



City of Duluth

Council Chambers, City
Hall

Meeting Agenda Planning Commission.

Council Chambers

Tuesday, January 9, 2024

5:00 PM

Council Chambers

CALL TO ORDER AND ROLL CALL

APPROVAL OF PLANNING COMMISSION MINUTES

[PL 23-1212](#) Planning Commission Minutes 12/12/23

Attachments: [12-12-2023 PC Minutes \(not approved yet\)](#)

PUBLIC COMMENT ON ITEMS NOT ON AGENDA

CONSENT AGENDA

[PL 23-182](#) Interim Use Permit for a Vacation Dwelling Unit at 608 1/2 W 4th Street
Unit 4 by Justin and Alyssa Voegele

Attachments: [PL 23-182 Staff report and attachments](#)

[PL 23-216](#) Interim Use Permit for Vacation Dwelling Unit in a Form District at 1722
London Road by Gregory and Claudia Kamp

Attachments: [PL23-216 Staff Report and Attachments](#)

[PL 23-218](#) Interim Use Permit for a Vacation Dwelling Unit at 730 E Superior Street
by 418 VR LLC

Attachments: [PL 23-218 Staff Report with Attachments](#)

[PL 23-223](#) MU-I Planning Review for Parking Structure at 315 E 1st Street by St.
Mary's Duluth Clinic Health System

Attachments: [PL 23-223 Staff report and attachments](#)

[PL 23-192](#) Variance for Accessory Structure Closer than 10 Feet to Principal
Structure at 105 W Wabasha Street by Kyle and Liz Eaton

Attachments: [PL23-192 Staff Report and Attachment](#)

PUBLIC HEARINGS

[PL 23-181](#) Interim Use Permit for a Vacation Dwelling Unit at 608 1/2 W 4th Street Unit 1 by Justin and Alyssa Voegele

Attachments: [PL 23-181 Staff report and attachments](#)

[PL 23-217](#) Special Use Permit for Parking Lot Improvements South of 2nd Street Between 3rd and 4th Avenues W by St. Louis County

Attachments: [PL 23-217 Staff Report and Attachments](#)

NEW BUSINESS

[PL 23-221](#) COMMISSIONER RHODES: Viewshed Protection, Aerial Lift Bridge

Attachments: [Aerial Lift Bridge Protection - Dec 12,](#)

OTHER BUSINESS

[PL 23-127](#) Order for Review to Initiate Drafting an Alternative Urban Areawide Review (AUAR) for the Central High School Redevelopment Project

Attachments: [Scoping-EAW Narrative](#)
[Appendix A_Figures](#)
[Appendix B_FEMA FIRMette](#)
[Appendix C_MDH Well Log Reports](#)
[Appendix D_DNR NHIS-USFWS IPaC Species List](#)
[PL 23-127 Staff Memo - Scoping-EAW Review Explanation](#)

COMMUNICATIONS

Land Use Supervisor Report

Historic Preservation Commission Report

Joint Airport Zoning Board Report

Duluth Midway Joint Powers Zoning Board Report

City of Duluth Planning Commission

**December 12, 2023 – City Hall Council Chambers
Meeting Minutes**

Call to Order

Vice-President Jason Hollinday called to order the meeting of the city of Duluth planning commission at 5:00 p.m. on Tuesday, December 12th, 2023 in the Duluth city hall council chambers.

Roll Call

Attendance:

Members Present: Jason Crawford, Gary Eckenberg, Brian Hammond, Jason Hollinday, Danielle Rhodes (arrived after the approval of Minutes), Michael Schraepfer, and Andrea Wedul
Member Absent: Margie Nelson

Staff Present: Adam Fulton, Jean Coleman, Jenn Moses, Kyle Deming, John Kelley, Chris Lee, and Cindy Stafford

Approval of Planning Commission Minutes -

Planning Commission Meeting – November 14, 2023 and Special Planning Commission Meeting – November 27, 2023

MOTION/Second: Hammond/Schraepfer approved

VOTE: (6-0)

Public Comment on Items Not on Agenda

No Comments.

(Items PL 23-187 and PL 23-202 were removed from the consent agenda and placed under public hearings.)

Consent Agenda

PL 23-199 Vacation an alley at 525 N 80th Avenue W by Darcy and Julie Sundin
PL 23-200 Interim Use Permit for a vacation dwelling unit in a form district at 413 S 20th Avenue E by 1934 ½ London Road LLC
PL 23-201 Interim Use Permit for a vacation dwelling unit in a form district at 120 E Superior Street, floor 3, by Lillecorps Two LLC

Public: PL 23-199 – Jim Perkins, 515 N 80th Ave W, addressed the commission. He is in support of the vacation.

MOTION/Second: Crawford/Hammond approved the consent agenda items as per staff recommendation

VOTE: (7-0)

Public Hearings

PL 23-187 Vacation of 49th Avenue E between Idlewild Street and alley by Kelly Lee Greenwalt

Staff: Chris Lee introduced the applicant's proposal to vacate a 66 foot wide, 140 foot long unimproved street right of way between Idlewild Street and the Alley. Staff noted the street will not be needed by the city for the promotion of public health, safety, or welfare of the citizens of Duluth since the street is currently unimproved and city engineering does not expect to need it in the future. The alley is not needed for street or pedestrian use. Vacating the right of way will not impact or deny access to other property owners. No utilities are currently located in the right of way. Engineering has reviewed the exhibit and has requested minor edits, which the applicant is working on. Staff recommends approval with the conditions listed in the staff report.

Applicant: Present, and welcomed questions.

Public: Pam Roed, 4855 Idlewild St, addressed the commission. She has concerns about it being a dead-end road and if they vacate, it will permanently take away the turn-around. She urges the commissioners to deny. Mary Serve, 4864 Kingston St, addressed the commission. She represents the neighbors who signed the petition against the vacation. She read the names of the petitioners into the record. Shawn Roed, 4855 Idlewild St, addressed the commission. He would like to see this remain green space. Their kids have used the land as a trail to go to school. He is opposed to the vacation.

Commissioners: Danielle Rhodes asked the applicant what land his purchasing, and would he be able fulfill his goals without the vacation. Kelly Greenwalt addressed the commission. He is purchasing the two lots to the west of the vacation, and would need the vacation. Gary Eckenberg asked if the planning commission had a basis to deny this. Deputy Adam Fulton noted this vacation is a city council action based on the planning commission's recommendation subject to analysis. The land will not be used for city purposes in the future. Commissioner Eckenberg verified the applicant is purchasing two lots to the left of the vacation and will split the avenue in two. Commissioner Andrea Wedul stated there appears to be nubs on Norwood Street, and is this typical to vacate these alleys in this neighborhood. Per Lee, they are vacated on an as-needed bases. Commissioners Eckenberg stated the community has spoken. Has the applicant spoken to the community? How did the community find out? The community found out by word of mouth that a duplex is being proposed. Commissioner Michael Schraepfer noted change is difficult especially when it is in your back yard. The city wants to see infill development. This vacation and subsequent use will not drastically change the fabric of the community. Rhodes noted this land is already used as a private parking lot. Wedul noted informal pass-throughs that occur on public land. She thinks this could set a precedent.

Applicant: Greenwalt wanted to address public concerns. The land is located at the very end of Idlewild. A gravel pad already exists. He will add a bull-nose which will be safer than what exists now. He said street parking is not an issue, but he will add a cold storage building to free up space in the garage for parking. Commissioner Brian Hammond encourages him to reach out to the neighbors.

MOTION/Second: Hammond/Eckenberg recommended approval as per staff recommendation

VOTE: (6-1, Wedul Opposed)

PL 23-202 Variance to the rear yard setback at 319 N 28th Avenue W by Family Rise Together

Staff: Jenn Moses introduced the applicant's proposal for a variance to the rear yard setback for construction of a single-family home, as well as a deck and accessible ramp, which will be located 10' from the rear property line instead of the required 25'. This parcel is irregularly shaped due to its location abutting an adjacent plat. The angled rear lot is not typical for properties in the MU-N zone and existed even before the previous house on the property was built. The applicant proposes a single-family home with a footprint of 1,060 square feet along with a reasonably sized rear deck and a ramp leading to an accessible entrance. The proposed home will be a similar size, with a similar placement, and share the same character as the previous home. This will not alter the essential character of the neighborhood. Staff recommends approval with the conditions listed in the staff report.

Commissioners: Eckenberg asked about the lot size of 4,000 minimum required for a new build. Moses noted the lot is smaller than 4,000, but it was a lot of record prior to the adoption of the UDC rule in 2010. Wedul noted the fence on one side of the property. Is there a requirement for a fence? Moses stated there is no requirement for a fence. Rhodes noted parking close to the property line. Per Moses, parking can go right up to the property line.

Applicant: Rachel Wagner, 2302 Minnesota Ave, addressed the commission. She represents the applicant and welcomed questions. She noted the entire existing fence is on her client's property. The will remove the fence and place it on the actual property line.

Public: No speakers.

MOTION/Second: Hammond/Rhodes approved with added condition that fence be reconstructed between 319 & 321 N 28th Avenue W

VOTE: (7-0)

PL 23-198 Special Use Permit for a Domino's Restaurant at 7002 Grand Avenue by Duane Carlson Jr.

Staff: Chris Lee introduced the applicant's proposal for a special use permit to operate a restaurant in the existing building. The project will consist of a 2,861 sq. ft. pizza restaurant with related parking and landscaping. The proposed restaurant will be 2,861 sq. ft. with some indoor seating for ordering and service. There is no drive-through proposed. The site plan shows 14 parking spaces which meets the minimum requirement. The alternative landscape design plan is approved by the Land Use Supervisor. Staff recommends approval with the conditions listed in the staff report.

Commissioners: Wedul stated this is in line with other areas removing trees along Grand Avenue. She would like to see one tree, but this can probably be arranged internally.

Public: David Sheff, did not list address, asked about the delivery of materials to the restaurant. He is concerned about semi-trailers fitting into the site. Lee defers to the applicant about loading zone details.

Applicant: Duane Carlson addressed the commission. He noted the driveway on the west end of the property. There is room to drive in and pull around within the lot. Commissioner Hammond asked the applicant if he would agree to adding a tree. Carlson stated he is neutral. It is easy enough to do, but there is a lot of salt on Grand Avenue. Wedul thanked the applicant regarding his willingness to add a tree.

MOTION/Second: Wedul/Hammond approved with w/ added condition approved with added condition that a tree be positioned in front

VOTE: (7-0)

PL 23-162 Final Plat for Amity Bluffs Subdivision East of Woodland Avenue by Amity Bluffs LLC

Staff: John Kelley introduced the applicant's property for a final plat of 25 acres of land creating 15 lots ranging from .26 acres to 1.96 acres into "Amity Bluffs". The applicant shall enter into a development agreement. Wetlands shall be fully protected during construction, monitored for impacts due to silt and sediment, and restored if required upon inspection by appropriate city officials. The city Forester must approve the tree replacement plan. Staff recommends approval with the conditions listed in the staff report.

Commissioners: Hammond asked about connectivity, and about a pedestrian trail. Deputy Director Fulton noted in this instance there is no need for an extension. A trail does not seem viable. Wedul asked if there were elevation concerns. Kelley noted there was lots of discussion including even connecting to Vassar Street. This design does not connect to Vassar Street. Commissioner Hammond asked if there was a preliminary plat on file. Kelley stated yes. Hammond was not on the planning commission when the preliminary plat was approved.

Applicant: Present, but did not speak.

Public: No speakers.

MOTION/Second: Crawford/Rhodes approved

VOTE: (6-1, Hammond Opposed)

PL 23-127 Scoping – EAW for Central High School Redevelopment

Staff: Kyle Deming addressed the commission and summarized his memo dated December 2, 2023. They are currently in the first step, which is the 30-day comment period for the Scoping EAW. Comments are due by 1/4/2024. At the 1/9/2024 planning commission meeting staff will present responses to substantive comments made on the Scoping EAW and request planning commission's approval of the Final Order for AUAR. That action will commence the development of the Draft AUAR of the second step.

Applicant: N/A

Public: Louise Levy, 722 N 15th Ave E, addressed the commission. She thanked the Duluth News Tribune for their article. She asked if there will be another time for oral comments. Deming stated there will be a public hearing in February or March for oral comments. Levy asked about the two proposed designs and noted the height restriction.

Commissioners: Eckenberg noted the link to the narrative and appendices appeared to be broken. Deputy Director Fulton noted staff will work on this and printed packet will be available.

