suffered a second fire in March 2011 sustaining further property damage. The owners of the property who preceded DEDA neglected to make repairs necessary to the preservation of the building and failed to adequately secure it from trespass and vandalism. The property became tax-forfeit in 2016 at which time DEDA acquired the property from St. Louis County.

DEDA has worked to identify feasible options for the redevelopment of the Pastoret Terrace building as it had provided townhome housing options in the neighborhood before being subdivided into small apartment units and then being severely damaged by the fire. The City of Duluth has and continues to experience a demand for housing, including in its core downtown area. This housing demand spurred the desire for further redevelopment of housing and/or mixed uses for this site in the downtown core area.

In 2016, St. Louis County contracted LHB, Inc. to provide a structural condition assessment (LHB 2016) and a general overview of the practical issues which needed to be addressed in either rehabilitating the Pastoret Terrace complex, including the Pastoret Terrace townhome structures and the Kozy Bar addition to the front of the historic Pastoret Terrace, and the neighboring and connected Paul Robeson Ballroom or redeveloping the site with a newly constructed building. With this structural assessment in hand, the DEDA made extensive efforts to find entities that could be interested in rehabilitating the building to provide housing and/or mixed-uses. To date, due to the extensive deteriorated condition of the structure and the significant cost of rehabilitation, no plausible or viable redevelopment projects or opportunities have been identified, although the property remains listed for sale on a national commercial real estate website at this time. If no feasible or financially prudent alternative for redevelopment soon presents itself, demolition of the property may ultimately be rendered a necessity for public health, safety and welfare reasons, i.e., blight removal, eliminating a physically dangerous structure from the area and making it possible to attract

other real estate investment and re-use of this property and other property on nearby downtown commercial blocks (please see below and Attachment C for photos of property's current condition).



Exterior view from 2nd Ave East



View of interior hallway



2nd floor- along 1st Street.

As the building remains vacant, it becomes an increasing public health and safety threat and liability concern for DEDA, including numerous break-ins, squatting, trespassing including drug dealing location resulting in numerous police calls and other types of extraordinary public service having to be provided to the property. Past fires, vandalism, trespassing, and extensive deterioration continues to occur over time due to the neglect of prior owners. Due to the unsafe condition of the building, the threat to the public health, safety and welfare of the community, and infeasibility of rehabilitation, DEDA may ultimately conclude that demolition is the only feasible or prudent alternative.

Should demolition be rendered necessary, the process would occur in accordance with City of Duluth ordinances pertaining to the moving or wrecking of buildings. A Phase I Environmental Site Assessment (ESA) was completed in August of 2016 to identify any site concerns and potentially hazardous materials (see Item 12 below). All work would be performed by contractors skilled in demolition of all types of structures and would be subject to approval by the City of Duluth Building Official. The demolition contractor would comply with all applicable Federal, State and Local laws, regulations and ordinances. Additionally, sewer, water and gas services would be disconnected prior to demolition. All internal stormwater drains connected to sanitary sewer and all utilities would also be disconnected. Adherence to City of Duluth Specifications for cutting off and/or plugging of old unused water wells, water, gas and sewer services would be observed.

Additionally, protective measures would be identified for adjacent buildings and roadways. These measures would be implemented prior to any demolition of the Pastoret Terrace building. Regular monitoring would occur during demolition activities to identify any damage, if it occurs, to adjacent buildings and to evaluate the effectiveness of the protective measures to determine if corrective actions are needed.

Demolition of the Pastoret Terrace building would involve wrecking and removing the structure. All building and building service piping, heating plants, or other fixtures, furniture, partitions, steps, rubbish or other debris would be removed, including all combustible debris. All disposal waste materials would be disposed of at a site approved by the Minnesota Pollution Control Agency (MPCA). Removal of the building foundation and slope stability needs would be determined during final design of the project. However, it is anticipated that preservation of portions of the existing foundation where feasible and/or construction of retaining walls would be required to preserve the slope, alleyway and roadway until redevelopment of the site may occur. Following building demolition and removal, any excavations would be filled to a plane twelve (12) inches below the adjacent undisturbed ground surface with common fill material such as gravel or coarse sand. The site would be graded and finished to a minimum grade of 2% for drainage to adjacent undisturbed ground on the site.

Demolition and site grading would likely occur over a 2-month timeframe.

c. Project magnitude:

Table 1: Project Magnitude

Total Project Acreage	0.32
Linear project length	100' x 140'
Number and type of residential units	NA – structure (50 single occupancy rooms) is not habitable due to fire damage
Commercial building area (in square feet)	N/A – structure (approximately 20,000 square feet) is not habitable due to fire damage
Industrial building area (in square feet)	NA
Institutional building area (in square feet)	NA
Other uses – specify (in square feet)	NA
Structure height(s)	N/A – Current structure is approximately 35 feet tall

d. Explain the project purpose; if the project will be carried out by a governmental unit, explain the need for the project and identify its beneficiaries.

If DEDA subsequently concludes that demolition is the only feasible and prudent alternative consistent with public health, welfare and safety needs, the purpose of any demolition project would be to remediate a structure that is economically untenable for rehabilitation. DEDA would carry out any demolition project through bid solicitation. The City of Duluth and its residents would benefit from a reduction in blight and safety concerns for neighborhood businesses and residents and visitors to Duluth’s downtown core. Following any demolition, the site could be used for redevelopment to help fulfill the demands for contemporary housing, office space, new retail and parking that would complement other redevelopment activities and commerce in downtown Duluth.

- e. Are future stages of this development including development on any other property planned or likely to happen? Yes No
 If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review.

Potential future development at this site could include housing, commercial, parking, and/or mixed-use development. The potential demolition of the existing structure may be required to eliminate blight, protect the general health, safety and welfare of the neighborhood and to make way for future development at this site. The potential demolition of the existing structure would be proposed to occur in late 2018, after the voluntary EAW process concludes and then would need to have public notice and approval from the governing body (DEDA Commission/City Council) prior to demolition occurring. If demolition occurs, re-development would continue to be sought for this parcel with the potential for 2019 or 2020 redevelopment projects (which would go through their own, independent environmental review and process). DEDA anticipates considering options for architectural interpretation of the site’s historic character when redevelopment occurs.

- f. Is this project a subsequent stage of an earlier project? Yes No
 If yes, briefly describe the past development, timeline and any past environmental review.

7. **Cover types:** Estimate the acreage of the site with each of the following cover types before and after development:

Table 2: Cover Types

	Before	After		Before	After
Wetlands	0	0	Lawn/landscaping	0	0
Deep water/streams	0	0	Impervious surface	0.32	0.32
Wooded/forest	0	0	Stormwater Pond	0	0
Brush/Grassland	0	0	Other (describe)	0	0
Cropland	0	0			
			TOTAL	0.32	0.32

- 8. Permits and approvals required:** List all known local, state and federal permits, approvals, certifications and financial assistance for the project. Include modifications of any existing permits, governmental review of plans and all direct and indirect forms of public financial assistance including bond guarantees, Tax Increment Financing and infrastructure. *All of these final decisions are prohibited until all appropriate environmental review has been completed. See Minnesota Rules, Chapter 4410.3100.*

Table 3: Permits Required

Unit of Government	Type of Application	Status
City of Duluth	Demolition Permit Application	To Be Submitted
	Erosion Control Permit	To Be Submitted
	Checklists: Asbestos Inspection; Utilities Disconnection; Release of Liability	To Be Submitted
Minnesota Pollution Control Agency (MPCA)	Pre-Renovation/Demolition Environmental Checklist	To Be Submitted
	Notification of Intent to Perform a Demolition	To Be Submitted
Minnesota State Historic Preservation Office	Deconstruction and salvaging of Historic Artifacts	To Be Submitted

Cumulative potential effects may be considered and addressed in response to individual EAW Item Nos. 9-18, or the RGU can address all cumulative potential effects in response to EAW Item No. 19. If addressing cumulative effect under individual items, make sure to include information requested in EAW Item No. 19

9. Land use:

a. Describe:

- i. Existing land use of the site as well as areas adjacent to and near the site, including parks, trails, prime or unique farmlands.

The existing land use of the project site and adjacent areas is a developed, urbanized area in downtown Duluth. The project site is currently a vacant building with adjoining properties that include commercial, residential, and light industrial uses. The Clayton Jackson McGhie Memorial is located directly across the street from the project. The outdoor memorial occupies the south corner of North 2nd Avenue East and East 1st Street. The memorial honors the three African-American men who were lynched in June 1920 near this site and includes concrete walls with the history of the event and bronze figurines.

Sister Cities Park and Lake Place Park are located approximately two blocks southeast of the project site. Each park provides access to the Lakewalk trail along Lake Superior. There are no prime farmlands on or near the project site.

- ii. Plans. Describe planned land use as identified in comprehensive plan (if available) and any other applicable plan for land use, water, or resources management by a local, regional, state, or federal agency.

The City of Duluth adopted a Comprehensive Land Use Plan in 2006 (Comprehensive Plan). The Comprehensive Plan describes the 20-year vision for growth and development in the City and provides the basis for policy decisions, including the zoning ordinance and Duluth’s capital improvement program.

During the Comprehensive Plan development process 12 governing principles were created as a framework for the Comprehensive Plan and a basis for Plan implementation over time (i.e., guide land use and planning decisions). Principle #1 – Reuse previously developed lands includes the adaptive reuse of existing building stock and historic resources and directs new investment in sites that have potential to perform at a higher level. Principle #1 is preferred over dispersed development patterns as neighborhoods will be strengthened, natural landscapes can be conserved, and development cost savings occur from reuse of existing public infrastructure and services.

The Comprehensive Plan identifies the project site on the Future Land Use map as Central Business Primary (CBP), which encompasses a broad range of uses and intensities, including significant retail, entertainment and lodging, high-density housing, public/open space, and public parking facilities. The project site is also located in a Historic Resources Overlay (HISTO) for high resource value cultural/historic areas and buildings. Redevelopment in HISTO areas focus primarily on adaptive reuse and new development based on design standards.

- iii. Zoning, including special districts or overlays such as shoreland, floodplain, wild and scenic rivers, critical area, agricultural preserves, etc.

The City of Duluth Unified Development Code (UDC) contains the rules and regulations to guide land use and development in the City and the City’s zoning and subdivision regulations. It was most recently amended in 2016. The UDC is intended to implement the principles and policies outlined in the Comprehensive Plan.

The project is located in Form District 8 (F-8) – Downtown Mix (Figure 4). F-8 is regulated through form-based coding, which regulates the types of buildings, development and rezoning. Specifically, F-8 provides slightly more flexibility as it permits both Main Street Building III and Corridor Building III for office and residential uses. (Please refer to the City’s online UDC for more information: <http://www.duluthmn.gov/community-planning/land-use-zoning-applications/zoning-regulations/>.)

The project site is also located within the Natural Resources Overlay (NR-O) District. The NR-O District implements the Minnesota Wetland Conservation Act (WCA), Federal Emergency Management Agency (FEMA) rules, and the Minnesota Department of Natural Resources (DNR) shoreland and floodplain regulations. The NR-O District

regulates development within areas in and around wetlands, floodplains, and shoreland of DNR Public Waters, such as Lake Superior. The project site is within 1,000 feet of Lake Superior, and therefore within the NR-O District, requiring a shoreland permit for project activities. The permit would require stormwater management and erosion control.

Although the project site is identified in the Comprehensive Plan as HISTO, at this time, the City's heritage preservation commission has not designated it as one of the City's two historic preservation districts that are zoned Historic Resources Overlay (HR-O).

- b. Discuss the project's compatibility with nearby land uses, zoning, and plans listed in Item 9a above, concentrating on implications for environmental effects.

The project is compatible with nearby land uses, plans, and zoning. Per Principle #1 of the Comprehensive Plan, if a building cannot be economically preserved, the existing structure should be demolished to make the site ready for redevelopment reusing the existing space, utilities, and infrastructure. Additionally, the Comprehensive Plan identifies implementation of the Capital Improvement Plan, which states, "Areas that can be developed without having to invest in new infrastructure or take on additional maintenance responsibilities should be a top priority for the City. For instance, there are vacant lots and dilapidated or abandoned structures within the City limits. Redeveloping unused, underused, or blighted sites would yield property with infrastructure and public services readily available, from utilities to streets, emergency services and recreation amenities. The public costs, if any, may be limited to the removal of old structures and any necessary remediation." The project is compatible with existing plans as it includes the removal of a dilapidated building for the purposes of redevelopment to strengthen the existing neighborhood and provide opportunities for housing.

The project site is zoned as F-8, which allows for development and redevelopment of commercial and residential uses. Demolition of the Pastoret Terrace building is allowed in F-8 and would allow for redevelopment of the site with a compatible use. The NR-O District would also allow project activities with shoreland permit approval and implementation of stormwater management and erosion control measures.

- c. Identify measures incorporated into the proposed project to mitigate any potential incompatibility as discussed in Item 9b above.

The project is compatible with existing plans and zoning. All applicable zoning regulations would be followed for any demolition of the Pastoret Terrace building and attached structures to it, including obtaining appropriate permits and approvals.

10. Geology, soils and topography/land forms:

- a. Geology - Describe the geology underlying the project area and identify and map any susceptible geologic features such as sinkholes, shallow limestone formations, unconfined/shallow aquifers, or karst conditions. Discuss any limitations of these features for the project and any effects the project could have on these features. Identify any project designs or mitigation measures to address effects to geologic features.

Bedrock is approximately 6-10 feet below the project site surface. There are no known susceptible geologic features located on the project site.

- b. Soils and topography - Describe the soils on the site, giving NRCS (SCS) classifications and descriptions, including limitations of soils. Describe topography, any special site conditions relating to erosion potential, soil stability or other soils limitations, such as steep slopes, highly permeable soils. Provide estimated volume and acreage of soil excavation and/or grading. Discuss impacts from project activities (distinguish between construction and operational activities) related to soils and topography. Identify measures during and after project construction to address soil limitations including stabilization, soil corrections or other measures. Erosion/sedimentation control related to stormwater runoffs should be addressed in response to Item 11.b.ii.

The NRCS Web Soil Survey indicates that soils within the project area consist of map unit F163D—Urban land-Mesaba-Rock outcrop complex, 1 to 18 percent slopes (Figure 5). This complex contains a mix of urban fill (disturbed land) and bedrock soil series. Depth to lithic bedrock is estimated at 20 to 40 inches below ground surface. Approximately 0.32 acres of soil would be disturbed during demolition. All soil disturbance would be contained on site through the use of erosion and sediment control best management practices. The site is entirely impervious surface and would be stabilized during demolition and site grading as necessary to prevent movement of soil offsite.

NOTE: For silica sand projects, the EAW must include a hydro-geologic investigation assessing the potential groundwater and surface water effects and geologic conditions that could create an increased risk of potentially significant effects on groundwater and surface water. Descriptions of water resources and potential effects from the project in EAW Item 11 must be consistent with the geology, soils and topography/land forms and potential effects described in EAW Item 10.

11. Water resources:

- a. Describe surface water and groundwater features on or near the site in a.i. and a.ii. below.
 - i. Surface water - lakes, streams, wetlands, intermittent channels, and county/judicial ditches. Include any special designations such as public waters, trout stream/lake, wildlife lakes, migratory waterfowl feeding/resting lake, and outstanding resource value water. Include water quality impairments or special designations listed on the current MPCA 303d Impaired Waters List that are within 1 mile of the project. Include DNR Public Waters Inventory number(s), if any.

The project site is located within a quarter mile of Lake Superior. Lake Superior is listed as a Minnesota 303(d) Impaired Water for fish consumption due to PCBs and mercury in fish tissue. Lake Superior is also listed as a restricted outstanding resource value water under Minnesota Rules parts 7050.0250 to 7050.0335. Lake Superior is a Minnesota DNR Public Water (16-1P). This project proposes no impacts to Lake Superior or any other nearby surface waters. Figure 6 shows the DNR public waters and wetlands within proximity to the project site.

- ii. Groundwater—aquifers, springs, seeps. Include: 1) depth to groundwater; 2) if project is within a MDH wellhead protection area; 3) identification of any onsite and/or nearby wells, including unique numbers and well logs if available. If there are no wells known on site or nearby, explain the methodology used to determine this.

Depth to groundwater is unknown at this time, and it is unknown if there are any old groundwater wells on site. Figure 7 shows known wells identified by the Minnesota Department of Health County Well Index within proximity to the project site.

- b. Describe effects from project activities on water resources and measures to minimize or mitigate the effects in Item b.i. through Item b.iv. below.
 - i. Wastewater - For each of the following, describe the sources, quantities and composition of all sanitary, municipal/domestic and industrial wastewater produced or treated at the site.
 - 1) If the wastewater discharge is to a publicly owned treatment facility, identify any pretreatment measures and the ability of the facility to handle the added water and waste loadings, including any effects on, or required expansion of, municipal wastewater infrastructure.
 - 2) If the wastewater discharge is to a subsurface sewage treatment systems (SSTS), describe the system used, the design flow, and suitability of site conditions for such a system.
 - 3) If the wastewater discharge is to surface water, identify the wastewater treatment methods and identify discharge points and proposed effluent limitations to mitigate impacts. Discuss any effects to surface or groundwater from wastewater discharges.

The project would not generate or release wastewater during demolition.

- ii. Stormwater - Describe the quantity and quality of stormwater runoff at the site prior to and post construction. Include the routes and receiving water bodies for runoff from the site (major downstream water bodies as well as the immediate receiving waters). Discuss any environmental effects from stormwater discharges. Describe stormwater pollution prevention plans including temporary and permanent runoff controls and potential BMP site locations to manage or treat stormwater runoff. Identify specific erosion control, sedimentation control or stabilization measures to address soil limitations during and after project construction.

Stormwater drains would be disconnected from the sanitary sewer system prior to demolition. Erosion and sedimentation best management practices (BMPs) would be used to maximize containment of materials on the site and minimize sedimentation offsite.

- iii. Water appropriation - Describe if the project proposes to appropriate surface or groundwater (including dewatering). Describe the source, quantity, duration, use and purpose of the water use and if a DNR water appropriation permit is required. Describe any well abandonment. If connecting to an existing municipal water supply, identify the wells to be used as a water source and any effects on, or required expansion of, municipal water infrastructure. Discuss environmental effects from water appropriation, including an assessment of the water resources available for appropriation. Identify any measures to avoid, minimize, or mitigate environmental effects from the water appropriation.

The project would not require water appropriation of surface or groundwater for demolition.

iv. Surface Waters

- a) Wetlands - Describe any anticipated physical effects or alterations to wetland features such as draining, filling, permanent inundation, dredging and vegetative removal. Discuss direct and indirect environmental effects from physical modification of wetlands, including the anticipated effects that any proposed wetland alterations may have to the host watershed. Identify measures to avoid (e.g., available alternatives that were considered), minimize, or mitigate environmental effects to wetlands. Discuss whether any required compensatory wetland mitigation for unavoidable wetland impacts will occur in the same minor or major watershed, and identify those probable locations.

There are no wetlands on or adjacent to the project site, and therefore the project would not impact wetlands.

- b) Other surface waters - Describe any anticipated physical effects or alterations to surface water features (lakes, streams, ponds, intermittent channels, county/judicial ditches) such as draining, filling, permanent inundation, dredging, diking, stream diversion, impoundment, aquatic plant removal and riparian alteration. Discuss direct and indirect environmental effects from physical modification of water features. Identify measures to avoid, minimize, or mitigate environmental effects to surface

water features, including in-water Best Management Practices that are proposed to avoid or minimize turbidity/sedimentation while physically altering the water features. Discuss how the project will change the number or type of watercraft on any water body, including current and projected watercraft usage.

There are no surface waters on or adjacent to the project site, and therefore the project would not impact surface waters.

12. Contamination/Hazardous Materials/Wastes:

- a. Pre-project site conditions - Describe existing contamination or potential environmental hazards on or in close proximity to the project site such as soil or ground water contamination, abandoned dumps, closed landfills, existing or abandoned storage tanks, and hazardous liquid or gas pipelines. Discuss any potential environmental effects from pre-project site conditions that would be caused or exacerbated by project construction and operation. Identify measures to avoid, minimize or mitigate adverse effects from existing contamination or potential environmental hazards. Include development of a Contingency Plan or Response Action Plan.

The project site is currently a vacant group of buildings on one parcel. According to the Phase I Environmental Site Assessment performed in August 2016, the building contains some household debris and waste, including small appliances, clothing, household materials, household chemicals, mattresses, and furniture. These findings were not considered a Recognized Environmental Condition (REC) and are considered inert. There are no anticipated environmental effects from the items identified within the buildings that would impact the project.

- b. Project related generation/storage of solid wastes - Describe solid wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from solid waste handling, storage and disposal. Identify measures to avoid, minimize or mitigate adverse effects from the generation/storage of solid waste including source reduction and recycling.

Solid waste would be generated during any demolition. Hazardous waste would be removed separately as discussed in Item 12c. Demolition debris would be handled by a licensed contractor, hauled offsite and disposed of in a properly licensed landfill, such as Vonco V at 1100 West Gary Street in Duluth.

- c. Project related use/storage of hazardous materials - Describe chemicals/hazardous materials used/stored during construction and/or operation of the project including method of storage. Indicate the number, location and size of any above or below ground tanks to store petroleum or other materials. Discuss potential environmental effects from accidental spill or release of hazardous materials. Identify measures to avoid, minimize or mitigate adverse effects from the use/storage of chemicals/hazardous materials including source reduction and recycling. Include development of a spill prevention plan.

The project would not store chemicals or hazardous materials on site. It is anticipated that

demolition equipment would require diesel and gasoline, which would not be stored on site.

- d. Project related generation/storage of hazardous wastes - Describe hazardous wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from hazardous waste handling, storage, and disposal. Identify measures to avoid, minimize or mitigate adverse effects from the generation/storage of hazardous waste including source reduction and recycling.

Based on an assessment provided by Asbestos Control & Consulting Team, potential asbestos containing materials from the three structures which comprise the Pastoret Terrace property were identified. The buildings also contained a large amount of plaster and sheetrock on the walls and ceilings.

It is estimated that there is up to 30,000 sq. ft. of these materials depending on test results. Some of the flooring and ceiling materials also look like they may not contain asbestos but would also need to be tested. The only pipe insulation observed was in the Kozy Bar; however, no walls or ceilings were broken open so additional pipe insulation may be hidden behind them.

Prior to any demolition, potential hazards from site demolition and construction activities would be definitively identified. Minnesota Rules 7035.0805 requires removal of certain items before starting a renovation or demolition project, and proper disposal or recycling of those materials. The MPCA provides a pre-renovation/demolition environmental checklist that can be used by contractors to help manage project materials. Mitigation strategies consistent with state and federal laws would be identified as appropriate.

13. Fish, wildlife, plant communities, and sensitive ecological resources (rare features):

- a. Describe fish and wildlife resources as well as habitats and vegetation on or in near the site.

The project is located in a highly urbanized area in downtown Duluth. There are no fish or wildlife resources, habitats or vegetation on or near the site.

- b. Describe rare features such as state-listed (endangered, threatened or special concern) species, native plant communities, Minnesota County Biological Survey Sites of Biodiversity Significance, and other sensitive ecological resources on or within close proximity to the site. Provide the license agreement number (LA-____) and/or correspondence number (ERDB _____) from which the data were obtained and attach the Natural Heritage letter from the DNR. Indicate if any additional habitat or species survey work has been conducted within the site and describe the results.

The Minnesota Department of Natural Resources (DNR) Natural Heritage Information System (NHIS) was searched in May 2018 to identify any species within a 1-mile radius of the project site. The NHIS search indicated six species that have been recorded within one mile of the project site. These include the rusty-patched bumble bee (*Bombus affinis*), soapberry (*Shepherdia canadensis*), lake chub (*Couesius plumbeus*), shortjaw cisco (*Coregonus zenithicus*), lake sturgeon (*Acipenser fulvescens*), and peregrine falcon (*Falco peregrinus*). All

of these species are considered Minnesota Special Concern Species, except the rusty-patched bumble bee which is federally-listed as endangered.

With the exception of the peregrine falcon, the project site does not provide any potential habitat for the NHIS recorded species, which are primarily found in aquatic areas. According to the DNR website:

<https://www.dnr.state.mn.us/rsg/profile.html?action=elementDetail&selectedElement=ABN KD06070>, peregrine falcons have historically nested on cliff ledges along rivers or lakes, but now primarily nest on buildings and bridges in urban settings and also along historic eyries on cliffs along Lake Superior. They prefer open non-forested areas for aerial hunting of avian prey. The NHIS query results indicate a nest box is located within 500 feet of the project site, and therefore, peregrine falcons may use the area in around the project site for hunting. However, no known peregrine falcon nests are located on the project site.

- c. Discuss how the identified fish, wildlife, plant communities, rare features and ecosystems may be affected by the project. Include a discussion on introduction and spread of invasive species from the project construction and operation. Separately discuss effects to known threatened and endangered species.

Due to the lack of habitat, the project would not impact wildlife, fish or vegetation. The project would not affect peregrine falcons that may use the area for aerial hunting, but do not actively nest on the project site.