MOTION/Second: No Action required – public hearing held

Communications

Land Use Supervisor (LUS) Report – Deputy Director Fulton gave an overview and noted staff is working on the UDC alignment with the Building Code and the Fire Code. Vacation rental enforcement.

Historic Preservation Commission Report – Commissioner Eckenberg stated there was no meeting this month.

Joint Airport Zoning Board – Commissioner Eckenberg stated there was no meeting this month.

Duluth Midway Joint Powers Zoning Board – Deputy Director Fulton noted a complaint related to a gravel quarry off Becks Road is unresolved.

Adjournment

Meeting adjourned at 6:39 p.m.

Respectfully,

Adam Fulton – Deputy Director
Planning & Economic Development



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 23-182	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Interim Use Permit	Planning Commission Date		January 9, 2024
Deadline for Action	Application Date	October 10, 2023	60 Days	December 9, 2023
	Date Extension Letter Mailed	October 19, 2023	120 Days	February 7, 2024
Location of Subject		608 West 4 th Street, Unit 4		
Applicant	Justin & Alyssa Voegele	Contact		
Agent		Contact		
Legal Description		PID # 010-1270-01150		
Site Visit Date		October 27, 2023	Sign Notice Date	December 12, 2023
Neighbor Letter Date		October 23, 2023	Number of Letters Sent	36

Proposal

Applicant proposes to use a two-bedroom unit within an existing multi-family dwelling located at 608 West 4th Street, Unit 1 as a vacation dwelling unit. Up to 5 people will be allowed to stay in the home. This property was on the eligibility list for a vacation dwelling unit.

Recommended Action: Staff recommends approval.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-2	Residential	Traditional Neighborhood
North	R-2	Vacant land	Traditional Neighborhood
South	R-2	Vacant land	Traditional Neighborhood
East	R-2	Vacant land	Traditional Neighborhood
West	R-2	Residential	Traditional Neighborhood

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the R-1 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission shall only approve an interim use permit, or approve it with conditions, if it determines that: 1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location; 2. The applicant agrees to sign a development agreement with the city.



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Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Governing Principle #8 - Encourage mix of activities, uses, and densities. A short-term rental allows property owners to generate income and provide a service for tourists.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

- **S9:** Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: This 3,245 sq ft home was built in 1890. The home is a 4-unit multifamily dwelling.

Review and Discussion Items:

Staff finds that:

- 1) Applicant's property is located at 608 West 4th Street. Unit 4 is located on the first floor of a multifamily dwelling. The proposed vacation dwelling unit contains 2 bedrooms, which would allow for a maximum of 5 guests.
- 2) The applicant is proposing off street parking space along the northeast property line in an existing driveway. Access to the site and parking area will be from West 4th Street.
- 3) The applicant has indicated there will not be a space for camper or trailer storage by VDU guests.
- 4) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed Superior Shores Cleaning, Claire Musech, to serve as the managing agent.
- 5) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 6) Applicant must comply with Vacation Dwelling Unit Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 7) There are currently 153 licensed vacation dwelling units in the city, with 71 of those in form districts; the remaining 82 are subject to the cap of 90.
- 8) One comment was received regarding concerns with proposed use (see attached). No other comments were received



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from citizens, City staff, or any other entity were received regarding the application.

9) The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

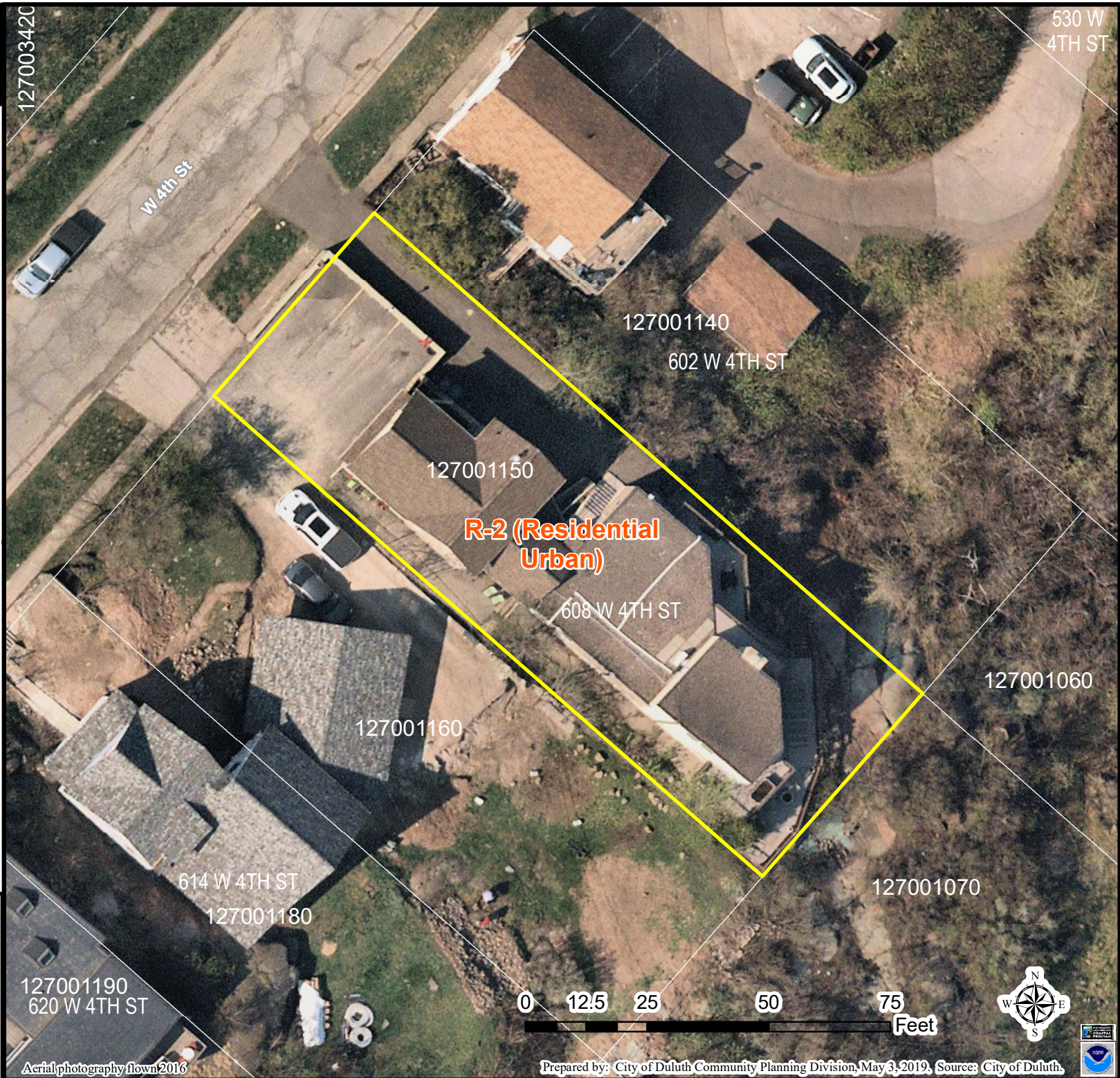
- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



PL 23-181 & PL 23-182
Interim Use Permits
608 West 4th Street

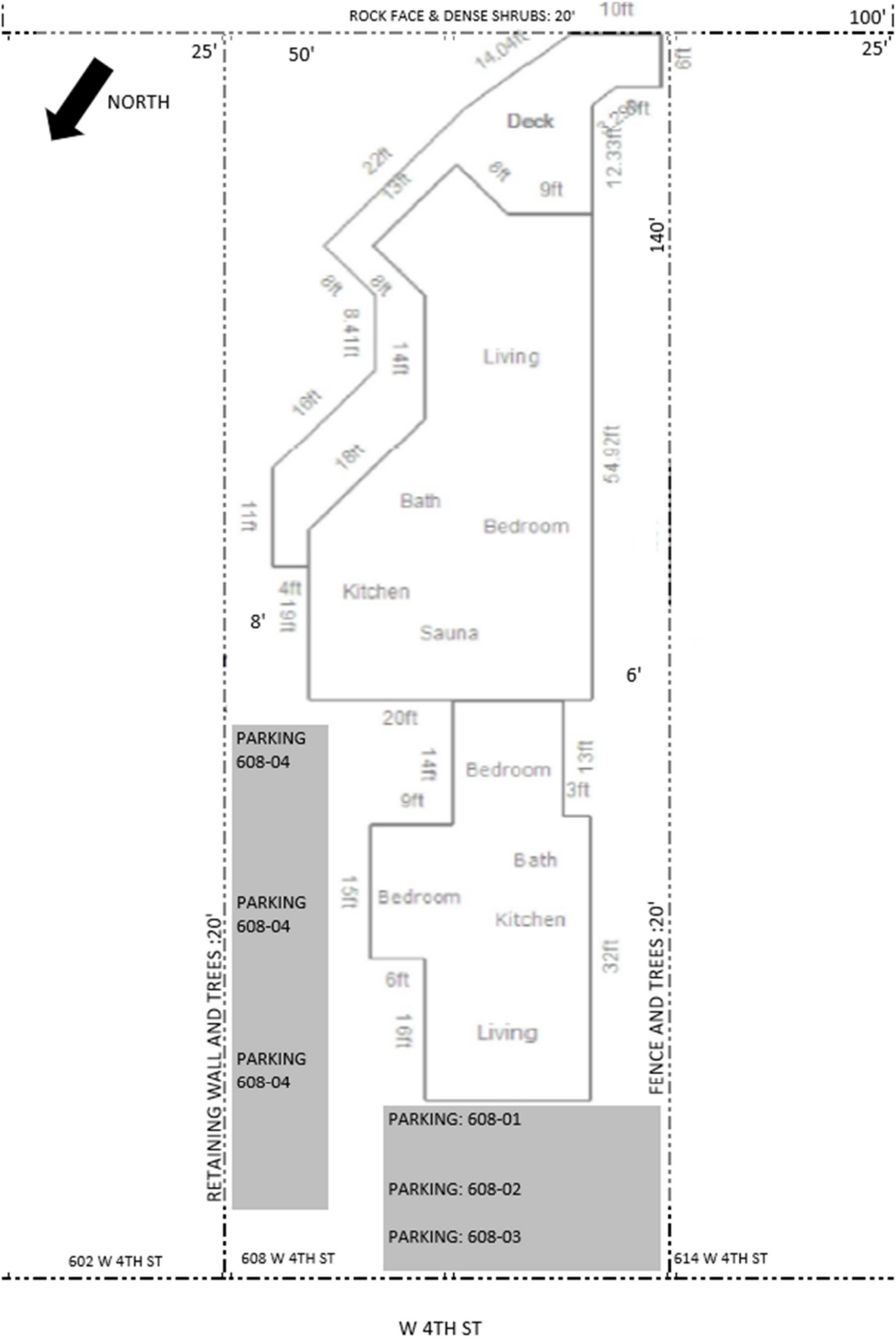


The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



608 W 4TH STREET, DULUTH SITE MAP

608 SITE PLAN: NOTHING ADDITIONAL NEEDED DUE TO PRESENCE OF TREES ON PROPERTY LINES



From: Jeff Stremcha

Sent: Tuesday, November 7, 2023 3:42 PM

To: planning <planning@DuluthMN.gov>

Subject: Request for Interim Use Permits for property at 608 W 4th St

Thank you for providing notice of this request and for allowing us an opportunity to provide input. We have previously visited the subject property a couple of times when it was under former ownership. That provides us with some overall understanding of the property; however, our understanding of current specific conditions is limited. Unfortunately, we are not able to attend the public hearing in person but would like to offer this input in advance.

We own the three undeveloped parcels abutting the subject property along its southerly boundary. We also own a part-time personal residence approximately 250' SW of the subject property. What happens at this property matters to us.

We trust that the Planning Commission will conduct a thorough review to ensure that the proposed use will comply with the City's Comprehensive Plan and all applicable city regulations. Should the Planning Commission decide to recommend approval, we believe that specified conditions, in addition to any others that may be deemed appropriate, should also consider the following:

1. Parking: All vehicle parking should be only on the subject property or public streets and in compliance with all relevant city ordinances.
2. Oversight: The property owner, or suitable owner representative, must be a full-time resident of the property.
3. Respect for adjacent properties: Recognizing that the deck/patio area overlooks/abuts our properties, any litter/debris that is not contained on the subject property will land onto ours. The boundary is an area with exposed bedrock and steep grade. Fallen trash/debris is likely to become broken and to disburse down the hillside. Owners of the subject property must be accountable for keeping the area adjacent to their property free of litter. Additionally, the property's management should maintain signage to advise guests on the location of their property boundary and advise against trespassing onto neighboring properties. In conjunction with obtaining and retaining the requested permits, the owners should provide a signed acknowledgement whereby they assume liability for any personal injury or property damage that might arise from guests or associated persons trespassing onto neighboring properties.
4. Safety/Security: We recall that the property contains retaining walls and elevated decks that could pose risk of serious injury in the event of a fall. Since the proposed use could involve small children and/or guests with compromised judgement, both unfamiliar with the property, we recommend that a thorough safety review be conducted to determine whether additional signage, restraints or restrictions might be warranted.