There is no vegetation on the project site. After building demolition, the site would be graded in anticipation of potential future development. Noxious weed control may be necessary depending on timing of future use of the project site. Noxious and invasive vegetation would be controlled as needed but is not anticipated to contribute to the spread of these species as most areas in downtown Duluth are developed and do not have exposed soils for seed germination.

- d. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to fish, wildlife, plant communities, and sensitive ecological resources.

Not applicable

14. Historic properties:

Describe any historic structures, archeological sites, and/or traditional cultural properties on or in close proximity to the site. Include: 1) historic designations, 2) known artifact areas, and 3) architectural features. Attach letter received from the State Historic Preservation Office (SHPO). Discuss any anticipated effects to historic properties during project construction and operation. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to historic properties.

A report generated by the Minnesota State Historic Preservation Office (“SHPO”) (Attachment A) identified a number of structures in the area, including the Pastoret Terrace building, as contributing buildings to the District. There were also three archaeological resources identified, which are located near Lake Superior. None of these resources, with the exception of the Pastoret Terrace building, would be directly impacted by the project. Information about the Pastoret Terrace building and the potential project impacts are provided as follows.

Building Location and Historic Context

The Pastoret Terrace building sits at the northwest corner of the intersection of First Street and Second Avenue East (Figure 3). The building is comprised of a series of reddish-orange brick Romanesque Revival row-houses that have since been modified into apartments with a single-story bar attached to the First Street facade. Like most Victorian row-houses of the late nineteenth century, the first floor of each unit is raised above the street level and accessed by a formal entry stair at the main entries. The rough-faced red sandstone ashlar masonry of the lower level is obscured by the one-story wood shingle bar (the Kozy bar) that was constructed along the entire south facade and a portion of the east facade.

Although in disrepair, the Pastoret Terrace property has, in the past, been considered to be a contributing resource to the District (Figure 8). A contributing resource is any building, structure or site which adds to the historical integrity or architectural qualities for which the historic district was designated, which a non-contributing resource, such as a modern office building, does not contribute. It is possible for properties to change classifications if significant alterations occur. While the Pastoret Terrace property may have been a contributing resource to the DCHD, its current condition is a public safety risk and detracts from the DCHD, as the building itself is neither a locally designated property nor a nationally registered property.

Background

The Pastoret Terrace property was designed by Architect Oliver Traphagen and originally constructed as six contiguous town houses in 1887. Duluth has many examples of Oliver Traphagen designed buildings (see Attachment A) still standing in Duluth. The building has changed ownership several times and has undergone a number of structural changes that have impacted both interior and exterior features. In 1924, a restaurant/tavern was added to the first floor and a prominent corner tower was removed. In the 1930s, the building was divided into 40 individual rental units. A structure referred to as Robeson Ballroom was added to the southwest side of the Pastoret Terrace structure in addition to a first floor tavern on the front of the building that became the Kozy bar in 1960. In 2009, the building which had previously been converted from 6 townhomes to 40 apartments was further subdivided, from 40 units to 50 units. In 2010, a

fire damaged the entire building, causing the building to be condemned for habitation and causing all of the tenants to be ordered to vacate the building; it has remained vacant and in disrepair since that time. The property became tax-forfeit in 2016 at which time the DEDA acquired the property from St. Louis County.

Current Structural Description

The building complex is currently comprised of three basic elements: the 1887 Pastoret Terrace component of the housing units fronting on First Street and Second Avenue East, the Kozy Bar extension on First Street, and the Paul Robeson Ballroom structure to the west fronting on First Street.



2018 Overview of the Pastoret Terrace Building.

The Pastoret Terrace portion is comprised of six attached townhome structures with two levels above grade that step down the hill in five distinct sections and a basement level with some windows and door access. The Pastoret Terrace is constructed with exterior and interior brick masonry bearing walls with wood floor and roof joists spanning between the masonry walls. The interior brick masonry walls are dividing walls that separated the original six town homes.

Within the original townhomes, between the interior brick walls there are numerous wood partition walls that segregate the original units into many smaller apartments/ single room occupancy units. An unknown portion of the interior wood partition walls may be load-bearing structures, but this is unconfirmed as the plaster on the ceilings and walls conceal most of these features. The overall footprint of the building is an L shape with the southern five sections accessed by a non-original internal double loaded corridor that steps down at each section change. The most northerly structure does not connect to the internal hall used by the other units but does share a common masonry wall.

On the southeast there is a one-story addition that contains the Kozy Bar. The Kozy Bar is a 10-foot extension of the lowest level of the southern townhome in the Pastoret Terrace that wraps around two sides of the original Pastoret Terrace building. Exterior walls are either wood or brick masonry with a wood roof structure.

On the southwest corner of the Pastoret complex there is a two-story structure, the Paul Robeson Ballroom, that shares a common wall with the westernmost townhome and is constructed of masonry bearing outer walls, wood framed second floor, roof and interior partitions. This building is comprised of two levels above grade and none below grade and has exterior brick masonry bearing walls and the floor and roofs are frame with wood joists that clear span across the width of the building.

In 2016, St. Louis County contracted LHB, Inc. to provide a structural condition assessment (Attachment B). The Structural Condition Assessment also evaluated the feasibility and estimated cost of options for the building, including rehabilitation and demolition. The assessment provides a general overview of the effort involved in either rehabilitating the Pastoret Terrace complex including the Pastoret Terrace townhome structures, Kozy Bar, and the Paul Robeson Ballroom or redeveloping the site with a newly constructed building to provide housing.

Table 4 summarizes the timeline of the property acquisition activities and steps that DEDA completed for the Pastoret Terrace building.

Table 4: Timeline of DEDA Property Acquisition

Timeline	Property Acquisition Activity
July 2016	St. Louis County sells the property (for \$75,000) to Duluth Economic Development Authority (DEDA) as the site had become tax forfeit. DEDA purchased the site to market and seek redevelopment of the property.
November 2016	DEDA issues a Request for Proposals for development concepts for the property.
January 2017	DEDA receives 3 development proposals for the site and reviewed proposals.
March 2017	DEDA rejects all proposals submitted but continues to market the site to developers.
April – December 2017	Multiple developers (including historic developers) are solicited to develop the Pastoret Terrace and adjacent parcels, however, none moved forward with a project. Too large of a financial gap existed for a project to move forward.
December 2017	DEDA lists property on Loopnet.com (a commercial listing site) and receives over 22,000 views over the following 3 months, but no offers were made on the property.
January 2018	DEDA reaches out again to historic developers that were recommended by SHPO with none came forward with development proposals for preservation uses at the site.
June 2018	As the property continues to be a blight for the community and there was no real estate developer that to date has come forward with feasible redevelopment plans, DEDA considers filing a voluntary EAW.

Project Impacts and Mitigation

Demolition of the Pastoret Terrace building would remove a contributing resource from the DCHD. However, the current structural condition and design integrity of the property warrants re-evaluation of the current resource’s contributing designation. The southwest side of the Pastoret Terrace building is located adjacent to a contributing resource, the Paul Robeson Ballroom. Other contributing resources are located across 2nd Avenue East to the east and across 1st Street East to the south. These contributing resources are buildings currently used for commercial business. Directly across 1st Street East is the City-owned Clayton, Jackson, McGhie Memorial, which identified as a non-contributing resource. This memorial is the site of the only lynching of African Americans in Minnesota. The three men were lynched at this site in June 1920.

The project has the potential to affect the adjacent and nearby contributing resources. Protective measures would be implemented to provide adequate protection to adjacent historic buildings. There would be consultation among historic building owners to identify potential risks, negotiate changes and agree upon protective measures. The DEDA would document the condition of the historic buildings prior to adjacent work; implement protective measures at both the demolition site and the historic sites; and provide regular monitoring during the demolition to identify

damage and evaluate the efficacy of protective measures already in place and implement additional corrective steps, if required.

Written comments from the State Historic Preservation Office on the proposed demolition of the Pastoret building are anticipated to be received as part of the 30-day review period following distribution of the draft EAW.

15. Visual:

Describe any scenic views or vistas on or near the project site. Describe any project related visual effects such as vapor plumes or glare from intense lights. Discuss the potential visual effects from the project. Identify any measures to avoid, minimize, or mitigate visual effects.

There are no scenic views or vistas on or near the project site. The project would result in temporary visual impacts during demolition activities, followed by a vacant site. Although plans for the site after demolition have not been formalized, any redevelopment that may occur would be required to meet City ordinance standards and fit within the character of the DCHD.

16. Air:

- a. Stationary source emissions - Describe the type, sources, quantities and compositions of any emissions from stationary sources such as boilers or exhaust stacks. Include any hazardous air pollutants, criteria pollutants, and any greenhouse gases. Discuss effects to air quality including any sensitive receptors, human health or applicable regulatory criteria. Include a discussion of any methods used assess the project's effect on air quality and the results of that assessment. Identify pollution control equipment and other measures that will be taken to avoid, minimize, or mitigate adverse effects from stationary source emissions.

The project would not produce stationary source air emissions.

- b. Vehicle emissions - Describe the effect of the project's traffic generation on air emissions. Discuss the project's vehicle-related emissions effect on air quality. Identify measures (e.g. traffic operational improvements, diesel idling minimization plan) that will be taken to minimize or mitigate vehicle-related emissions.

The project would produce temporary air emissions from demolition equipment and vehicles during demolition and debris removal. All equipment and vehicles used for the project would include mufflers and be properly maintained.

- c. Dust and odors - Describe sources, characteristics, duration, quantities, and intensity of dust and odors generated during project construction and operation. (Fugitive dust may be discussed under item 16a). Discuss the effect of dust and odors in the vicinity of the project including nearby sensitive receptors and quality of life. Identify measures that will be taken to minimize or mitigate the effects of dust and odors.

The project would cause temporary impacts from dust due to structure demolition and debris removal. Fill placement and site grading would also result in temporary impacts from dust.

Odors from heavy equipment use, such as diesel exhaust, may also cause temporary impacts that would primarily occur onsite or in localized areas. Measures to minimize impacts from dust and odors would be required by the project contractor and may include measures, such as site watering to reduce dust.

17. Noise

Describe sources, characteristics, duration, quantities, and intensity of noise generated during project construction and operation. Discuss the effect of noise in the vicinity of the project including 1) existing noise levels/sources in the area, 2) nearby sensitive receptors, 3) conformance to state noise standards, and 4) quality of life. Identify measures that will be taken to minimize or mitigate the effects of noise.

Temporary noise impacts are anticipated during building demolition, debris removal, and site grading. These temporary noise impacts would occur from use of heavy equipment and building demolition activities. The noise would occur for short periods of time during daylight hours over the course of the project. Noise levels would stay within State noise standards. Measures to avoid and minimization noise impacts would be required by the contractor, such as mufflers on equipment and hours of operations.

18. Transportation

- a. Describe traffic-related aspects of project construction and operation. Include: 1) existing and proposed additional parking spaces, 2) estimated total average daily traffic generated, 3) estimated maximum peak hour traffic generated and time of occurrence, 4) indicate source of trip generation rates used in the estimates, and 5) availability of transit and/or other alternative transportation modes.

The project does not currently involve parking spaces. Pastoret Terrace is a vacant building that does not generate traffic. It is located in downtown Duluth and is served by a public bus route.

- b. Discuss the effect on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project's impact on the regional transportation system. *If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW.* Use the format and procedures described in the Minnesota Department of Transportation's Access Management Manual, Chapter 5 (available at: <http://www.dot.state.mn.us/accessmanagement/resources.html>) or a similar local guidance,

There may be temporary street closures that would detour traffic during the most active stages of demolition. This may cause minor traffic delays until the street could be reopened. There are no road or traffic improvement proposed as part of the project. The regional transportation system would not be impacted by the project.

- c. Identify measures that will be taken to minimize or mitigate project related transportation effects.

Following temporary street closures or detours, streets adjacent to the project site would be reopened as soon as possible back to the existing traffic patterns.

19. Cumulative potential effects: (Preparers can leave this item blank if cumulative potential effects are addressed under the applicable EAW Items)

- a. Describe the geographic scales and timeframes of the project related environmental effects that could combine with other environmental effects resulting in cumulative potential effects.

The DCHD (Figure 8) is considered the environmentally relevant area for consideration of cumulative potential effects for the project. Project construction would occur over an approximately 2-month timeframe in Fall 2018. The timeframe leading up to the project and until the end of 2018 was used for consideration of cumulative potential effects.

- b. Describe any reasonably foreseeable future projects (for which a basis of expectation has been laid) that may interact with environmental effects of the proposed project within the geographic scales and timeframes identified above.

There are no known or planned construction or demolition of adjacent or nearby sites that would interact with environmental effects of the proposed project within the geographic scales and timeframes identified.

- c. Discuss the nature of the cumulative potential effects and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to these cumulative effects.

There are no known or planned construction or demolition projects within the DCHD and project timeframe, and therefore, no cumulative potential effects have been identified.

20. Other potential environmental effects: If the project may cause any additional environmental effects not addressed by items 1 to 19, describe the effects here, discuss the how the environment will be affected, and identify measures that will be taken to minimize and mitigate these effects.

There are no other potential environmental effects to be addressed that have not already been identified and addressed previously in this EAW.

RGU CERTIFICATION. (The Environmental Quality Board will only accept **SIGNED** Environmental Assessment Worksheets for public notice in the EQB Monitor.)

I hereby certify that:

- The information contained in this document is accurate and complete to the best of my knowledge.
- The EAW describes the complete project; there are no other projects, stages or components other than those described in this document, which are related to the project as connected actions or phased actions, as defined at Minnesota Rules, parts 4410.0200, subparts 9 c and 60, respectively.
- Copies of this EAW are being sent to the entire EQB distribution list.

Signature

Date

6-28-18

Title

CHIEF ADMINISTRATIVE OFFICER

Attachment A

Duluth Traphagen Structures

Duluth Buildings Designed by O. Traphagen

Wieland Block	26 E. Superior St.	1889
DFD Engine House #1	101 E. 3rd St.	1889
Duluth City Hall (First)	132 E. Superior St.	1889
Duluth Police Headquarters and Jail	126 E. Superior St.	1889
Johnson Block	323 W. Superior St.	1889

Duluth Homes Designed by O. Traphagen

Charles and Edna Arthur House	230 E. 4th St.	1886
Buckingham Terrace (townhomes)	18-30 W. 3rd St.	1887
Salter Terrace (townhomes)	301-307 E. 3rd St.	1887
William and Alice Billson House	1531 E. 1st St.	1887
George and Mary Howe House	1421 E. Superior St.	1889

Duluth Buildings by Traphagen & Fitzpatrick

Fitzgers Brewery Boiler House	600 E. Superior St.	1890
First Presbyterian Church	300 E. 2nd St.	1891
Torrey Building	314-316 W. Superior St.	1892
Boyle Brothers Saloon and Restaurant	319 W. Superior St.	1892
Herald Building	220 W. Superior St.	1893
Board of Trade Building (second)	301 W. First St.	1895
Fitger's Brewery Settling Room	600 E. Superior St.	1896

Duluth Homes by Traphagen & Fitzpatrick

Alexander Miles Rental House	301 W. 4th St.	1891
Alexander Miles Rental House	303 W. 4th St.	1891
Alexander Miles Rental House	305 W. 4th St.	1891
Alexander Miles Rental House	307 W. 4th St.	1891
Alexander Miles Rental House	311 W. 4th St.	1891
Henry and Lizzie Blume House	1419 E. 2nd St.	1891
William and Josephine Magie House	1401 E. Superior St.	1892
Oliver and Amelia Traphagen House	1511 E. Superior St.	1892
Munger Terrace (townhomes)	405 Mesaba Ave.	1892
Charles and Maude Towne House	2334 Woodland Ave.	1892
Charles and Louise Schiller House	1420 E. 2nd St.	1893

Attachment B

Pastoret Terrace Assessment: Terrace, Kozy Bar, and Ballroom

June 17, 2016



Prepared for:
ST. LOUIS COUNTY



Prepared by:
LHB, Inc.
21 West Superior Street, Suite 500
Duluth, MN 55802
LHB Project No. 160202

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SUMMARY

The intent of this summary is to provide a structural condition assessment and a general overview of the effort involved in either rehabilitating the Pastoret Terrace complex including the Pastoret Terrace townhome structures, Kozy Bar, and the Paul Robeson Ballroom or redeveloping the site with a newly constructed building. The report must be reviewed in its entirety for a complete understanding of our conclusions and recommendations. Only the items discussed in this report have been reviewed by the investigation team. No warranties or guarantees are expressed or implied.

The Pastoret Terrace was designed by renowned Architect Oliver Traphagen and constructed as six town houses in 1887. It is a contributing resource to the Duluth Commercial Historic District. In 1924, a restaurant/tavern was added to the first floor and the prominent corner tower was removed. In the 1930s, the building was divided into 40 units and grew to be a 50 unit building by 2009. The tavern became the Kozy bar in 1960. The existing buildings combined are approximately 20,000 square feet. In 2010, the 50-unit single room occupancy building caught fire, compelling residents to move out until the Owner could make the required repairs. The building has remained vacant since that time. In the beginning of 2016 the property was tax forfeited to the State of Minnesota and is currently managed by St. Louis County.

LHB was retained in April of 2016 to document the current physical condition of the buildings and to explore two scenarios for the reuse of the site. The exploration of reuse scenarios focused on two divergent concepts: One, to rehabilitate the existing buildings into market rate or affordable housing; and two, to demolish the buildings and redevelop the site with a newly constructed building. Both scenarios utilized a 20,000 square foot (sf) building size assumption with approximately 15 units of housing. The options considered are conceptual but grounded in recent historic rehabilitation and housing designs and costs.

Rehabilitation

Based upon the condition assessment, we believe the building could be rehabilitated. The exterior masonry is in good condition, considering the lack of maintenance and care over the years, which is a testament to the long-term resiliency of masonry buildings. The interior would need significant rehabilitation and the addition of new electrical and mechanical systems. We estimate that the exterior shell and interior demolition work will cost approximately \$2,300,000. To build out the interior of the structure into apartment units, we would budget approximately \$175 per square foot for 20,000 square feet or \$3,500,000. With fees and contingencies, the historic Rehabilitation could be in the \$6,900,000 to \$7,400,000 range.

As indicated in the report, the current building condition does necessitate repairs. If no remedial roof and envelope work is undertaken on the building, the condition will deteriorate exponentially. It is feasible that if left untouched, the roof structure could fail completely within an 8 - 12-year time frame. Once the roof structure is compromised the interior structure and envelope will deteriorate exponentially.

New Construction (Demolition and Redevelopment)

In the scenario for new construction, the presumption is that the existing buildings are completely demolished and any soil or building material environmental hazards are mitigated. Based on a \$10.00 - \$15.00 per square foot demolition cost due to the stout construction, the existing buildings would cost

approximately \$200,000 - \$300,000 to remove. Additional monies would be required to conduct general site cleanup, investigation for hazardous materials, remediation of hazardous materials, site stabilization, and mitigation of any hazardous materials found in the soils. For purposes of equal comparison, the new construction scenario of the site would be for up to 15 units of market rate or affordable housing. Based on current pricing, an equivalent market rate new construction 3 story, 15-unit apartment of 20,000 square feet would cost \$3,260,000, or \$163 per square foot. With fees and contingencies, the total for the new construction could fall within a range of \$3,800,000 to \$4,200,000.

Cost Overview

	Estimated Cost Range	
	Low	High
Rehabilitation *	\$6,900,000	\$7,400,000
New Construction	\$3,800,000	\$4,200,000

*Note: This range assumes a rehabilitation level that would comply with the Secretary of the Interiors Standards for rehabilitation.

PART ONE: EXISTING CONDITIONS DOCUMENTATION

Description

The building complex is comprised of three basic elements: the circa 1887 Pastoret Terrace component of housing units fronting on First Street and Second Avenue East, the Kozy Bar extension on First Street and the Paul Robeson Ballroom structure to the west fronting on First Street.

The Pastoret Terrace portion is comprised of six attached townhome structures with two levels above grade that step down the hill in five distinct sections, and a basement level with some windows and door access. The Pastoret Terrace is constructed with exterior and interior brick masonry bearing walls with wood floor and roof joists spanning between the masonry walls. The interior brick masonry walls are dividing walls that separated the original town homes that occupied the building. Within the original townhomes, between the interior brick walls there are numerous wood partition walls that break the original units up into many smaller apartments/ single room occupancy units. Some of these wood partition walls may be bearing, but because most of the plaster ceilings and walls are still in place we could not confirm this. The overall complex footprint is an L shape with the southern five sections served by a non-original internal double loaded corridor that steps down at each section change. The most northerly structure does not connect to the internal hall used by the other units but does share a common masonry wall.

On the southeast there is a one story addition that contains the Kozy Bar. The Kozy Bar is a 10-foot extension of the lowest level of the southern townhome in the Pastoret Terrace that wraps around two sides of the original Pastoret Terrace building. Exterior walls are either wood or brick masonry, with a wood roof structure.

On the southwest corner of the Pastoret complex there is a two story structure, the Paul Robeson Ballroom, that shares a common wall with the westernmost townhome. This building has exterior brick

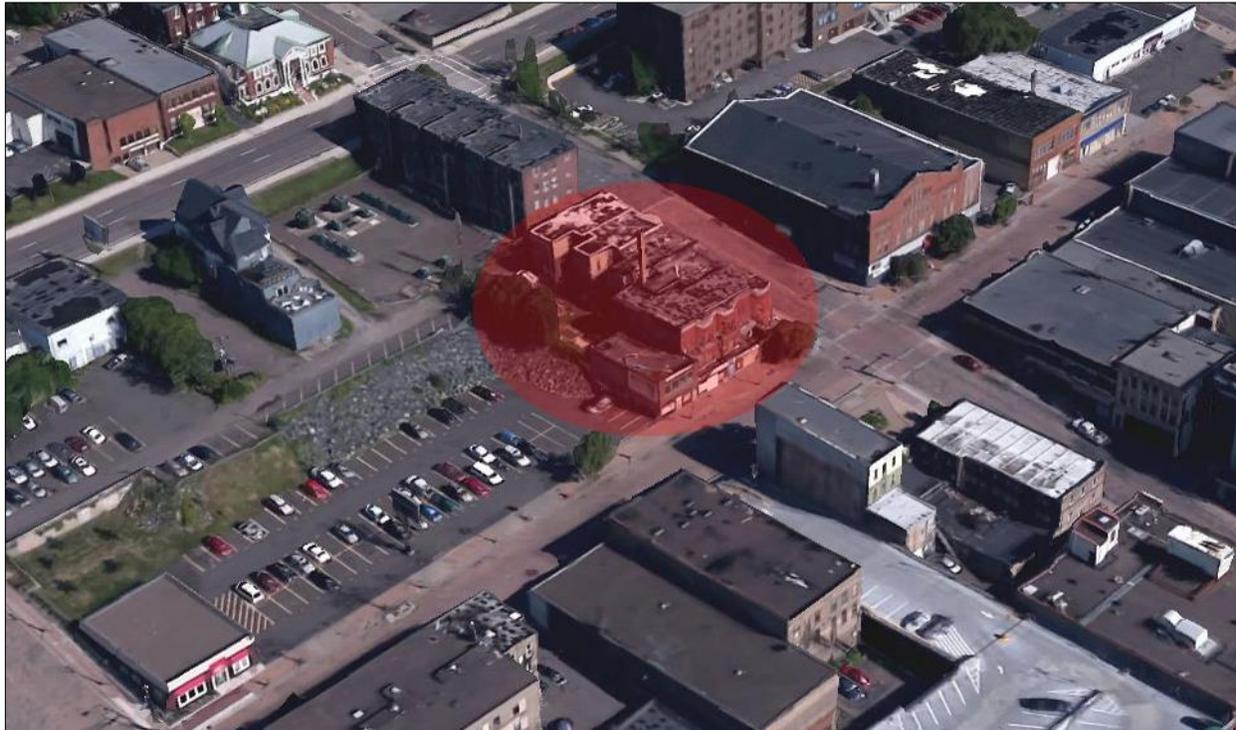
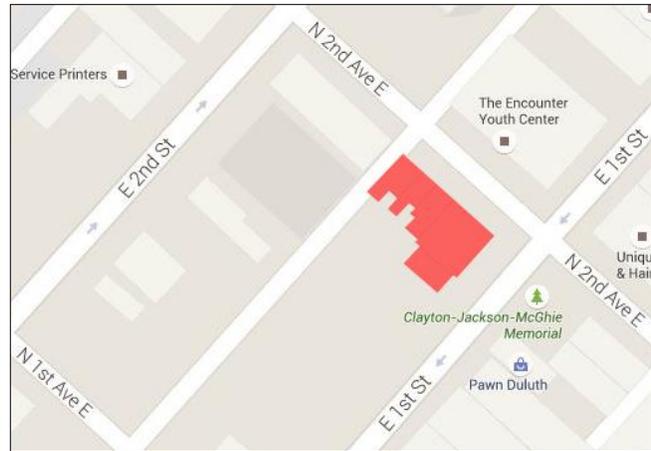
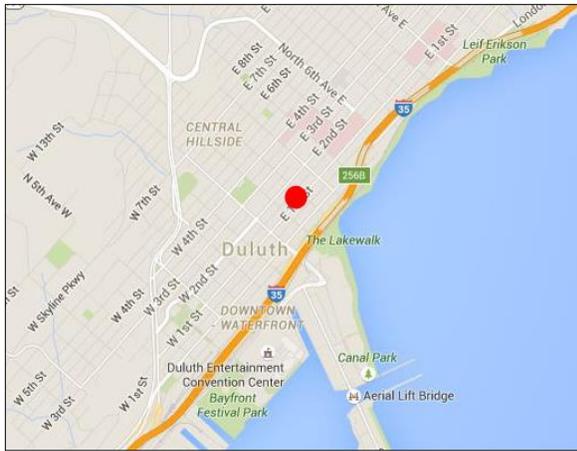
masonry bearing walls and the floor and roofs are frame with wood joists that clear span across the width of the building.