Again, thank you for the opportunity to comment and for considering our input.

Sincerely,

Jeff & Leanne Stremcha



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Planning & Economic Development Department

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planning@duluthmn.gov

File Number	PL 23-216		Contact	Chris Lee. clee@duluthmn.gov	
Type	Interim Use Permit– Vacation Dwelling Unit in Form District		Planning Commission Date		January 9, 2023
Deadline for Action	Application Date		November 30, 2023	60 Days	January 29, 2024
	Date Extension Letter Mailed		December 13, 2023	120 Days	March 29, 2024
Location of Subject		1722 London Road			
Applicant	Greg Kamp		Contact		
Agent	Leila Wise		Contact		
Legal Description		PID # 010-1460-00060			
Site Visit Date		January 2, 2024	Sign Notice Date		December 16, 2023
Neighbor Letter Date		December 16, 2023	Number of Letters Sent		33

Proposal

Applicant is proposing a new interim use permit for a vacation dwelling unit. The permit would allow for a 3-bedroom condominium with a maximum of 7 occupants in the F-2 form district.

The applicant was not on the eligibility list; this is a property in the form district that is exempt from the eligibility list. Vacation dwelling units located in a Form District are exempt from minimum night stays and parking, and there is no cap on number of permits issued.

Staff is recommending approval.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-2	Residential	Neighborhood Mixed Use
North	F-2	Commercial	Neighborhood Mixed Use
South	F-2	Residential	Neighborhood Mixed Use
East	F-2	Commercial	Neighborhood Mixed Use
West	F-2	Residential	Neighborhood Mixed Use

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the F-2 zone district.

UDC Sec. 50-37.10.E . . . the Council shall only approve an interim use permit, or approve it with conditions, if it determines that: 1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location; 2. The applicant agrees to sign a development agreement with the city.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Governing Principle #8 - Encourage mix of activities, uses, and densities - The issuance of a permit allows an existing structure in the downtown area to be functionally used, decrease vacancy levels, and increase tax base.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

S9: Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth. The proposed IUP in this location will enhance the level of activity in the downtown, and increase opportunities for additional commerce.

Future Land Use – Neighborhood Mixed Use: A transitional use between more intensive commercial uses and purely residential neighborhoods. Includes conversions of houses to office or live -work spaces. May include limited commercial - only space oriented to neighborhood or specialty retail markets.

Current History: The property currently used as a residential rental property. The structure was built in in 1896 and contains 2,114 square feet.

Review and Discussion Items

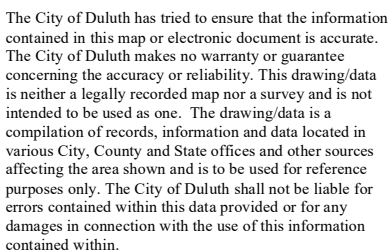
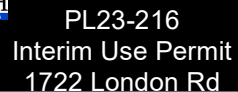
Staff finds that:

- 1) Applicant's property is located at 1722 London Road. The proposed vacation dwelling unit contains 3 bedrooms that would allow for a maximum of 7 guests.
- 2) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicants have listed Leila Wise, 1732 London Road, to serve as the managing agent.
- 3) The IUP is not required to provide parking because it is located in the F-2 district. However, the applicant has indicated there is parking in the rear of the property.
- 4) The site does not have any outdoor amenities, but is located in the vicinity of the Rose Garden with nearby access to the Lakewalk.
- 5) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 6) Applicant will apply for all relevant permits and licenses and these are contingent upon approval of the Interim Use Permit for a Vacation Dwelling Unit.
- 7) Applicant must comply with Vacation Rental Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 8) No comments from citizens, City staff, or any other entity were received regarding the application.

Staff Recommendation:

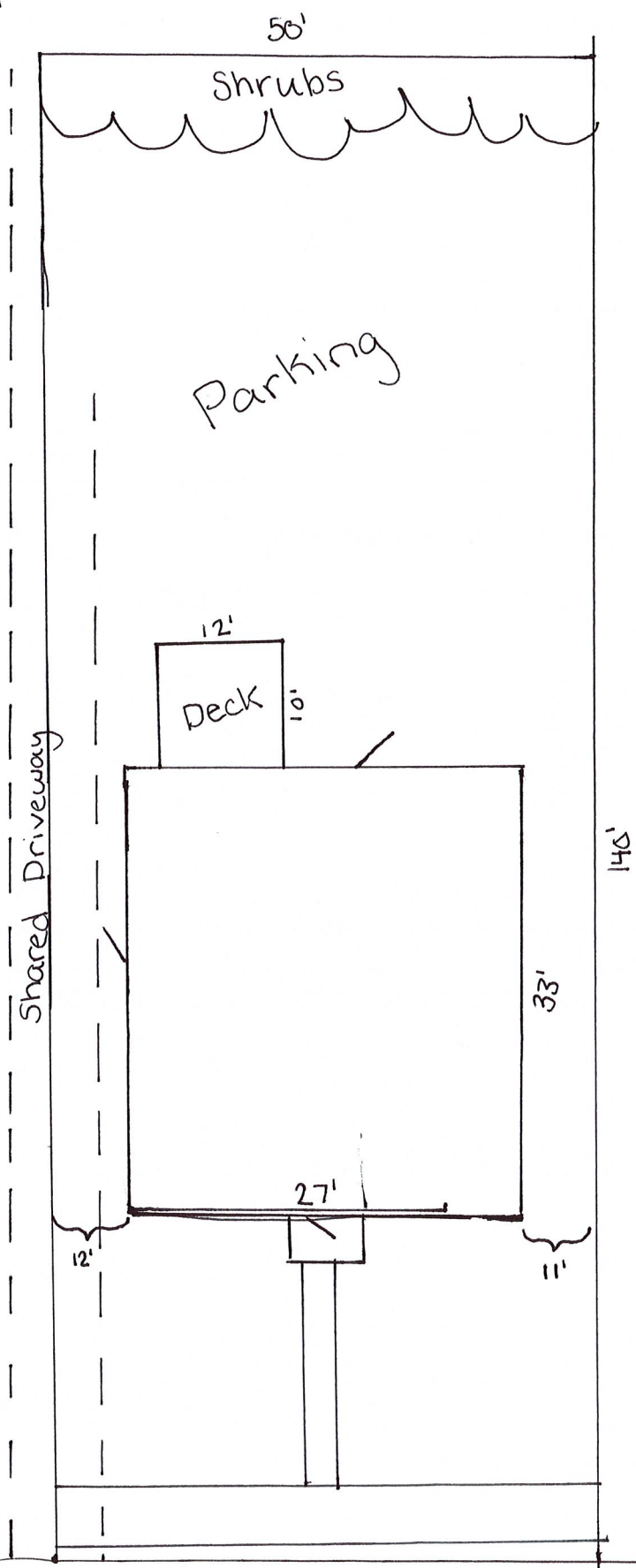
Based on the above findings, Staff recommends that Planning Commission recommend approval subject to the following:

- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administration approval shall constitute a variance from the provisions of Chapter 50



Lot 50' x 140'
House 27' x 33'
Deck 12' x 10'

1722 London Rd.



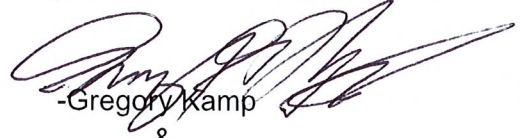
London Road

To whom it may concern

11/29/2023

Waiver of screening

The property sharing a property line to the right and the left of the subject property is also owned by us, Gregory Kamp and Claudia Kamp. We hereby waive the need for additional screening from the adjoining properties.

A handwritten signature in dark ink, appearing to read 'Gregory Kamp', with a long, sweeping horizontal stroke extending to the right.

-Gregory Kamp

&

Claudia Kamp

A handwritten signature in dark ink, appearing to read 'Claudia Kamp', with a stylized, cursive script.

Vacation Dwelling Unit Worksheet

1. The minimum rental period shall be not less than two consecutive nights (does not apply to Form districts). **What will be your minimum rental period?** 2 nights

2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two. You may rent no more than four bedrooms.

How many legal bedrooms are in the dwelling?

3

What will be your maximum occupancy?

7

3. Off-street parking shall be provided at the following rate:

a. 1-2 bedroom unit, 1 space

b. 3 bedroom unit, 2 spaces

c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.

d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.

e. Form districts are not required to provide parking spaces.

How many off-street parking spaces will your unit provide? 5

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street. **Will you allow motorhome or trailer parking? If so, where?** yes, in the rear parking lot.

5. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures. ✓

6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper. ✓

7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term. ✓

8. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice. **Please explain how and where you will**

keep your guest record (log book, excel spreadsheet, etc):

google sheets (same as excel spreadsheet)

9. Permit holder must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24-hours-a-day to any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.

Please provide the name and contact information for your local contact:

Leila Wise 406-314-7709 leiladwise@gmail.com

10. Permit holder must disclose in writing to their guests the following rules and regulations:

- a. The managing agent or local contact's name, address, and phone number;
- b. The maximum number of guests allowed at the property;
- c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
- d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
- e. Applicable sections of City ordinances governing noise, parks, parking and pets; ✓

Please state where and how this information will be provided to your guests:

Information will be relayed digitally after booking & in print at the house.

11. Permit holder must post their permit number on all print, poster or web advertisements. Do you agree to include the permit number on all advertisements? yes

12. Prior to rental, permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary; submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 23-218	Contact	Jason Mozol, jmozol@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit	Planning Commission Date		January 9, 2024
Deadline for Action	Application Date	December 11, 2023	60 Days	February 9, 2023
	Date Extension Letter Mailed	December 28, 2023	120 Days	April 9, 2023
Location of Subject		730 E Superior St		
Applicant	Nancy and Mike Sampson	Contact		
Agent	Jason Kleiman	Contact		
Legal Description		010-3820-00420		
Site Visit Date		December 21, 2023	Sign Notice Date	December 27, 2023
Neighbor Letter Date		December 28, 2023	Number of Letters Sent	12

Proposal

The applicant proposes use of 1-bedroom apartment as a vacation rental property.

Recommended Action: Staff recommends that Planning Commission approve the interim use permit.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-8	Mixed Commercial/Residential	Tourism/Entertainment District
North	F-8	Open Space	Tourism/Entertainment District
South	F-8	Open Space	Open Space
East	F-8	Mixed Commercial/Residential	Tourism/Entertainment District
West	F-8	Commercial	Tourism/Entertainment District

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the F-8 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission shall only approve an interim use permit, or approve it with conditions, if it determines that: 1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location; 2. The applicant agrees to sign a development agreement with the city.



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Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Governing Principle #8 - Encourage mix of activities, uses, and densities.

A short-term rental allows property owners to generate income and provides a service for tourists.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

- **S9:** Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

Future Land Use – Tourism/Entertainment District: Retail, entertainment, and lodging facilities, meeting waterfront related uses and open space uses.

History: The subject property, 730 E Superior St, was built in 1915. The existing structure is a three-level building with retail on the street level and residences above and below.

Review and Discussion Items:

- 1) Applicants' property is located at 730 E Superior St. The vacation dwelling unit is the lower level of a three story building that contains 1 bedroom, which allow for a maximum of 3 guests.
- 2) A parking space will be located adjacent to the building. There is also on street parking available.
- 3) The applicant has indicated they will not allow motorhome or trailer parking.
- 4) The site plan indicates a covered patio in the rear and an adjacent garden area for guest use.
- 5) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed Jason Kleiman to serve as the managing agent.
- 6) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 7) Applicant must comply with Vacation Dwelling Unit Regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 8) There are currently 153 licensed vacation dwelling units in the city, with 71 of those in form districts; the remaining 82 are subject to the cap of 90.
- 9) No City, agency, or public comments were received.
- 10) The permit will lapse if no activity takes place within 1 year of approval.