The Paul Robeson Ballroom structure is comprised of two levels above grade and none below grade, constructed of masonry bearing outer walls, wood framed second floor, roof and interior partitions.

Estimated Market Value and Site Location

The St. Louis County Assessor estimated market value for all structures on parcel 010-0930-00270 are as follows:

Tax Year	Land	Building	Total
2016	\$175,000	\$50,000	\$225,000



Architectural Condition Review

On April 18, 2016 Steve McNeil, AIA LEED AP an Historical Architect, Stephen Hearn, PE LEED AP, a Restoration Structural Engineer and Philip Waugh, Assoc. AIA, LEED AP an Architectural Historian and building technology specialist toured the Pastoret Complex to assess the existing conditions. The following is a narrative of that assessment.

The scope of work was limited to the following:

- Visual inspection of the exterior and interior
- Preliminary condition evaluation and recommendations
- Spaces and areas accessible
- Did not include access to the Basement level for the upper three stepped units
- Did not include access to the roof of the Pastoret Terrace portion

The conclusions and recommendations found within this report are based on visual observations only; no testing or invasive investigation was undertaken. There are no guarantees direct or implied within this report.

Roof conditions

- Roof conditions were observed on the Ballroom roof from below and on the roof itself.
- Roof conditions elsewhere in the building were observed from below and from outside ground level observation as well as from a parking structure one block away.
- Google Earth data was used to determine conditions from the topside as no tour of the roof level was performed.
- The Kozy bar extension at First Street and at the Second Avenue side is roofed in an adhered EPDM membrane over a mixture of concrete and wood frame material. Some wood pallets were evident that provided cover to the membrane. The condition is poor.
- 5/8ths of the roof adjacent to First Street is comprised of a temporary type construction erected higher than the original roof structure and is composed of I joist support rafters with OSB decking and loose laid EPDM ballasted with tires. No insulation was observed. This work appears to have been done after the fire on this side of the building that destroyed the roof system. The work is very temporary and shows evidence of daylight holes and leaks. The loose membrane was placed over the parapet areas and has blown off or has failed in those areas.
- The parapet observed on the exterior in this area is comprised of bare wooden substrate and is largely open to the weather
- The roof going up the hill along the avenue to the alley is comprised of original structure with some form of white emulsion coating on the roof, parapet interiors and tops of parapets. From below, this area shows evidence of roof leakage to the ceilings and areas below, but the framing for the roof appears to be largely sound. The membrane should be considered at the end of useful life from information observed from below.
- The Ballroom building roof is comprised of EPDM adhered or loose laid membrane evidencing shrinkage and stress. The roof area is covered with much debris and plant material, including a hot tub. There is one roof drain for the main area and no provisions for overflow should this plug up. The brick parapets above the membrane are exposed and in bad condition. Evidence of leakage was observed from below. No insulation was observed for the roof.

- Eyebrow and bay window extensions on the façade are typically covered with sheet metal sloped roofs that are serviceable, but needing repair.
- In general, all of the roof membranes are past useful life and require replacement with properly sloped surfaces, insulation, provisions for overflow and new roof drains and piping.
- Brick parapets will need repointing on the exterior and repair on the interior as well as membrane protection on the interior. New prefinished metal or similar parapet caps are also needed.
- Metal roof elements over the bay window and eyebrow elements should be replaced or at least made weather-tight and refinished.

Building Exterior Wall Observations

- The Pastoret Terrace building exterior walls are comprised of masonry construction and from the interior appear to provide bearing for the floor and roof structure.
- The Avenue and Street sides start with a bluestone foundation, dressed sandstone stone base, then red brick with narrow mortar joints with much arch detailing and patterning.
- The alley and back sides are comprised of a buff colored back up type brick with 3/8-inch mortar joints over a basalt stone foundation wall.
- The masonry is in fairly good shape with areas needing repointing and some brick replacement.
- The below grade masonry condition was not observed but likely leaks moisture to the interior of the lowest level given the materials and conditions observed from the outside.
- Entry porch elements are still observable on the Avenue side supporting the roof of the porches, but the deck and adjacent railing to the porches do not appear to be original and are in poor condition.
- Doors into the units from the Avenue are not original and are in poor condition.
- Parapet materials are in poor repair with much exposed wood substrate visible.
- The Ballroom building masonry has deteriorated at the parapet on both sides and should be repaired

Interior conditions

The interior of the building was reviewed using flashlights as there was no electrical service available. The lowest basement area level was not toured.

- The First Street portion of the building was subjected to a fire on the upper floors that spread up the double loaded corridor that heads uphill to connect the units.
- Units on the uphill portion of the structure did not sustain internal damage from the fire and appear to be protected from the fire spread by the lamination of gypsum board to the backside of the wooden access door.
- There appears to be brick demising walls at the various stepping points of the building.
- Typical unit finishes consist of tongue and groove hardwood flooring that is buckled in many instances, wood base, plaster walls and ceilings with wood wainscot in the hallways.
- The condition of the plaster and trim elements is very poor with much moisture deterioration evidenced as well as mold sporadically located where the roof appears to be leaking.
- There are elegant wood stairs from the Avenue side that are in fair shape and could be salvaged and redone in the units on the uphill area toward the alley.

- The windows are wood double hung single paned originals with aluminum storm windows on the exterior. There are almost no windows in any sort of useful condition and many that are missing or boarded up (some are open and broken out). There is a great deal of decorative ornamentation on the arched heads of the windows on the exterior still in fair to poor condition that may be salvageable.
- Interior doors are multi-panel wood type for the most part. There are a few that can be salvaged and reused, but the doors that were in the corridor are badly burned. Most doors are painted.
- Much of the interior of the units is painted wood trim and doors. While no test of the paint was performed, one must presume it to be lead containing based on the vintage of the structure.
- Some 9 by 9 vinyl tile was observed and should be presumed to be asbestos containing material (ACM).
- Framing on the lower front half of the building at First Street has been exposed due to the fire and it appears that much of the framing for the structure is balloon framed at least at the corridor walls.
- Fire damage has claimed much of the First Street front area.
- Brick exposed by the fire appears to be in good condition.
- Large amounts of abandoned occupant debris remains such as mattresses, furniture and belongings. None of this appears to be of any value and could contain some hazardous components.
- Many dead pigeons were found along with droppings and large feather piles.

Accessibility Conditions

- The floor levels off of the Street and the Avenue do not allow for a direct path into the various floor levels but the slope on the Avenue (which is a 10% slope currently) can be made to provide access to what is now a porch level only on the uppermost level by accessing the front door from the small alley parking level.
- Using the small area for parking off of the alley, it appears possible to provide grade access and ramped conditions to the uppermost stepped area and the next stepped area below that.
- The interior stepping of floors creates another problem once one has accessed the interior. If housing is the next use, some of the units can be positioned to become accessible to the alley parking area, or to make all of the floor space accessible would require one or perhaps two elevators.

Mechanical Electrical Observations

- No boiler apparatus was observed as the interior tour did not include access into the lowest levels of the structure.
- Typical unit heating was cast iron radiators from what could be observed.
- For practical considerations, no useful system remains for the plumbing, heating or electrification of the structure at this point.
- No pipe wrap was found on the pipes, but the lowest level area was not toured. It should be presumed that some must exist on this level and that it should be assumed that it is ACM until confirmed otherwise.

Site Conditions

- The lot size is approximately 100 feet wide by 140 feet deep.
- The Avenue slopes at approximately 10%.
- First Street is largely level.
- The shape of the building mass is an “L” shape that leaves a back area for parking and outdoor use to the southwest.
- Potential onsite parking is at most five cars directly off of the alley.
- Any more parking needed for the project will have to be developed off site or on space currently occupied by structure, such as the Ballroom building.

Architectural Condition Review Photos



Figure 1 Avenue Façade near alley



Figure 2 Middle of Avenue side. Note 10% sidewalk slope and stepped units.



Figure 3 Avenue corner showing wrapping of Kozy bar addition



Figure 4 Street corner



Figure 5 Westerly end of Street Façade, Pastoret Terrace



Figure 6 Western Façade at Street showing Ballroom building



Figure 7 Interior of stair and corridor



Figure 8 Example of interior wood stairs that can be retained serving second floor



Figure 9 Typical interior of upper level ceilings showing sporadic water damage



Figure 10 Roof leak and mold condition



Figure 11 Typical unit interior



Figure 12 Corridor leading up the hill to serve inside units. Fire and smoke damage from front end fire



Figure 13 Typical unit bathroom condition



Figure 14 Stripped out and burn condition on Street side front



Figure 15 Typical Pastoret Terrace interior showing occupant debris and general condition of unit



Figure 16 Second Level of Ballroom



Figure 17 Ballroom first level showing water damage



Figure 18 EPDM roof over Ballroom area. Note growth in corner and debris.



Figure 19 Southwest corner of Pastoret Terrace showing deteriorated temporary roof over burn areas

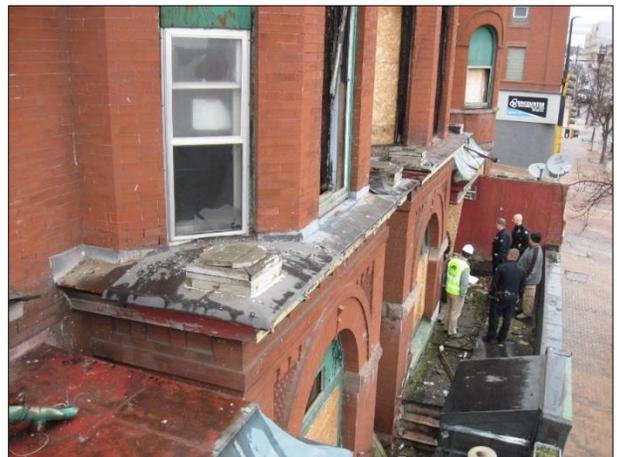


Figure 20 Street elevation close up showing metal capped façade features and EPDM membrane condition on Kozy extension below where Police are standing. Note various window conditions. No salvageable windows found.



Figure 21 Note exposed Parapet wood work and brick back up on Street side



Figure 22 Black areas of temporary roof framing showing water intrusion and rot above burn area on Street side

Structural Condition Review

The condition assessment observations of the Pastoret Terrace Building located at the intersection of East 1st Street and North 2nd Avenue East, in Duluth, Minnesota were completed by Structural Engineer Stephen Hearn, PE, LEED AP on April 18, 2016. We conducted our assessment in accordance with the recommendations contained in ASCE's Guideline for Structural Condition Assessment of Existing Buildings, (SEI/ASCE 11-99). The scope of work was limited to the following:

- Visual inspection of the exterior and interior
- Preliminary condition evaluation and recommendations

The conclusions and recommendations found within this report are based on visual observations only; no testing or invasive investigation was undertaken. There are no guarantees direct or implied within this report.

Structural Condition Observations

- Exterior brick masonry on the southeast and northeast sides (street fronts) of the building needs tuck-pointing over approximately 80% of its surface.
- Brick on the northwest and northeast (back sides) of the building need to be 100% tuck-pointed. Brick parapets are in poor condition and need to be repaired.
- Cracks over brick arches on the southeast face of the building need to be repaired. Existing brick is loose and needs to be reset or replaced.
- Sandstone decorative banding on the southeast corner (round turret) is loose, there are some missing bricks, and stair step cracks. Needs to be reset and bricks tuck-pointed.
- Sandstone decorative banding on the southeast face of the building is worn or loose in some areas and will need to be reset or replaced.
- Loose bricks at arch over upper window at curved turret on southeast corner needs to be reset.