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Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



PL23-218
Interim Use Permit for
Vacation Dwelling Unit

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



Vacation Dwelling Unit Worksheet

1. The minimum rental period shall be not less than two consecutive nights (does not apply to Form districts). **What will be your minimum rental period?** 2 nights

2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two. You may rent no more than four bedrooms.

How many legal bedrooms are in the dwelling?

1

What will be your maximum occupancy?

3

3. Off-street parking shall be provided at the following rate:

a. 1-2 bedroom unit, 1 space

b. 3 bedroom unit, 2 spaces

c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.

d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.

e. Form districts are not required to provide parking spaces.

How many off-street parking spaces will your unit provide? 1

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street. **Will you allow motorhome or trailer parking? If so, where?** No

5. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.

6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.

7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.

8. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice. **Please explain how and where you will**

keep your guest record (log book, excel spreadsheet, etc):

LOG Book

9. Permit holder must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24-hours-a-day to any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.

Please provide the name and contact information for your local contact:

JASON KLEIMAN (218) 940-3653

10. Permit holder must disclose in writing to their guests the following rules and regulations:

- a. The managing agent or local contact's name, address, and phone number;
- b. The maximum number of guests allowed at the property;
- c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
- d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
- e. Applicable sections of City ordinances governing noise, parks, parking and pets;

Please state where and how this information will be provided to your guests:

GUEST HANDBOOK LOCATED IN UNIT

11. Permit holder must post their permit number on all print, poster or web advertisements. Do you agree to include the permit number on all advertisements? YES

12. Prior to rental, permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary; submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.

LAKEWALK

RAILROAD TRACKS

X X X X X X X FENCE X X X X X X X X X X X X X X X

GARDEN AREA

Door

BUILDING

38'6" x 40'6"

X X FENCE X X X X X X X X X X

PARKING

32' x 28

PARKING

26' x 9'6"

Door

SIDEWALK

100'

DRIVEWAY

BUILDING

BUILDING



Planning & Development Division
Planning & Economic Development Department

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 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 23-223	Contact	John Kelley	
Type	MU-I Planning Review	Planning Commission Date	January 9, 2023	
Deadline for Action	Application Date	December 14, 2023	60 Days	February 12, 2024
	Date Extension Letter Mailed	December 19, 2023	120 Days	April 12, 2024
Location of Subject	East First Street, Between North 3rd and 4th Avenues East			
Applicant	Essentia Health	Contact	On file	
Agent	LHB	Contact	Evan Aljoe, Healthcare Studio Lead	
Legal Description	See Attached	Sign Notice Date	December 26, 2023	
Site Visit Date	January 5, 2024	Number of Letters Sent	54	

Proposal

Applicant is seeking an update to an existing MU-I Planning Review approval to construct a new approximately 3 story, 300-space parking ramp within the Regional Exchange District as a third-party contractor-agent for the City of Duluth, pursuant to the terms of a Parking Ramp Development Agreement dated March 30, 2020. The post-tension concrete structure will provide parking for cars, motorcycles, and bicycles, and will include provisions for electric vehicle charging stations. After it is constructed, the parking structure will be owned and operated by the City of Duluth and is intended to serve patients and visitors to Essentia Health as well as other developing businesses in the west medical district of the city.

This project is related to PL 21-114 and PL 21-113. This item was initially on the August 10, 2021, Planning Commission agenda and the August 24, 2021, Special Planning Commission meeting. Three staff recommendations and conditions were altered or deleted from the original August 10, 2021, memo, as were several discussion items.

The proposed updates to the existing MU-I Planning Review approval represent a diminution in the project's scope, with fewer resultant potential negative impacts to the project area and neighborhood.

Staff Recommendation

Staff is recommending Planning Commission approval, subject to conditions specified below.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-I	Medical	Medical District
North	MU-I	Medical	Medical District
South	MU-I	Medical	Medical District
East	F-7	Residential/Commercial	Central Business Primary
West	F-5/F-7	Residential/Commercial	Central Business Secondary/Primary

Summary of Code Requirements

50-15.4 MU-I Planning Review

50-23 Connectivity and Circulation – Focuses on pedestrian and bicycle accommodations.

50-24 Parking and Loading – Addresses required parking spaces, loading docks, and snow storage.

50-25 Landscaping and Tree Preservation – Landscaping requirements and tree preservation

50-29 Sustainability Standards – Sustainability point system for new development.

50-30 Design Standards – Building standards for multi-family, commercial, institutional, and industrial buildings.

50-37.11 Planning Review – Planning Commission shall approve the Planning Review or approve it with modifications, if it is determined that the application complies with all applicable provisions of this Chapter.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Governing Principle #4-Support economic growth sectors.

Emerging and growing economic sectors, including medical, add economic, cultural, and social diversity.

Governing Principle #5 -Promote reinvestment in neighborhoods.

Duluth is strongly defined by its neighborhoods. This system should be supported through land use and transportation that foster neighborhood reinvestment. New development or redevelopment should maximize public investment that strengthens neighborhood commercial centers or diversifies residential opportunities that fit the neighborhood's character.

Governing Principle #8 - Encourage mix of activities, uses and densities

Cities have evolved as a mix of land uses, building types, housing types, and activities. Accommodating choice while protecting investment is a balance to strike in land use regulation. Mixed uses provide opportunity for a diversity of activity that segregated, uniform uses do not provide.

Economic Development Policy #2—Foster growth of existing employers and strategically recruit new employers to Duluth.

Strategy #1- Prioritize redevelopment efforts in the Core Investment Areas. Encourage collaboration between existing businesses in individual Core Investment Areas to support increased business activity overall and to improve their aesthetic and social environments. Recognize Core Investment Areas as hubs of the sharing and remote-work economy (Hillside CIA/Downtown Duluth)

Future Land Use

Institutional: applicable to medical, university/college, public school, religious, or governmental campuses. Can include adjacent areas that support them, with related commercial and/or office uses, and residential uses in the fringe areas of the district.

Recent History

See attached summary of recent zoning permits for the west side of the Regional Medical District. This site was previously zoned as part of a Form District, which would have required active spaces (such as retail or service uses) along the 1st Street façade of the structure. The site was rezoned in 2019 to be MU-I campus for Essentia Health.

PL 21-115 – Planning Commission approved a Planning Review for a 6-story, 800-unit parking ramp with a skywalk connection to the new essential building.

Review and Discussion Items:

1) The applicant is seeking a MU-I Planning Review to modify a 6 story, 800-unit parking ramp that was approved in 2021. Modification to the ramp includes reducing the height to 3 stories and providing approximately 300 parking stalls. Additional modifications include eliminating all proposed work above the East 2nd Street Alley with ramp access from East 2nd Street, relocating the transformer area to the northwest corner of level 2 of the ramp, and eliminating the skywalk from the ramp connecting to the adjacent medical facility to the east. The ramp is located within the Regional Exchange District as a third-party contractor-agent for the City of Duluth, pursuant to the terms of the Parking Ramp Development Agreement dated March 30, 2020. The ramp will include parking for motorcycles and bicycles. The parking ramp will span a complete block, from 3rd Avenue East to 4th Avenue East along the upper side of East 1st Street. It is located directly across the street from the Medical District parking ramp, which also spans the full block on the lower side of West 1st Street.

2) The proposed ramp is part of Duluth's medical district "Regional Exchange District," established by the Minnesota State Legislature. It is one of several projects within the Regional Exchange District, and is being established to provide parking services to the Regional Medical District and surrounding areas.

3) The primary vehicle access will be off of First Street. Staff believes the 1st Street area has adequate capacity as the ramp will not have a significant number of same-time users existing or entering of the facility, so backups are not anticipated.

4) The modified ramp will have three floors for the major elements of the project, devoted to providing options for different types of parking. Proposed vehicle parking spaces will be 9 feet by 17 feet for standard parking spaces, and compact spaces will be 8 feet by 16 feet. 310 parking spaces will be for standard parking spaces, 12 for compact spaces, and 11 will be ADA compliant, for a total of 333 parking spaces. There will also be 25 motorcycle parking spaces. The applicant has stated that with the modification they don't have the bike rack capacity calculated at this time, but will provide what is required by current zoning regulations. The revised site plan depicts a bike storage near the elevator lobby on the first floor.

5) UDC 50-30.5 Parking design standards require that each facade of the parking structure that faces a public street shall contain, or have the appearance of containing, horizontal rather than sloped floor planes and shall not reveal interior ramps. This is a major element in for construction of new parking ramps, as of 2010 with the UDC was adopted. Where the ramp may be visible, the applicant will screen with "decorative metal screening". UDC 50-30.5 also requires that all sides of the structure not occupied by retail, office or residential uses must be articulated through the applicant's choice of at least three items. The parking structure must comply with parking design standards when they submit for a building permit. The proposed aesthetic design for the structure remains the same as approved in 2021.

According to the applicant, each façade of the proposed parking structure that faces a public street has horizontal rather than sloped floor planes and does not reveal interior vehicular ramps. The ramps required for vehicles to circulate between levels are located along the alley façade and are not visible from public streets. Further, the facades facing public streets are articulated with decorative wall insets and changes in color and material textures. The parking structure is also set back from the property line along most of 1st street as well as along the 3rd avenue. The base of the structure is finished with a combination of brick and concrete masonry units to reflect local neighborhood aesthetics. For floors above the first -floor perforated metal panels have been selected and will be painted to reflect the color of precast panels on the existing parking structure to the south. A blue tube steel accent along the top of the metal panel auto barriers also recalls the blue tubular arches found on the existing parking structure. Glass-backed elevators and glazed stairwells are included to permit visibility into the vertical circulation paths from the exterior of the building.

6) Lighting plans are not available at this time. Applicant is aware that the proposed ramp must comply with UDC lighting standards (as well as signage, etc) when they submit for a building permit. LED lighting should not exceed 2700K, to match similar lighting standards and appearance for the nearby Vision Northland medical facility currently under construction.

7) Section 50-29 of the UDC requires that this facility provide 4 sustainability points. They are proposing to meet it by reuse of previously developed land, building envelope design, lighting, HVAC equipment, and site water use reduction. The structure is designed to accommodate loads for potential future solar panels and supports above the top parking level (but there are no solar panels proposed at this time). In addition, the project is designed to accommodate potential future

hybrid/electric/low energy vehicles in preferred locations near the primary building entrances (8 are located on level 2 near the elevator lobby). Included in the base bid are conduits and pathways to these locations to accommodate future electric vehicle charging stations, but at this point no electric vehicle charging stations have been included in the base bid.—

8) Landscaping will be provided along the boulevards, but an irrigation system will not be included. Landscaping will include: 2 Whitespire Birch, 9 Prairie Gold Aspen, 10 Autumn Brilliance Serviceberry, 63 Low Mound Chokeberry shrubs, and 49-Firedance Dogwood shrubs. The landscaping is balanced to meet UDC requirements while keeping security issues in mind.

9) Snow will be removed through two snow chutes that will direct snow down to waiting dump trucks for removal.

10) As in the previous approval pedestrian safety is important for parking ramps which feature high levels of vehicular activity such as this proposed ramp. This parking ramp will feature sidewalks on all sides of the structure (excepting the alley), with two exterior pedestrian doors SE and SW corners of the structure). Safety around the ramp will be enhanced through adequate provision of lighting, as discussed in discussion item 6.

11) This project is identified in the plans as the Blue Ramp, but this is a placeholder name. The City will more formally name the ramp in the near future.

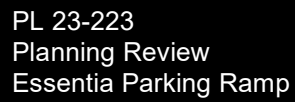
13) At the time that this staff report was printed, two citizen comments/questions were received by the City; they are included at the end of the staff report and attachment packet.

14) According to UDC 50-37.1.N, an approved Planning Review will expire if the project or activity authorized by the permit is not begun within 1 year. There is not a MU-I district plan for this site, nor the larger Essentia Health Campus.

Staff Recommendation

Staff recommended Planning Commission approve the MU-I planning review, with the following conditions that must be met. Conditions can be contingent upon either: issuance of a building permit, a certificate of occupancy, or a development agreement:

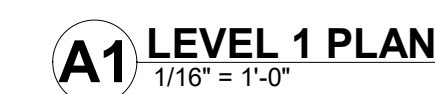
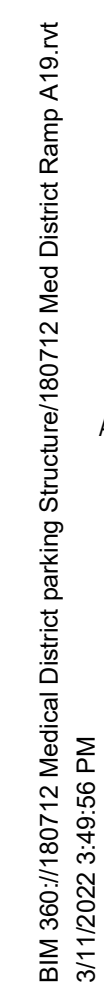
- 1) Applicant must identify and post/sign locations for contractor and temporary construction employee parking;
- 2) Applicant shall submit a lighting plan with photometric plan that fully conforms to the requirements of the UDC;
- 3) City and Applicant shall collaborate to ensure the ramp is included and incorporated into any district plan adopted for the medical district.
- 4) Any alterations to the approved plans that do not alter major elements of the plans may be approved by the Land Use Supervisor without further Planning Commission; however, no such administrative approval shall constitute a variance from the provisions of UDC Chapter 50.



The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial photography flown 2016

Prepared by: City of Duluth Community Planning Division, May 3, 2019. Source: City of Duluth.



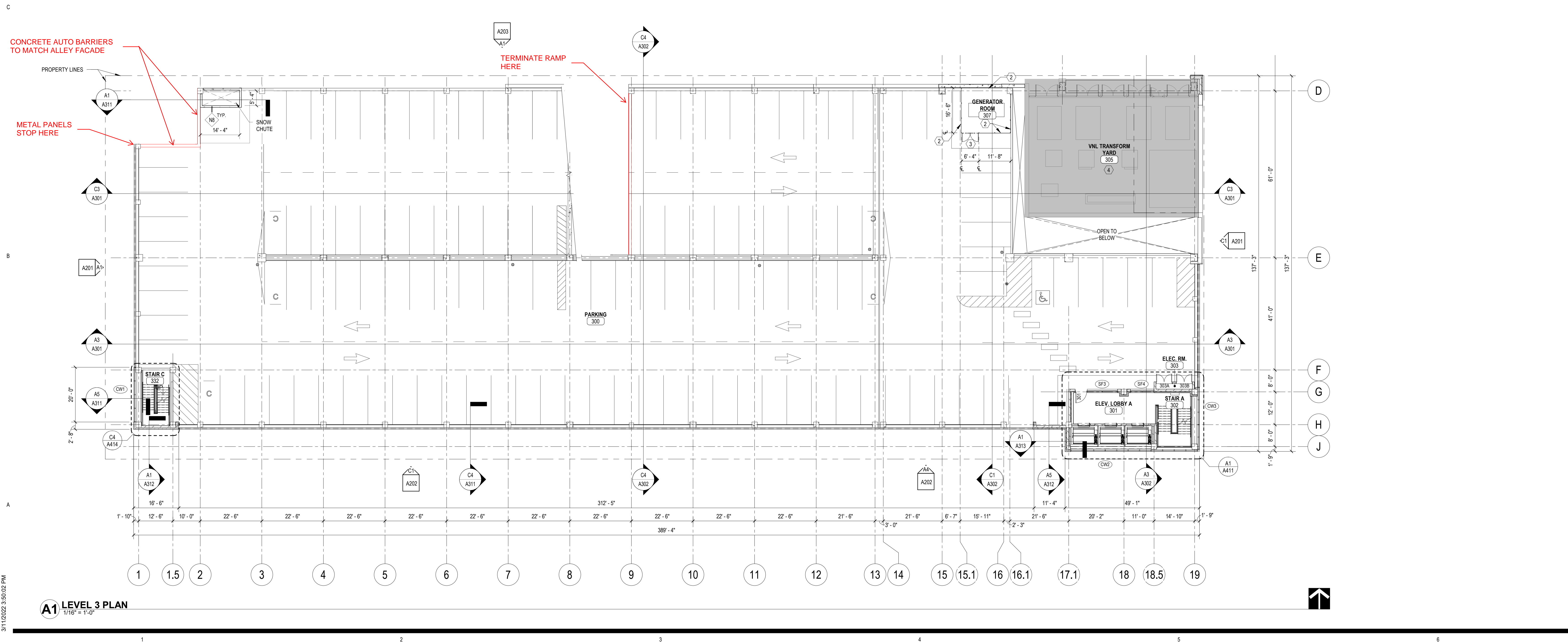
A101



BIM 360://180712 Medical District parking Structure/180712 Med District Ramp A19.rvt
3/11/2022 3:49:59 PM

DRAWN BY: KJS
CHECKED BY: ECA
PROJ. NO: 180712
DRAWING NO:

A102



- GENERAL NOTES APPLY TO ALL DRAWING SHEETS.
- B. COORDINATE THIS ARCHITECTURAL PLAN WITH PLANS BY ALL OTHER DISCIPLINES IN THE DOCUMENTS, SUCH AS CIVIL, STRUCTURAL, MECHANICAL, PLUMBING, ELECTRICAL, FIRE PROTECTION PLANS, AND OTHERS AS NECESSARY. DISCREPANCIES IN THE PLANS BY ANY OTHER DISCIPLINES MAY DIFFER FROM ARCHITECTURAL SYMBOLS.
- C. REFER TO THE CODE ANALYSIS ON SHEET G.3 FOR REQUIRED FIRE RATINGS, TYPES AND LOCATIONS OF RATED ASSEMBLIES.
- D. ALL OPENINGS OUT, PENETRATIONS MADE, OR EQUIPMENT INSTALLED IN FIRE RATED ASSEMBLIES SUCH AS WALLS, PARTITIONS, FLOORS, CEILINGS, ETC. SHALL BE RESTORED, SEALED, FIRESTOPPED, OR OTHERWISE CONSTRUCTED TO MAINTAIN THE INTEGRITY AND FIRE RATING OF THE ASSEMBLY TO THE FULL SATISFACTION OF THE ARCHITECT, ENGINEER, BUILDING OFFICIAL, AND OWNER. THE GENERAL CONTRACTOR SHALL COORDINATE AND BE RESPONSIBLE FOR THIS WORK.
- E. TYPICAL INTERIOR PARTITION IS M6 WALL TYPE UNLESS NOTED OTHERWISE. REFER TO WALL TYPES ON SHEET A531
- F. TYPICAL INTERIOR FURRING PARTITION IS F3 UNLESS NOTED OTHERWISE. REFER TO WALL TYPES ON SHEET A531
- G. DIMENSIONS OF INTERIOR WALLS ARE TO FACE OF STUD, FACE OF CMU, FACE OF CONCRETE, OR FACE OF EXISTING WALL UNLESS NOTED OTHERWISE.
- H. DIMENSIONS OF EXTERIOR WALLS ARE TO EXTERIOR FACE OF SHEATHING, OR EXTERIOR FACE OF CMU OR CONCRETE UNLESS NOTED OTHERWISE.
- I. AT "ALIGN" NOTE: FINISH FACE OF WALLS TO ALIGN
- J. INSTALL ACoustIC BATT INSULATION IN ALL RESTROOM WALLS AND WALLS CONTAINING PLUMBING PIPES.
- K. REFER TO ENLARGED PLANS AND ELECTRICAL, FOR ADDITIONAL INFORMATION TO SUPPLEMENT THE FLOOR PLANS.
- L. SEE SHEET G032 FOR STANDARD AND ACCESSORY MOUNTING HEIGHTS OF FIXTURES AND ACCESSORIES.
- M. REFER TO PLUMBING PLANS FOR FLOOR DRAINS AND CLEANOUPS.
- N. PROVIDE METAL AND/or FIRE-RESISTANT WOOD BLOCKS AT ALL WALL MOUNTED FIXTURES, FURNITURE, EQUIPMENT, ACCESSORIES, AND OTHER SPECIALTIES.
- O. OWNER SUPPLIED FURNITURE AND EQUIPMENT SHOWN AS DASHED. NOT IN CONTRACT WITH THESE VENTED, OTHERS.
- P. ALL EXPOSED PIPES, VENTS, AND CONDUIT PENETRATING WALLS, FLOORS, OR CEILINGS SHALL HAVE FINISHED TRIM RINGS (ESCOTCHES).
- Q. FIRESTOP AROUND MECHANICAL AND ELECTRICAL EQUIPMENT, ETC. WITH UL APPROVED FIRESTOPPING MATERIAL PER CODE AT ALL PENETRATIONS IN NEW AND EXISTING FIRE RATED WALLS OR FLOORS.
- R. ALL NEW OYSPRM BOARD SURFACES WITHIN THE CONSTRUCTION LIMITS TO RECEIVE PLAN UNLESS NOTED OTHERWISE.
- S. EXTERIOR LANDINGS, STOOPS, BALCONIES, AND PORCHES SHALL BE LEVEL ACROSS DOORWAYS AND SILL, SLOPE AWAY FROM THE BUILDING AT 1/4" PER FOOT.
- T. EXISTING STRUCTURE LOCATIONS ARE APPROXIMATE AND BASED ON INFORMATION PROVIDED BY THE OWNER. FIELD VERIFY AS REQUIRED.

- 1 24" X 24" LOUVER, SEE MECH
- 2 CHAINLINK FENCE AND POSTS, FULL-HEIGHT TO UNDERSIDE OF DECK.
- 3 PROVIDE TWO 3'-0" X 7'-0" GATES DOORS AT ENCLOSURE.
- 4 EXISTING TRANSFORMER YARD
- 5 GENERATOR EXHAUST VENT, SEE MECHANICAL
- 6 MOP SINK, SEE MECHANICAL
- 7 SHELF AND MOP HOLDER

**EWING
COLE**
Federal Reserve Bank Building
100 North 6th Street
Philadelphia, PA 19106-1591
Tel: 215-923-2020 Fax: 215-574-0951

502 East 2nd Street
Duluth, MN 55805

THIS SQUARE APPEARS 12"x12" ON FULL SIZE SHEETS		
	03/11/22	BID PACK #2
	07/30/21	DESIGN DEVELOPMENT
	07/06/21	LAND USE APPLICATION
NO	DATE	ISSUED FOR
NO	DATE	REVISION

PROJECT NAME:
**WEST MEDICAL DISTRICT
PARKING RAMP**

DULUTH, MN 55805

DRAWING TITLE:
LEVEL 3 FLOOR PLAN

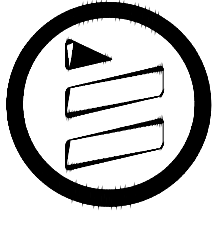
DRAWN BY: KJS
CHECKED BY: ECA
PROJ. NO: 180712
DRAWING NO:

A103



PERFORMANCE
DRIVEN DESIGN.
LHBcorp.com

21 W. Superior St., Ste. 500 | Duluth, MN 55802 | 218.727.4446



WGL INC. CSM
5136 Loyens Lane, Suite 200, Kalamazoo, MI 49002
P 866.300.2228 - WGL Michigan Inc.



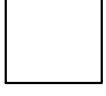
Federal Reserve Bank Building
100 North 2nd Street
Duluth, MN 55802
Tel: 218.502.2020 Fax: 218.574.682

CLIENT:



Essentia Health

502 East 2nd Street
Duluth, MN 55805



THIS SQUARE APPEARS 1/2" x 1/2" ON
FULL SIZE SHEETS.