- There is a small area of replaced brick on the southeast face that does not match surrounding brick.
- Exposed rubble stone foundation wall on rear of building appears to be in good condition.
- Brick chimney needs to be tuck-pointed but otherwise appears to be sound, no obvious lean or other problems were noted.
- Small areas of damaged brick on the back sides of the building need to be replaced.
- The brick on the southeast face (front) of the Paul Robeson Ballroom is in generally good condition.
- The brick on the southwest face (side) of the Robeson Ballroom is in poor condition. Needs to be 100% tuck-pointed. There are areas of missing or spalled brick along the parapet.
- The brick parapets around the Paul Robeson Ballroom need to be repaired.
- Exterior wooden stairs and porches at entries are all in very poor condition and need to be replaced.
- The wood framed roofs at the entries on the southeast face of the building appear to be in fair condition. Some decorative trim pieces are missing or broken. The actual structural roof framing was not visible but there was no sign of sagging or other distress to indicate hidden problems.
- The wood framed roofs at the entries on the southwest face of the building (above Kozy bar) appear to be in poor shape and will need to be repaired or replaced.
- Low roofs over the below street level portions of the building on the southeast face are covered with vegetation (this is part of the Kozy Bar addition). We could not see the structure beneath, but would expect it to be in poor condition.
- Wrought iron fence at window well at the northeast corner of the building is in very poor condition, needing repair or replacement.
- Wood roof cornice is missing on the southwest face of the building. This was destroyed during the fire and a temporary wood parapet has been installed. Where it remains on the southeast face, it appears to be fair to poor condition. We did not have access to the roof to do a more detailed assessment.
- With the exception of the fire damaged zone on the southwest side of the building, the wood floor and roof framing, where it was visible, appears to be in good condition. There may be selective areas of damage from water leakage, but we would expect these to be very limited based on the observed condition of the rest of the structure.
- The interior walls and floor structure that were exposed to fire will generally need to be 100% replaced. A new temporary roof consisting of wood I-joists and OSB sheathing was installed over the fire damaged areas of the building. There is evidence that this roof is leaking and it will need to be further evaluated to see if the structure can be used or if it will need to be replaced in its entirety.
- There were no significant cracks, heaving or movement observed at foundation.
- Water was observed by City Staff in the basement near the back of the Kozy bar restrooms. The source of water was not known but it was reported to be deep.

Structural Condition Review Photos



Figure 23 Loose Sandstone band, stair step crack, brick needs to be tuck-pointed



Figure 24 Loose brick at window arch, brick needs to be tuck-pointed



Figure 25 Loose Sandstone band, brick needs to be tuck-pointed



Figure 26 Loose brick at window arch, brick needs to be tuck-pointed



Figure 27 Mismatched brick, existing brick needs to be tuck-pointed



Figure 28 Typical entry porch Roof.



Figure 29 Brick chimney needs to be tuck-pointed



Figure 30 Brick on rear of Pastoret building needs to be tuck-pointed



Figure 31 Brick parapet on rear of building in need of repair



Figure 32 Damaged brick on rear of Pastoret building, brick needs to be tuck-pointed



Figure 33 Fire damaged ceiling joists and wall framing



Figure 34 Fire damaged ceiling joists, temporary wood I-joint roof over fire damaged portion of the building



Figure 35 Front of Paul Robeson Ballroom, brick in good condition

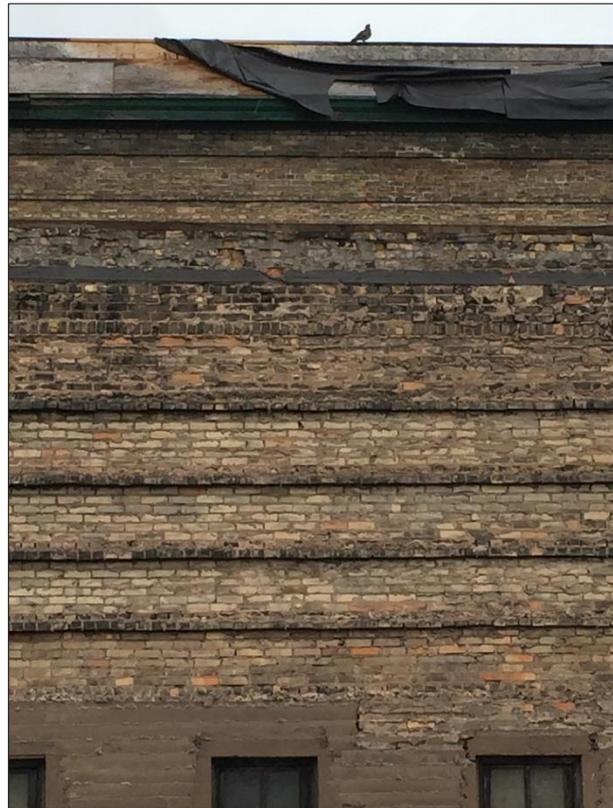


Figure 36 Side of Paul Robeson Ballroom, Damaged brick, brick needs to be tuck-pointed, parapet needs to be repaired

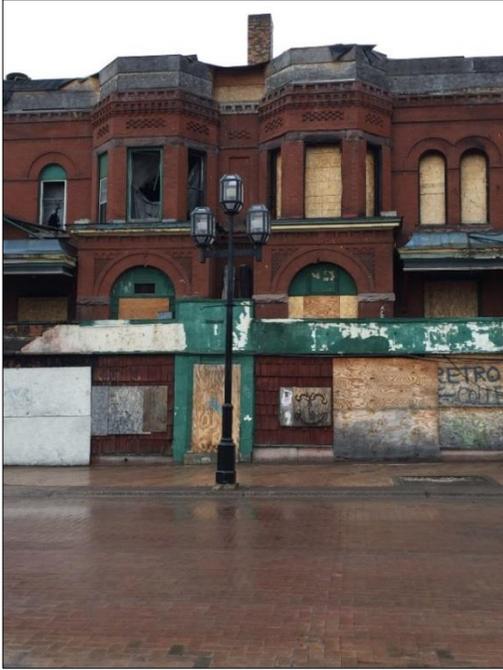


Figure 37 Kozy Bar addition, temporary roof parapet over fire damaged portion of original Pastoret building



Figure 38 Entry stairs need to be replaced. Wrought iron railing needs to be repaired or replaced.



Figure 39 Rear of Paul Robeson Ballroom, Brick needs to be tuck-pointed, parapets need to be repaired



Figure 40 Vegetation growing on low roof, deteriorated roof structure below

Shell, Envelope, Roof and Select Interior Recommendations

- Exterior supporting masonry is in good condition and should be repaired and maintained.
- Exterior porches, bay windows and sloped wall copings need to have new pre-finished metal roofing material or similar to protect the work below.
- Windows and doors require complete replacement with retention and refinishing of decorative arch top areas where present. Interior trim suggest that round top windows did not occur. Rather the openings were filled with rectangular double hung windows.
- The Kozy Bar extension should be removed back to the original façade line. This will provide space for a good transition of stairs to the building front.
- There are interior stairs from the Avenue that can be retained and refinished along with a handful of doors and some trim, but the remainder of the interior should be gutted to the structural framing and brick exteriors.
- The mechanical and electrical elements should be completely removed.
- The roof assemblies should be torn off and replaced with insulated membranes that protect the inside masonry parapets and parapet roof caps.
- Materials should be tested for hazardous content such as lead, asbestos and other possible bio and chemical hazards left behind by previous users.
- Any interior build-out of spaces should address insulation, new finishes, new doors, new mechanical and electrical systems and required interior casework, etc.
- As to a likely floor plan pattern, the L-shaped configuration that steps down the hill would appear to be better suited for exterior accessed units rather than internally accessed units. Such a configuration could yield eight units on the Avenue and four on the street that would be range from 1285 square feet per level to 1,100 square feet. Larger units could be developed either side by side or stacked (demolish to frame/brick, replace roof, install windows, add subflooring and in general conserve the shell).
- The limited parking available of, at most, five spaces would need to be supplemented by additional off-site spaces in the range of 7 to 10 spaces. Adjacent space to the southwest is currently a parking lot that might provide for this need.

Most of the wood floor and roof structure was not visible. However, with the exception of the fire damaged area, which is limited to the areas above the Kozy Bar on East 1st Street side of the building, what was visible appears to be in good condition. The wood structure in the fire damaged area of the building will need to be 100% replaced but otherwise we would expect there to be very limited areas that may be compromised due to water infiltration. Generally, we would expect this be limited to the wood roof sheathing or the sub floor. The super structure, wood floor and roof joists below, should generally be in good condition. Exterior wood stairs and porches will probably need to be replaced but with the exception of the 1st street facade most of the porch roofs appear to be structurally in good condition.

PART TWO – REHABILITATION AND REDEVELOPMENT SCENARIOS

The intent of this section of the report is to explore two scenarios for the reuse of the site. The two scenarios for reuse are categorized as: 1. Rehabilitation of the existing structures; and 2. Redevelopment of the site through demolition and new construction. In an effort to provide a more equal comparison, the Rehabilitation scenario and the Redevelopment scenario both consider housing as the reuse, and assume roughly the same building size and number of units.

Rehabilitation



Figure 41 Historic Photo. 1883.

Shell Rehabilitation

Based upon the condition assessment, we believe the building is able to be rehabilitated. The exterior masonry is in good condition, considering the lack of maintenance and care over the years, which is a testament to the long term resiliency of masonry buildings. Most of the building needs to be tuck-pointed, there are scattered areas of loose or missing bricks and sandstone bands that need to be reset or replaced, and some cracks to be repaired. This is not unexpected for a building that is almost 130 years old.

The current membrane roof needs to be replaced and sections structurally rebuilt. If no remedial roof and envelope work is undertaken on the building, the condition will deteriorate exponentially. It is feasible that if left untouched, the roof structure could fail completely within an 8 - 12-year time frame. Once the roof structure is compromised the interior structure and envelope will deteriorate exponentially.

The design elements that have been removed over time such as wrought iron finials, domed turret roof, Gabled roofs, porches and balustrade can be reconstructed using photographic evidence. The existing windows and doors are primarily non-original and/or broken and destroyed. There may be a select few windows and exterior doors that are salvageable. It is assumed that the building will need a window and door replacement. Additionally, any rehabilitation of the building should remove the bar/restaurant structure that was placed on the East 1st Street façade and wraps around the north 2nd Avenue side.

Based on the conditions described above we have conceptually estimated an exterior or shell rehabilitation to cost approximately \$2,300,000.

Interior Rehabilitation

Though damaged by fire and neglect, we believe the interior of the building can be rehabilitated. The fire damage was observed to be contained to the two units that face south along First street side and down the double-loaded corridor heading north into the four east facing (Avenue) units. The interior walls and floor structure that were exposed to fire will generally need to be 100% replaced. There is evidence that the roof is leaking in this area and it will need to be further evaluated to see if the structure can be used or if it will need to be replaced in its entirety. The double-loaded corridor heading north (including walls, ceiling, doors and floors) will need to be removed in its entirety due to the extensive smoke damage.

Beyond the doors, the units off the corridor in the four east facing buildings did not sustain internal damage from the fire. The most northerly of these buildings had no fire related damage at all. The damage to all four of these buildings appears to be primarily from exposure to the elements. The typical unit finishes consist of tongue and groove hardwood flooring, wood base, plaster walls and ceilings with wood wainscot in the hallways. Many of the floors have been either carpeted or tiled over with a 9 x 9 type vinyl (or asbestos) style tile. There are areas where the hardwood has severely buckled. Most of the finishes will need to be removed and replaced. The elegant wood stairs in two of the Avenue structures are in fair shape and could be salvaged and restored.

The windows are wood double hung single paned originals with aluminum storm windows on the exterior. There are select windows that can be rehabilitated and many that are missing or boarded up (some are open and broken out). There is a great deal of decorative ornamentation on the arched heads of the windows on the exterior still in fair to poor condition that may be salvageable. Much of the interior of the units is painted wood trim and doors. While no test of the paint was performed, one must presume it to be lead containing based on the vintage of the structure. The 9 by 9 tile observed should be presumed to be an asbestos containing material (ACM). There are significant pigeon droppings in the buildings that will need to be abated.

There was no mechanical or electrical system that appeared to be salvageable or adequate for reuse. It is presumed that any future rehabilitation of the building would require completely new electrical, mechanical, and plumbing systems.

Rehabilitating the interior will require significant removal of non-historic demising walls, plaster wall and ceilings, and floor replacement. Should the effort involve the use of Historic Tax Credits, great care needs to be given to designing the work to meet the Secretary of the Interiors Standards for

Rehabilitation. For the purposes of this exercise we are planning that the original six (6) townhomes and the Ballroom will be rehabilitated into housing. As to a likely floor plan pattern, the L shaped configuration that steps down the hill would appear to be better suited for exterior accessed units rather than internally accessed units. Based on very conceptual review, it appears that the Pastoret and Ballroom can hold approximately fifteen units with a total building size of 20,000 square feet; at least one of which would be “garden level”. Given that the unit count would be below 20, the accessibility concerns could be mitigated by providing an accessible route to several units from new parking in the rear of the building.