NO	DATE	ISSUED FOR
07/06/21	LAND USE APPLICATION	
08/09/21	SCHEMATIC DESIGN	

NO	DATE	REVISION

PRELIMINARY
NOT FOR CONSTRUCTION
07/06/2021

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PROJECT NAME
WEST MEDICAL DISTRICT
PARKING RAMP

XXX EAST 2nd STREET
DULUTH, MN 55805

DRAWING TITLE
PARKING RAMP
LANDSCAPE PLAN

FILE
DRAWN BY: USA
CHECKED BY: USA
PROJECT NO: 2020-01
DRAWING NO:

L1.00



SE Corner



South Elevation



1st Street View



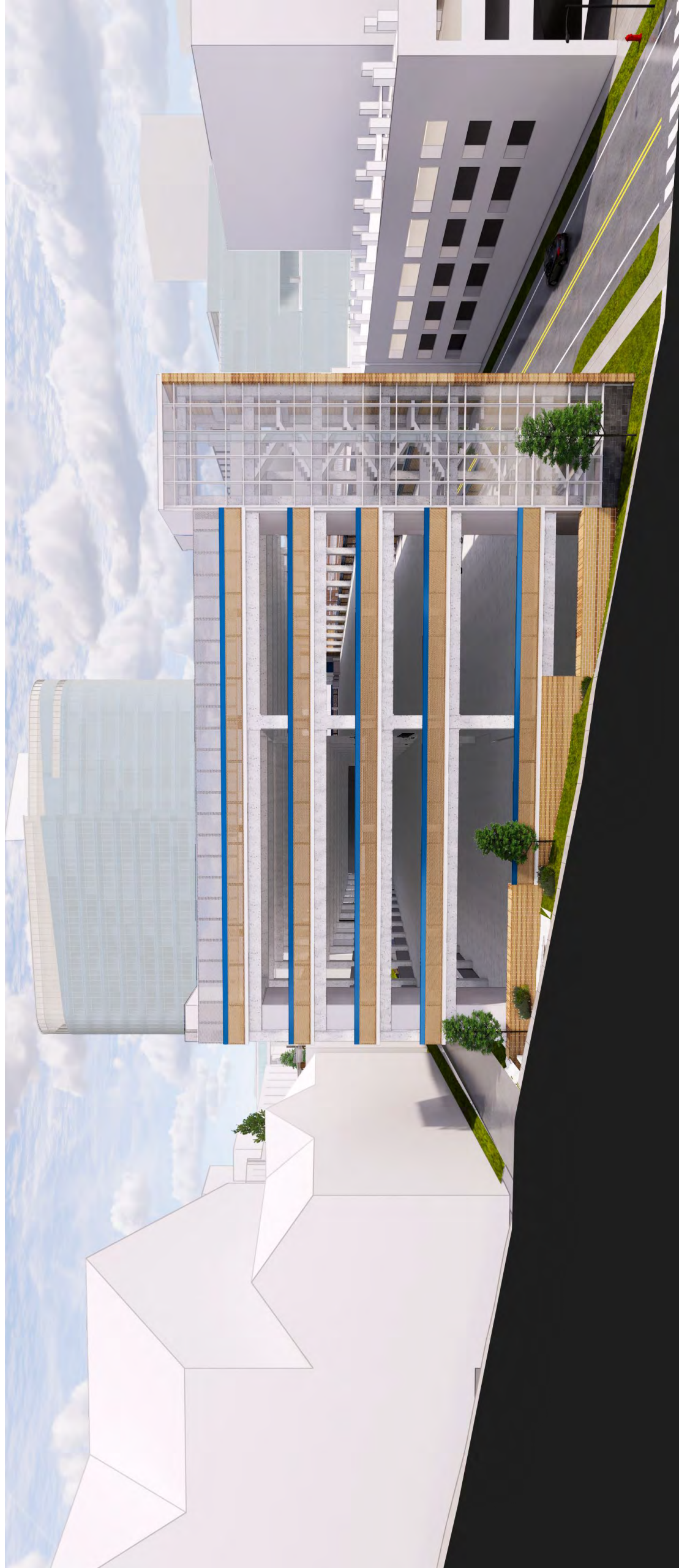
Sidewalk View



East Elevation



West Elevation



North Entry



North East View





Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 23-192	Contact	Chris Lee, cleee@duluthmn.gov	
Type	Variance from accessory structure setback	Planning Commission Date	January 9, 2024	
Deadline for Action	Application Date	December 27, 2023	60 Days	February 25, 2024
	Date Extension Letter Mailed	January 2, 2024	120 Days	April 25, 2024
Location of Subject	105 W Wabasha St			
Applicant	Kyle and Liz Eaton	Contact		
Agent		Contact		
Legal Description	See Attached	Sign Notice Date	December 1, 2023	
Site Visit Date	November 12, 2023	Number of Letters Sent	42	

Proposal

The applicant is requesting a variance to reduce the required 10' setback for an accessory structure within proximity of a principle structure on an adjoining property (50-21.3). The applicant is proposing to reduce the setback by 3' 10" to 7' 2".

Staff Recommendation

Staff recommends that the Planning Commission approve the variance.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements

Sec. 50-37.9.C – General Variance Criteria (paraphrased): Granting of variances of any kind is limited to situations where, due to characteristics of the applicant's property, enforcement of the ordinance would cause the landowner exceptional practical difficulties or undue hardship. The Planning Commission must find the following for a variance to be granted: a) That the landowner is proposing to use the property in a reasonable manner, b) that the need for relief from the normal regulations is due to circumstances unique to the property and not caused by the landowner, c) that granting the variance will not alter the essential character of the area, d) that granting the variance is consistent with the intent of the UDC and the Comprehensive Plan.

Sec. 50-21-1 Exceptions and Encroachments: No accessory structure may be located: (a) between a street and any façade of a primary building facing that street, or (b) closer than 10 ft. to any principal structure on an adjoining property, or (c) closer than 5 ft. to any rear lot line, or (d) closer than 3 ft. to any side lot line, except as listed for specific accessory structures below.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

#5 Promote reinvestment in neighborhoods. The project would allow the homeowner to reinvest in their home.

Future Land Use

Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History

The property contains a 1,716 square foot home with an existing 20'x24' garage. The garage has been heavily damaged by winter storms.

Review and Discussion Items:

- 1) The applicant is seeking a variance to reduce the required setback for an accessory structure from a principle structure. The required setback for accessory structures is 10' from any principle structure on an adjoining property.
- 2) The applicant is proposing to construct a 24' x 32' garage on part of the footprint of the existing garage. The existing garage will be removed. The current garage is located 15' from the principle structure and less than 3' in the side yard. The proposed garage will meet the side and rear yard setbacks for accessory structures.
- 3) The applicant states that the variance is requested due to the position of the house. Rebuilding the garage in the existing footprint would create a non-conforming setback to the side yard and be closer to structures on the adjacent parcel. The applicant is proposing to use the property in a reasonable manner by constructing a garage.
- 4) The applicant's practical difficulty was not created by the landowner but rather is due to the existing structures location on the property.
- 5) The variance will not alter the essential character of the neighborhood where there are many homes with 2 car garages.
- 6) The variance allowing a reduction of a setback will not impair an adequate supply of light and air to adjacent properties.
- 7) The proposal will not increase congestion in public streets or unreasonably diminish or impair established property values within the surrounding areas.
- 8) No comments from the public, outside agency, or City were received.
- 9) Per UDC Section 50-37.1.N, approved variances lapse if the project or activity authorized by the permit or variance is not begun within one-year.

Staff Recommendation

Based on the above findings, Staff recommends that the Planning Commission approve the variance with the following conditions:

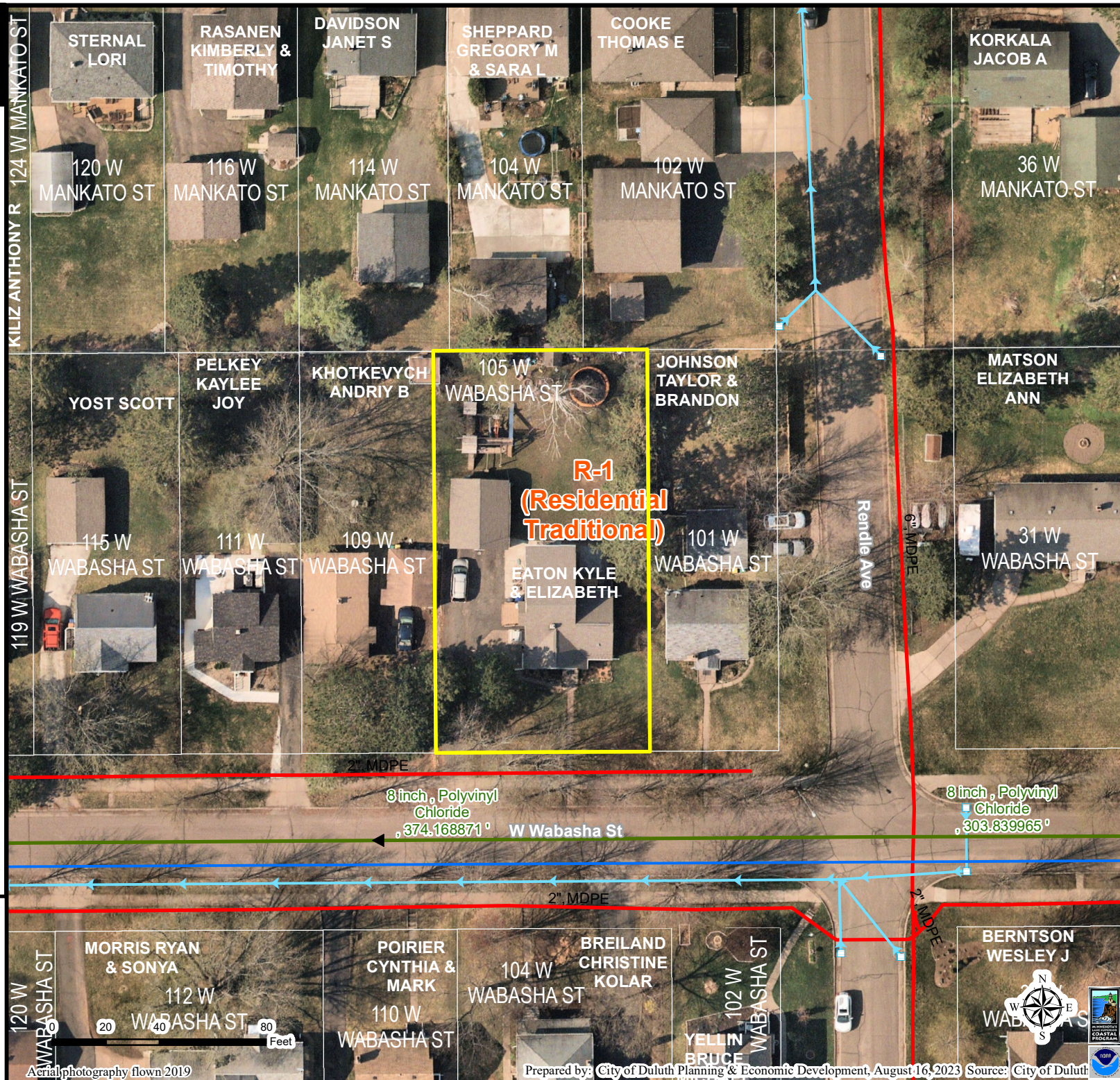
- 1) The project be limited to the plans submitted with the proposed garage no closer than 7'2" to the principle structure and 5 feet from the west property line.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



PL23-192
Variance
105 W Wabasha St

Legend

- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains**
 - CITY OF DULUTH
 - WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- PS Pump Station
- Storm Sewer Mains**
 - Storm Sewer Pipe
 - Storm Sewer Catch Basin
- Zoning Boundaries**
 - Trout Stream (GPS)
 - Other Stream (GPS)



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Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, August 16, 2023 Source: City of Duluth

- SURVEYOR'S NOTES**
- THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
 - BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
 - BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL & VERTICAL PLACEMENT OF STRUCTURE ONLY. SEE ARCHITECTURAL PLAN FOR BUILDING FOUNDATION DIMENSIONS.

LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 308486

Lot 2 Block 11 COLMAN'S ADDITION TO DULUTH
Lot 3 Block 11 COLMAN'S ADDITION TO DULUTH

LEGEND



CONCRETE SURFACE



BITUMINOUS SURFACE



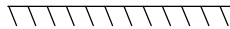
GRAVEL SURFACE



EXISTING BUILDINGS

(M)-FIELD MEASURED DIMENSION

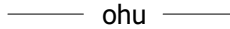
(R)-RECORD DIMENSION



EXISTING BUILDING LINE



FENCE LINE



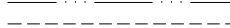
OVERHEAD UTILITIES



CENTER LINE



RIGHT OF WAY LINE



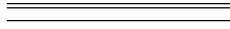
EXISTING EASEMENT LINE



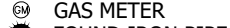
SURVEY LINE



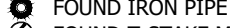
BOUNDARY LINE AS SURVEYED



EXISTING PLAT LINE



CONCRETE CURB & GUTTER



GAS METER



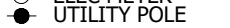
FOUND IRON PIPE



FOUND T-STAKE MONUMENT



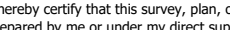
SET SPIKE



SET CAPPED REBAR RLS. NO. 49505



ELEC METER



UTILITY POLE

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

David R. Evanson

DATE:12-20-2023

David R. Evanson
MN License #49505

CERTIFICATE OF SURVEY

CLIENT:ELIZABETH EATON

REVISIONS:

ADDRESS:105 WABASHA ST,

DULUTH, MN 55803

DATE:12-20-2023

JOB NO:23-384

SHEET 1 OF 1

ALTA
LAND SURVEY COMPANY

PHONE: 218-727-5211
LICENSED IN MN & WI
WWW.ALTA LANDSURVEYDULUTH.COM

COLMAN'S

ADDITION

BLOCK

TO

WABASHA STREET



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

Variance Application Supplemental Form

In order to submit a complete variance application, please explain how your request meets all of the below variance criteria. This is information that is required by the zoning code and will be shared with the Planning Commission during their review. You may fill out this form, or attach your information in a separate letter. This information will be shared with the Planning Commission in order to help them determine the appropriateness of the variance application and request.

List the UDC Section you are seeking relief from (example: "50-14.5 – front yard setback in an R-1"):

Proximity to an accessory structure 50-21.3.B
closer than 10 feet.

1. Please explain how the exceptional narrowness, shallowness or shape of the property, or exceptional topographic or other conditions related to the property, would result in practical difficulties under strict application of the requirements of the UDC:

Our actual property lines are wider than what
was assumed, & our neighbor's garage is on our property.
If we comply with property boundaries we are still too
close to his garage. Existing buildings are restrictive.

2. Please explain how the special circumstances or conditions that create the need for relief is due to circumstances unique to the property, and were NOT created by the property owner or the property owners' predecessors-in-interest:

Our neighbor built his garage approx. 15" over our
property line.

3. Please explain the special circumstances or conditions applying to the building or land in question are peculiar to this property or immediately adjoining properties, and do not apply generally to other land or buildings in the vicinity:

This situation is unique to our city lots because
of the neighbor's garage - we do not own his
garage & don't wish to make him tear it down.

4. Please explain how the application proposes to use the property in a reasonable manner, which would not be permitted by this code except for a variance:

We would be complying with the requirement to be more than 3' away from a property line. However, without the variance our garage that we are proposing to build would be too close to our neighbor's garage (built over our property line.) (We are proposing a standard garage size of 24' wide).

5. Please explain how that if the variance is granted it will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets or the danger of fire or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety or public welfare of the inhabitants of the city:

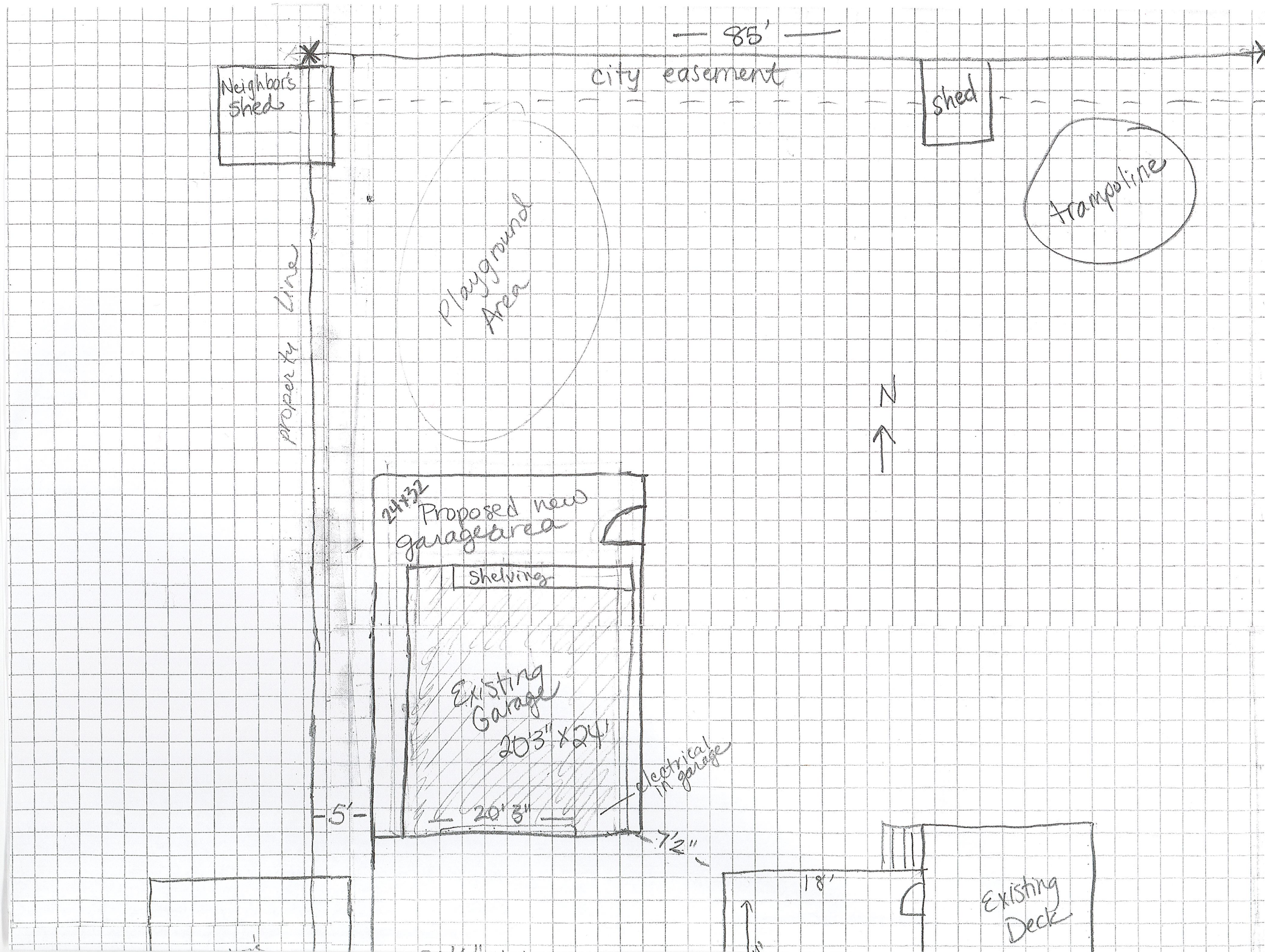
Because we are building the new garage on our property, it would not affect/impair light or air to the neighbor any more than typically allowed. We could put fire proofing materials on our garage to help protect his garage. It would not negatively affect property values, as we are building a larger garage than is currently present.

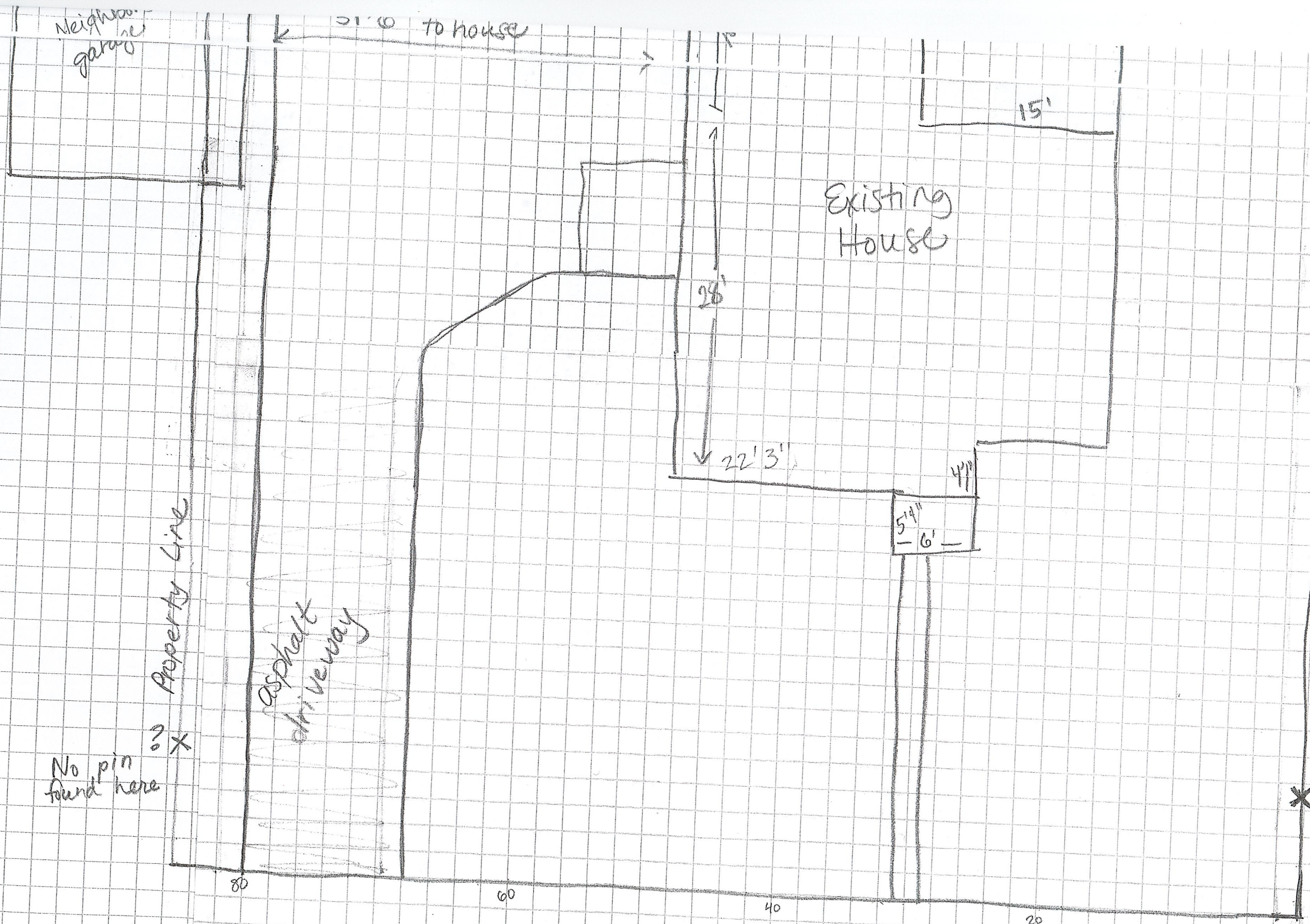
6 Please explain how, if the variance is granted, it will not substantially impair the intent of zoning code and the official zoning map, and will not alter the essential character of the neighborhood:

Allowing us to build our garage 3' left of current (still approx. 4' from property line) would not change zoning or neighborhood structure. Reasonable garage size proposed of 24' x 32'.

Does your variance request need to meet any of the specific criteria in UDC Section 50-37.9, subsections D through M (E. Unsewered Areas, F. Two Family Dwellings in R-1, G. Parking Regulations, H. Reduce Setbacks, I. MU-C District, J. Airport Overlay, K. Flood Plain Regulations, L. Shorelands, or M. Non-Conforming Buildings)? Yes ☐ No ☒

Discuss what subsections are applicable and how this request meets those: _____





Scale: 1/4" = 2'

X = Property pin



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 23-181	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Interim Use Permit	Planning Commission Date		January 9, 2024
Deadline for Action	Application Date	October 10, 2023	60 Days	December 9, 2023
	Date Extension Letter Mailed	October 19, 2023	120 Days	February 7, 2024
Location of Subject		608 West 4 th Street, Unit 1		
Applicant	Justin & Alyssa Voegele	Contact		
Agent		Contact		
Legal Description		PID # 010-1270-01150		
Site Visit Date		October 27, 2023	Sign Notice Date	December 12, 2023
Neighbor Letter Date		October 23, 2023	Number of Letters Sent	36

Proposal

Applicant proposes to use a two-bedroom unit within an existing multi-family dwelling located at 608 West 4th Street, Unit 1 as a vacation dwelling unit. Up to 5 people will be allowed to stay in the home. This property was on the eligibility list for a vacation dwelling unit.

Recommended Action: Staff recommends that Planning Commission deny the interim use permit based on the lack of availability of required off-street parking in a compliant location.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-2	Residential	Traditional Neighborhood
North	R-2	Vacant land	Traditional Neighborhood
South	R-2	Vacant land	Traditional Neighborhood
East	R-2	Vacant land	Traditional Neighborhood
West	R-2	Residential	Traditional Neighborhood

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the R-1 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission shall only approve an interim use permit, or approve it with conditions, if it determines that: 1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location; 2. The applicant agrees to sign a development agreement with the city.



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Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Governing Principle #8 - Encourage mix of activities, uses, and densities. A short-term rental allows property owners to generate income and provide a service for tourists.

Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages

- **S9:** Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: This 3,245 sq ft home was built in 1890. The home is a 4-unit multifamily dwelling.

Review and Discussion Items:

Staff finds that:

- 1) Applicant's property is located at 608 West 4th Street. The property is zoned R-2, Urban Residential. Unit 1 is located on the first floor of a four-unit multifamily dwelling. The proposed vacation dwelling unit contains 2 bedrooms, which would allow for a maximum of 5 guests.
- 2) The applicant is proposing one off street parking space in front of the building in an existing non-permitted parking area of the front yard. Section 50-24-3 of the UDC does not permit parking in the front yard area of residential zoning districts. The applicant has stated that the existing front yard parking area was permitted via the issuance of building permits and shown on a site plan from the 1970s and 80s. The building permit applications state that they are for the construction of an addition and deck. The building permit application does not request approval of construction of parking regardless of the site plan. The permit cost stated on the application is the cost of construction of the addition and deck, not the parking. The City Attorney's office has stated that the applications were for building permits not zoning permits to park in the front yard.
- 3) The application does not meet the requirement to provide onsite parking in the required rear yard or one side yard for a vacation dwelling unit. Therefore, staff is recommending that the Planning Commission deny the Interim Use Permit for the vacation dwelling unit.
- 4) Applicant has not exhausted available options for constructing required off-street parking on adjacent properties through acquisition of additional property, or through shared-use parking arrangements.
- 4) There are currently 153 licensed vacation dwelling units in the city, with 71 of those in form districts; the remaining 82 are subject to the cap of 90.
- 5) One comment was received regarding concerns with proposed use (see attached). No other comments were received



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from citizens, City staff, or any other entity were received regarding the application.