Based on the conditions described above we have conceptually estimated an interior rehabilitation into 15 units or 20,000 square feet could cost approximately \$3,500,000 or \$175 per square foot. With fees and contingencies, the historic Rehabilitation could be in the \$6,900,000 to \$7,400,000 range.

New Construction (Demolition and Redevelopment)

In the scenario for new construction, the presumption is that the existing buildings are completely demolished and any soil or building material environmental hazards are mitigated. Based on a \$10.00 - \$15.00 per square foot demolition cost due to the stout construction, the existing buildings would cost approximately \$200,000 - \$300,000 to remove. Additional monies would be required to conduct general site cleanup, investigation for hazardous materials, remediation of hazardous materials, site stabilization, and mitigation of any hazardous materials found in the soils.

For purposes of equal comparison, the new construction scenario of the site would be for up to 15 units of housing. Based on current pricing, an equivalent new construction 3 story, 15-unit apartment of 20,000 square feet would cost \$3,260,000 or \$163 per square foot. The total for the new construction scenario could range between \$3,800,000 to \$4,200,000.





















WELCOME











Paul Robeson Ballroom





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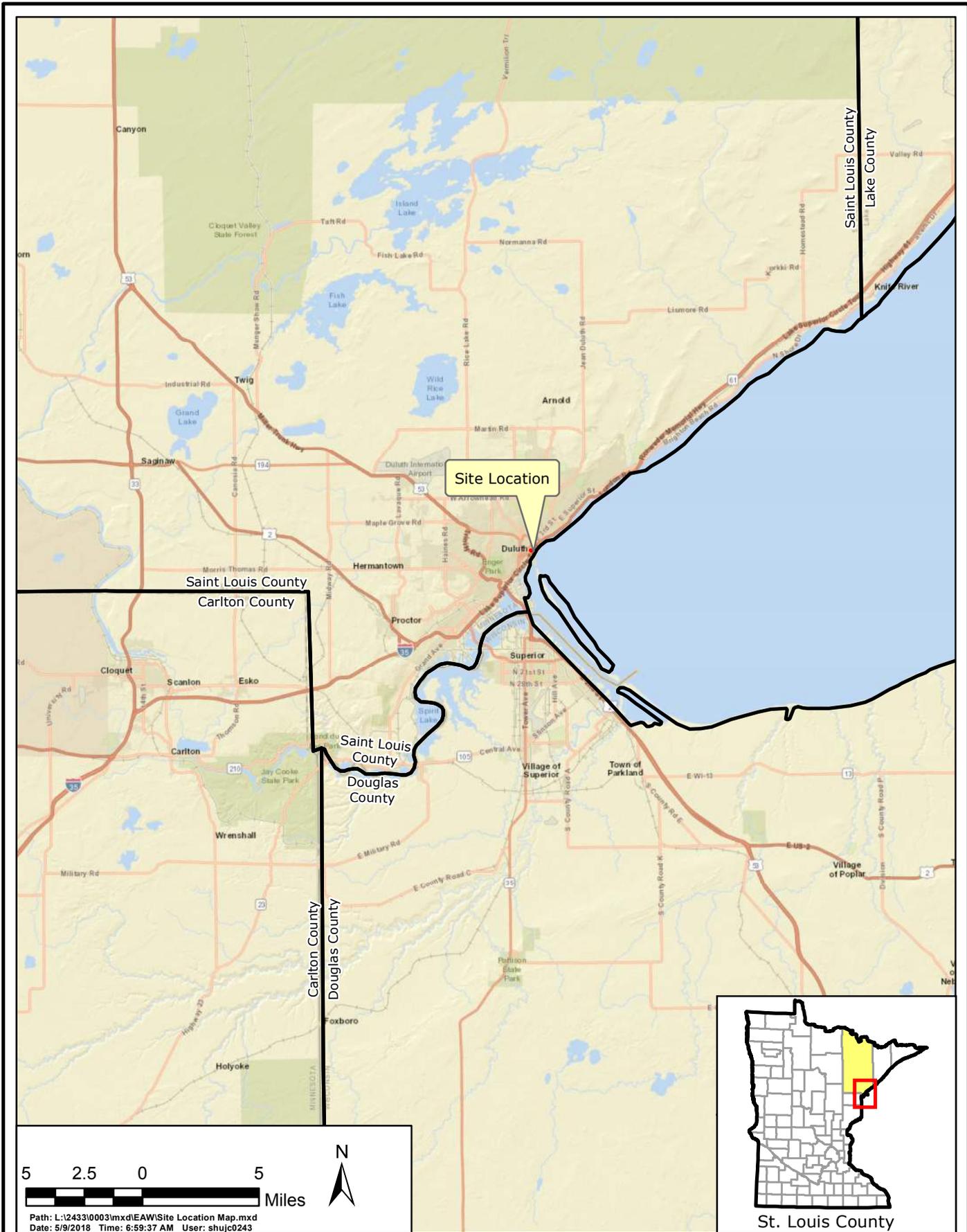




NO
TRESPASSING
PRIVATE PROPERTY

NO PARKING
VIOLATORS
WILL BE
TOWED
AT OWNER'S
EXPENSE

Figures 1

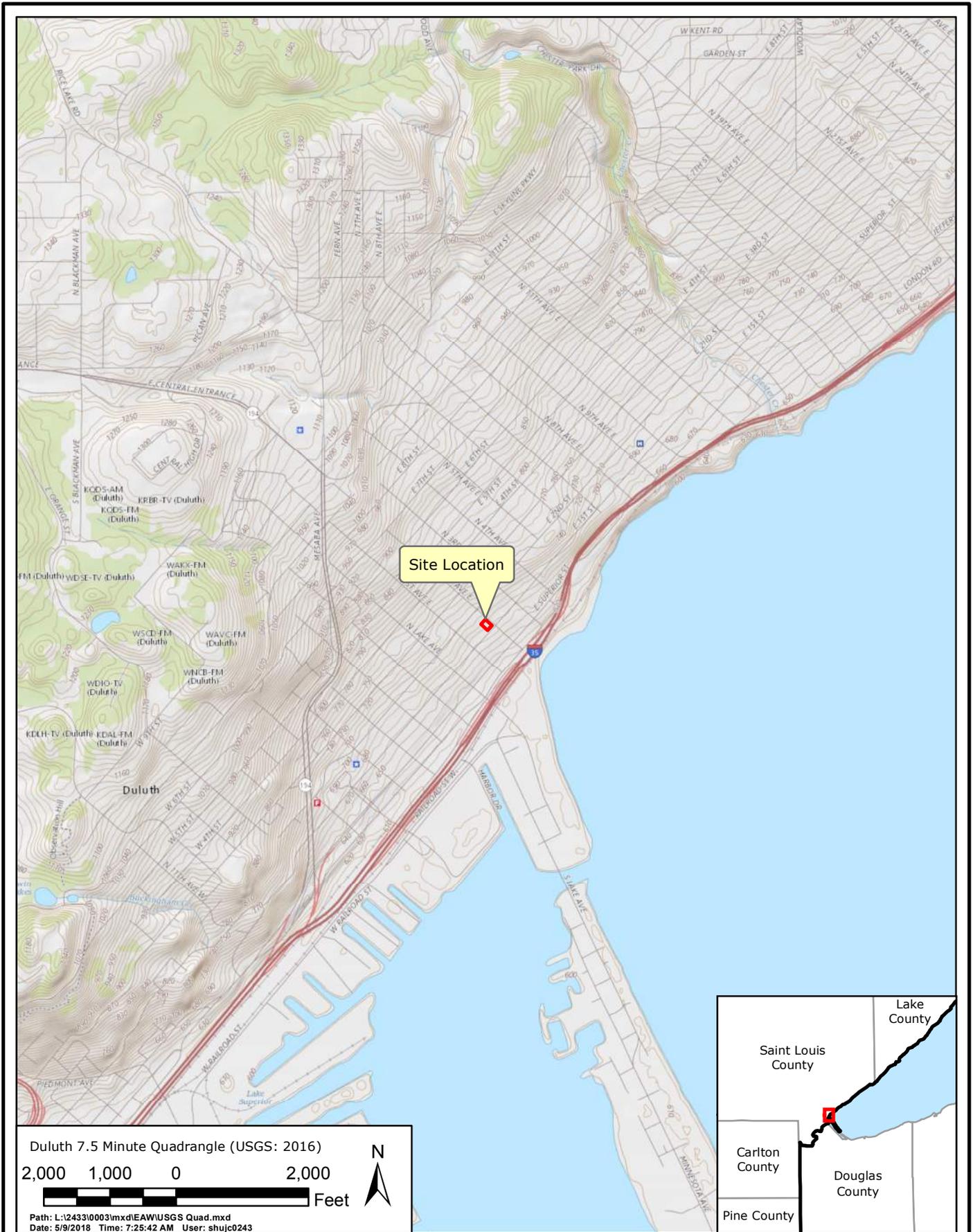


DULUTH PASTORET TERRACE
Site Location Map



MAY 2018
Figure 1

Figure 2

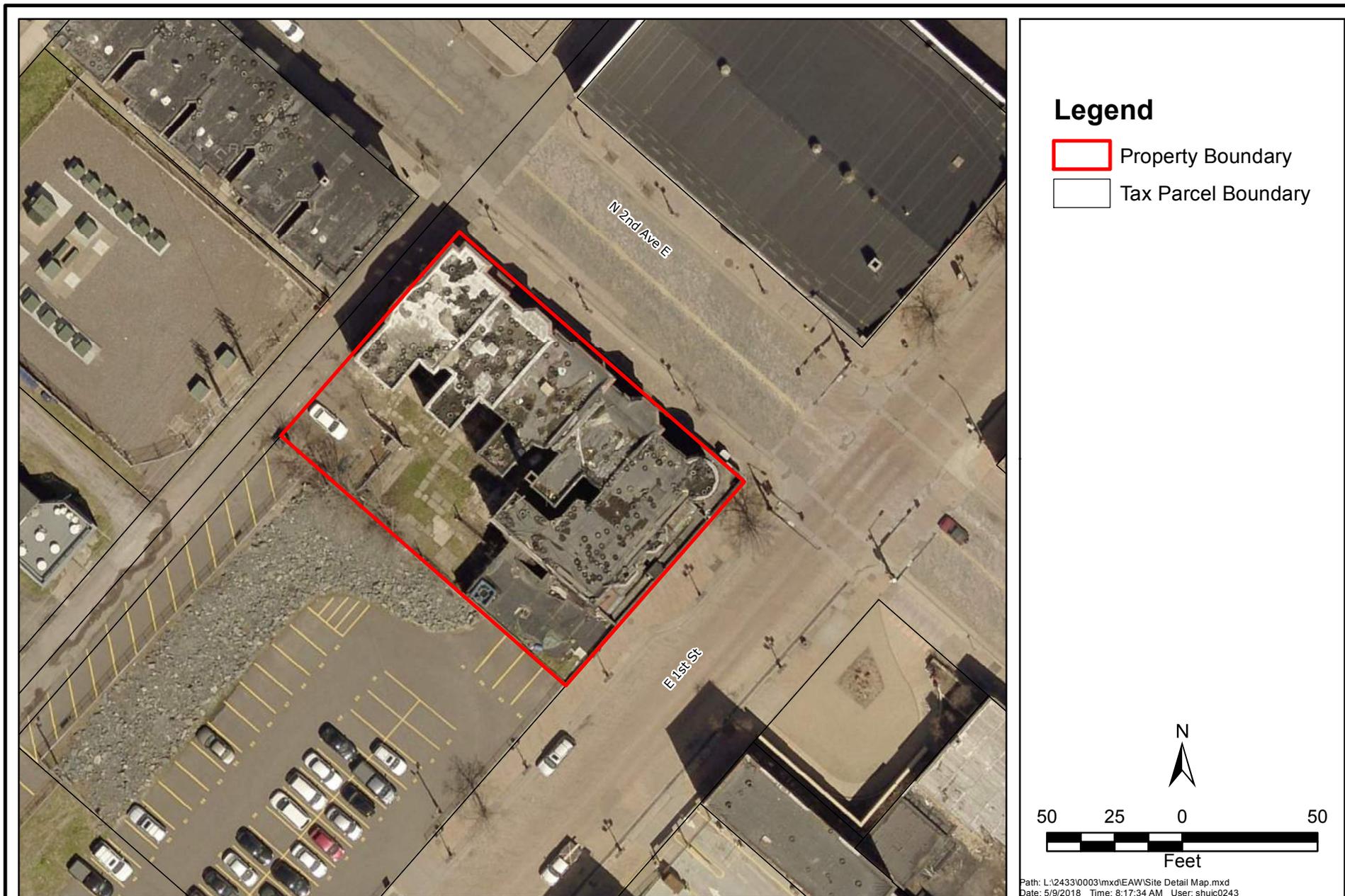


DULUTH PASTORET TERRACE
USGS Topographic Map



MAY 2018
Figure 2

Figure 3



DULUTH PASTORET TERRACE

Site Detail Map

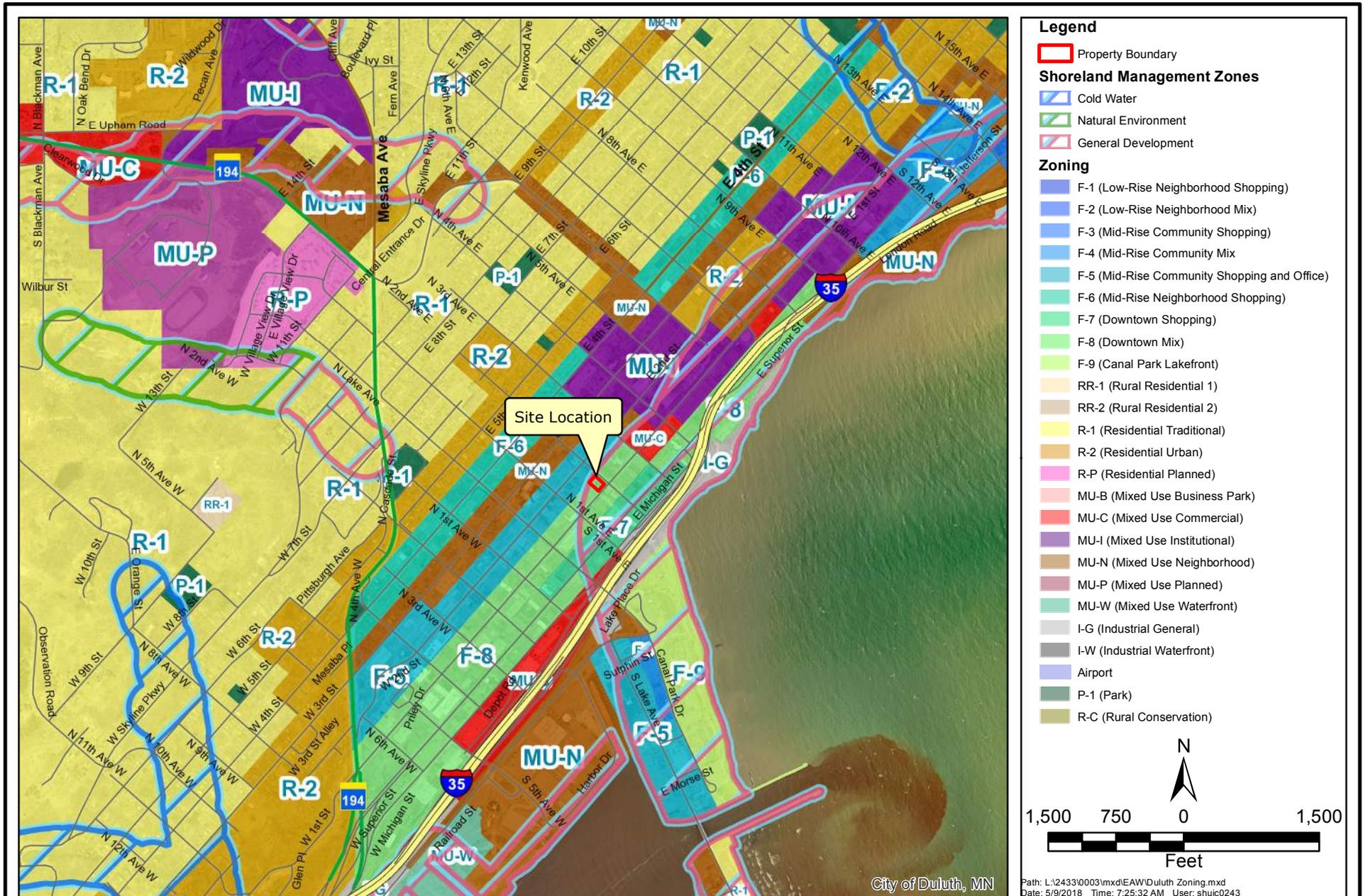


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Figure 3

Figure 4



DULUTH PASTORET TERRACE

City of Duluth Zoning

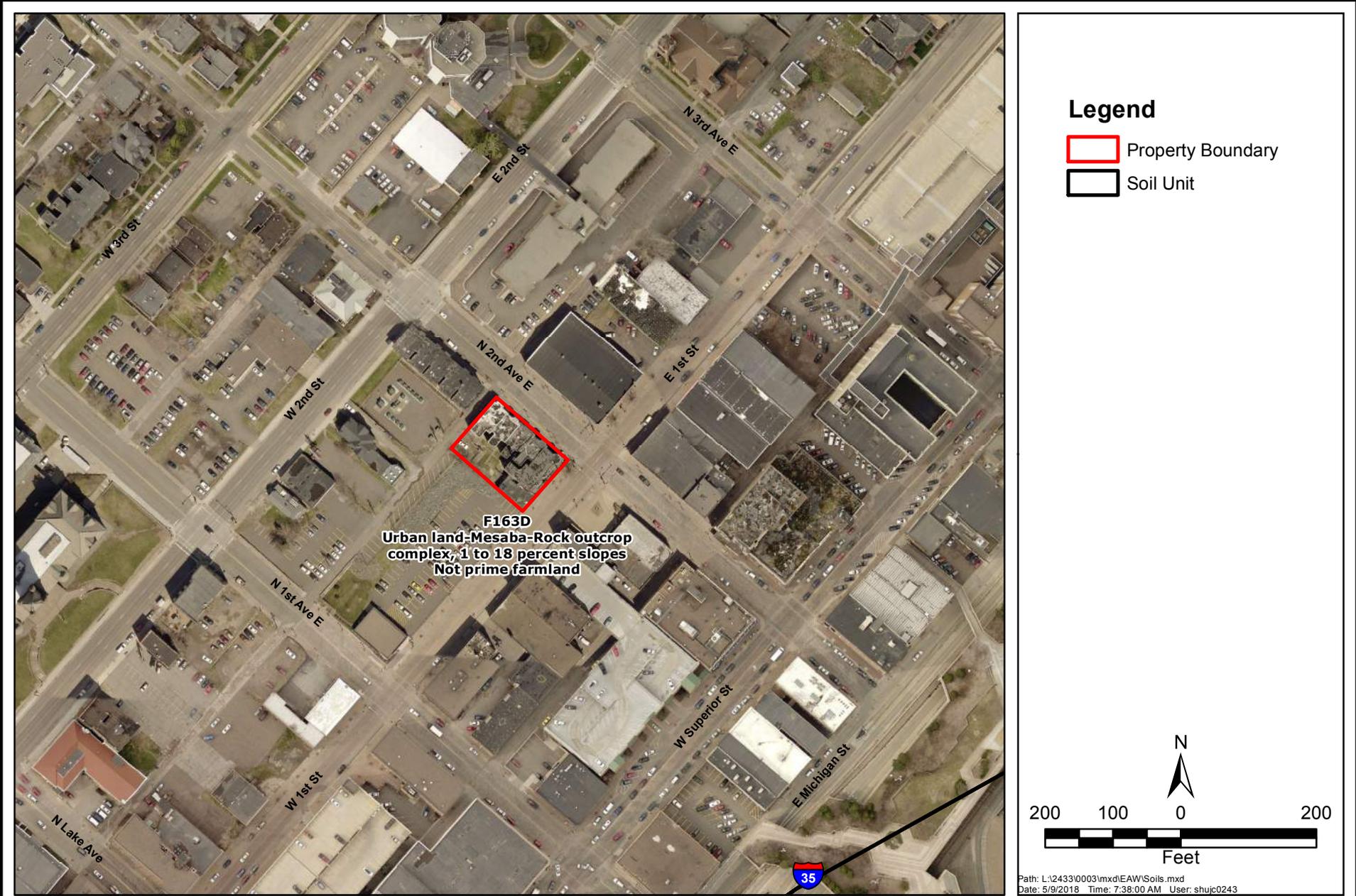


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Figure 4

Figure 5

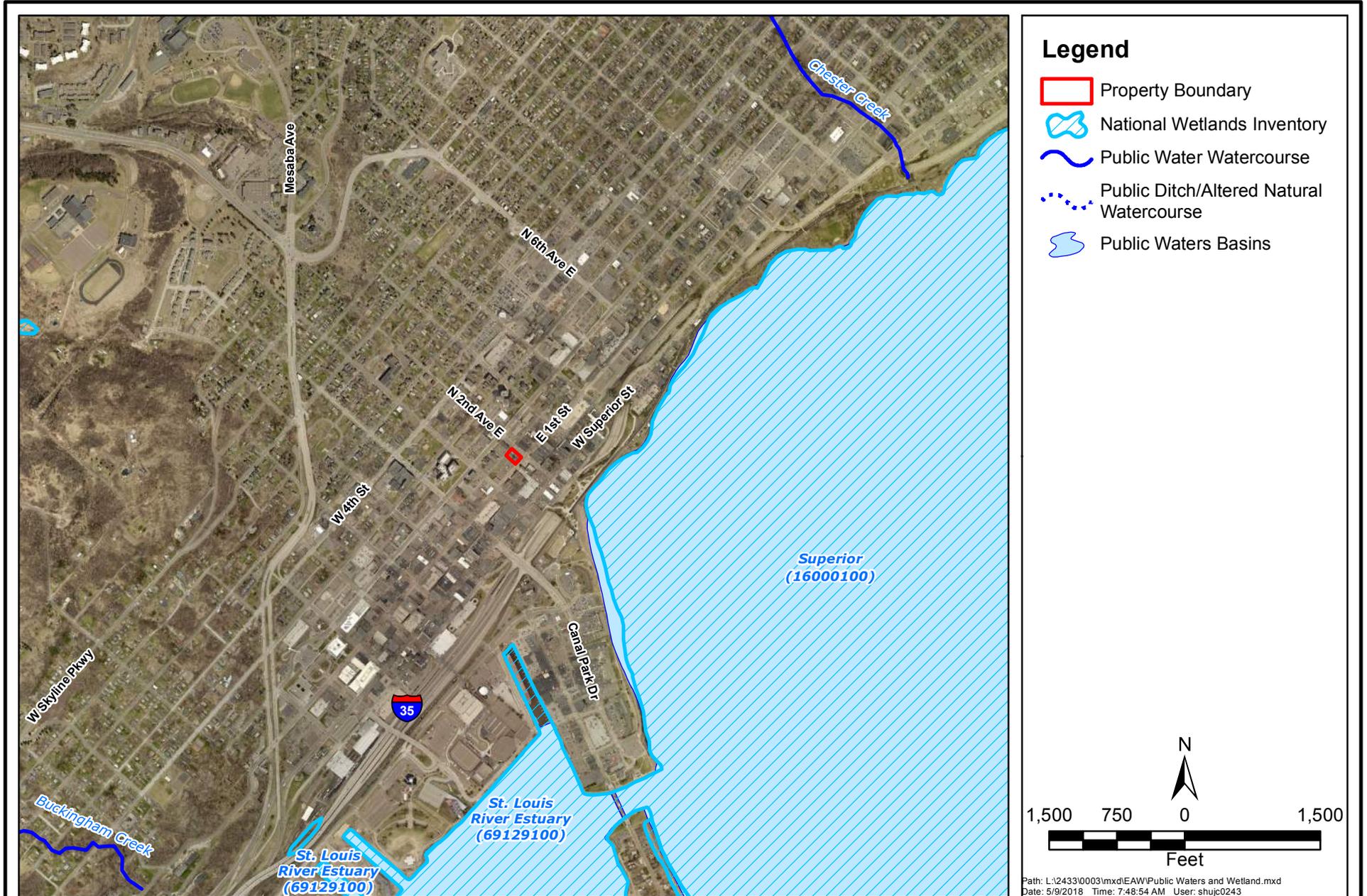


DULUTH PASTORET TERRACE
 St. Louis County Soil Survey



MAY 2018
 Figure 5

Figure 6



DULUTH PASTORET TERRACE
Public Waters and Wetlands



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Figure 6

Figure 7



DULUTH PASTORET TERRACE

County Well Index



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Figure 7



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CITY OF DULUTH
 Duluth Commercial Historic District and Pastoret Building Location



MAY 2018
 Figure 8