Staff Recommendation:

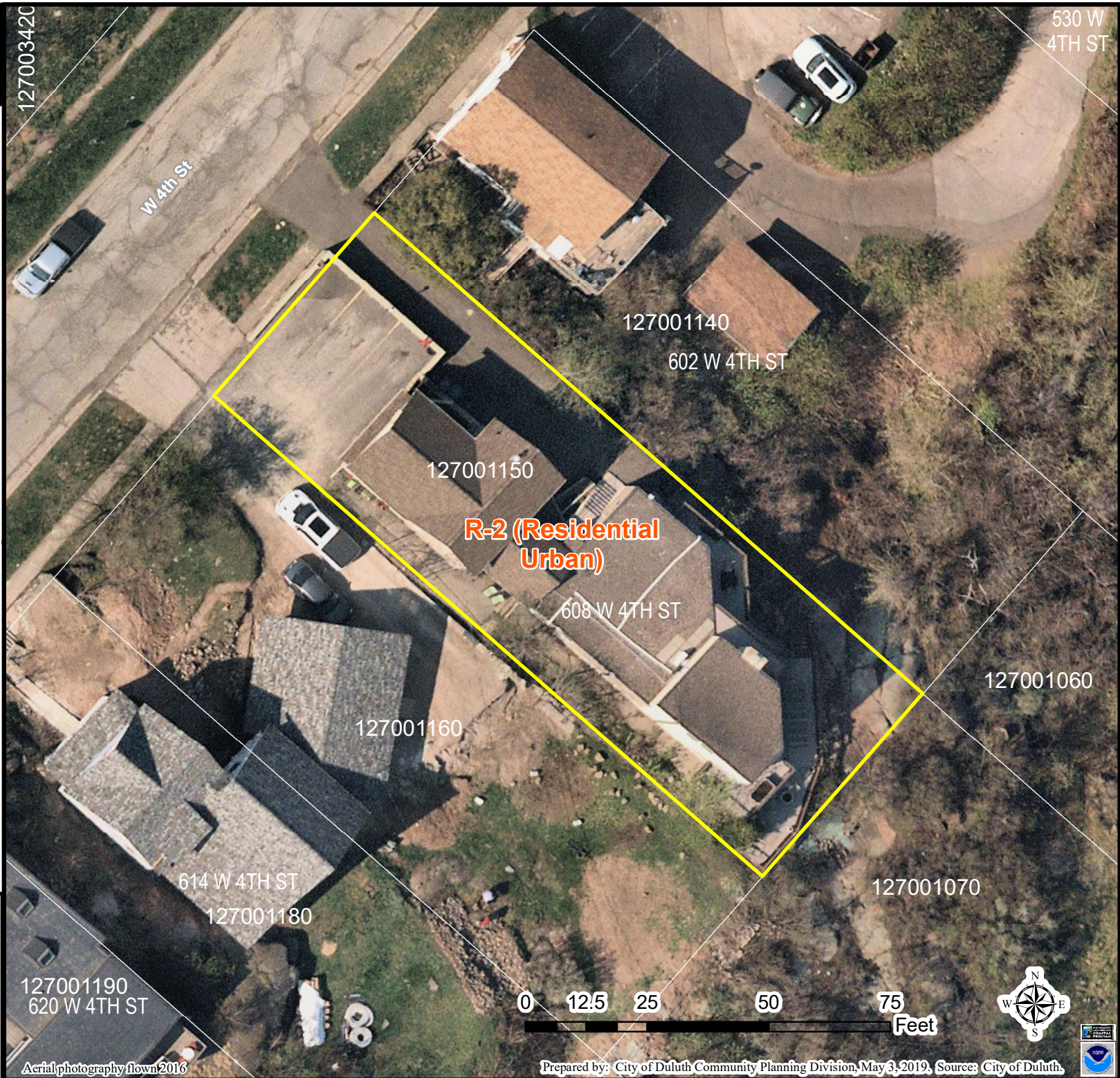
Based on the above findings, Staff recommends denial of the interim use permit for the vacation dwelling unit.



PL 23-181 & PL 23-182
Interim Use Permits
608 West 4th Street

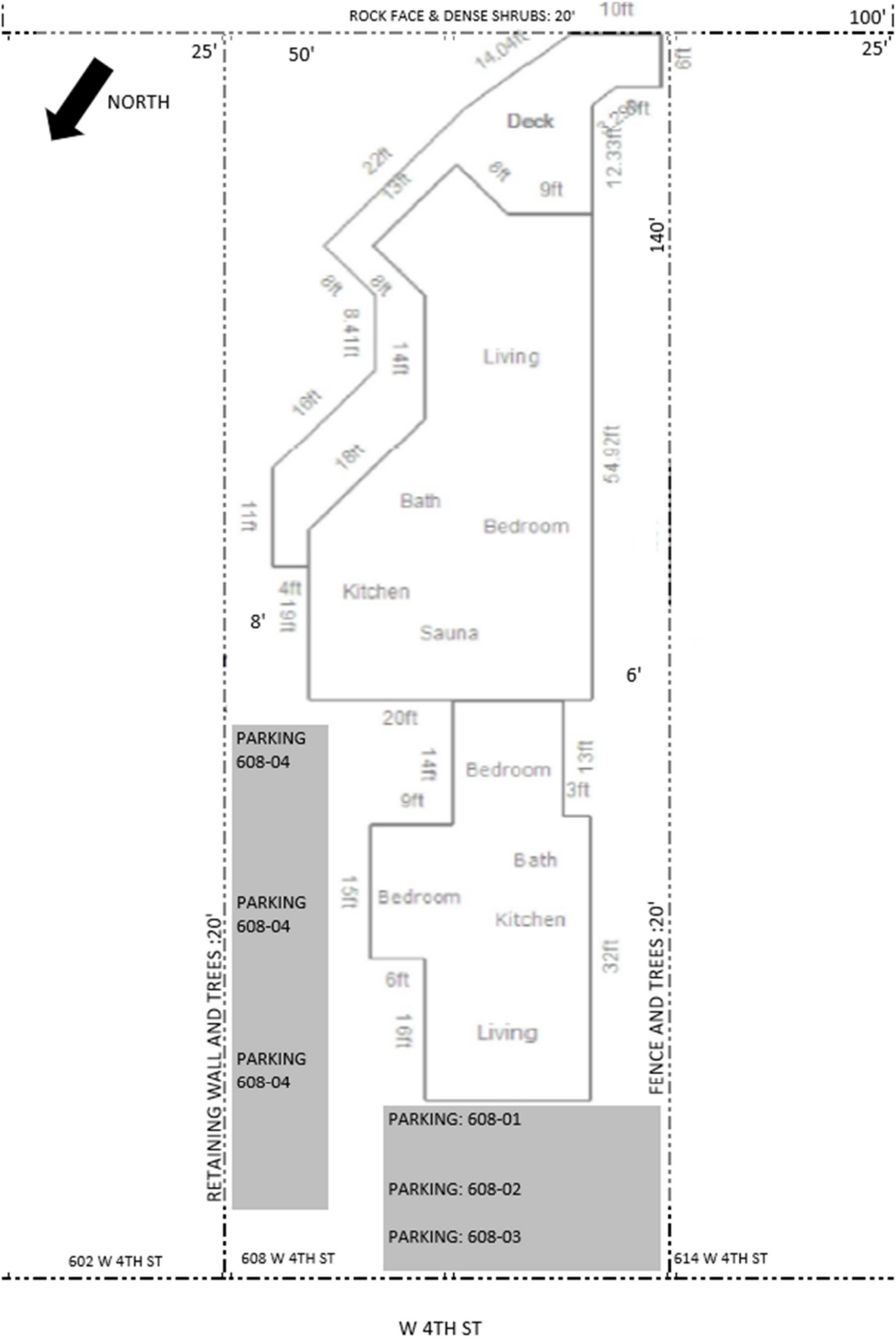


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608 W 4TH STREET, DULUTH SITE MAP

608 SITE PLAN: NOTHING ADDITIONAL NEEDED DUE TO PRESENCE OF TREES ON PROPERTY LINES



From: Jeff Stremcha

Sent: Tuesday, November 7, 2023 3:42 PM

To: planning <planning@DuluthMN.gov>

Subject: Request for Interim Use Permits for property at 608 W 4th St

Thank you for providing notice of this request and for allowing us an opportunity to provide input. We have previously visited the subject property a couple of times when it was under former ownership. That provides us with some overall understanding of the property; however, our understanding of current specific conditions is limited. Unfortunately, we are not able to attend the public hearing in person but would like to offer this input in advance.

We own the three undeveloped parcels abutting the subject property along its southerly boundary. We also own a part-time personal residence approximately 250' SW of the subject property. What happens at this property matters to us.

We trust that the Planning Commission will conduct a thorough review to ensure that the proposed use will comply with the City's Comprehensive Plan and all applicable city regulations. Should the Planning Commission decide to recommend approval, we believe that specified conditions, in addition to any others that may be deemed appropriate, should also consider the following:

1. Parking: All vehicle parking should be only on the subject property or public streets and in compliance with all relevant city ordinances.
2. Oversight: The property owner, or suitable owner representative, must be a full-time resident of the property.
3. Respect for adjacent properties: Recognizing that the deck/patio area overlooks/abuts our properties, any litter/debris that is not contained on the subject property will land onto ours. The boundary is an area with exposed bedrock and steep grade. Fallen trash/debris is likely to become broken and to disburse down the hillside. Owners of the subject property must be accountable for keeping the area adjacent to their property free of litter. Additionally, the property's management should maintain signage to advise guests on the location of their property boundary and advise against trespassing onto neighboring properties. In conjunction with obtaining and retaining the requested permits, the owners should provide a signed acknowledgement whereby they assume liability for any personal injury or property damage that might arise from guests or associated persons trespassing onto neighboring properties.
4. Safety/Security: We recall that the property contains retaining walls and elevated decks that could pose risk of serious injury in the event of a fall. Since the proposed use could involve small children and/or guests with compromised judgement, both unfamiliar with the property, we recommend that a thorough safety review be conducted to determine whether additional signage, restraints or restrictions might be warranted.

Again, thank you for the opportunity to comment and for considering our input.

Sincerely,

Jeff & Leanne Stremcha



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 23-217	Contact	Jenn Moses, jmoses@duluthmn.gov	
Type	Special Use Permit – Parking Lot	Planning Commission Date	January 9, 2024	
Deadline for Action	Application Date	December 5, 2023	60 Days	February 3, 2024
	Date Extension Letter Mailed	December 22, 2023	120 Days	April 3, 2024
Location of Subject	South of 3 rd Street Between 3 rd and 4 th Avenues W			
Applicant	St Louis County	Contact	Jerry Hall	
Agent		Contact		
Legal Description	N/A	Sign Notice Date	December 26, 2024	
Site Visit Date	December 22, 2024	Number of Letters Sent	34	

Proposal

Applicant is proposing to reconstruct the St. Louis County parking lot between 3rd and 4th Avenues W along West 3rd Street. Off-street parking lots require a Special Use Permit in an F-5 district.

Staff Recommendation

Staff recommends approval, with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	F-5	Parking Lot	Central Business Secondary
North	MU-N	Residential	Urban Residential
South	F-5	Parking Lot	Central Business Secondary
East	MU-N	Parking Lot	Central Business Secondary
West	F-5	Residential, Parking Lot	Central Business Primary/Secondary

Summary of Code Requirements

Sec. 50-37.10 – Special Use Permits: Planning Commission shall approve the application or approve it with modifications, if it is determined that the application meets the following criteria:

1. The application is consistent with the Comprehensive Land Use Plan;
2. The application complies with all applicable provisions ... including any use-specific standards ..., and is consistent with any approved district plan for the area.
3. The Commission may deny any application that would result in a random pattern of development with little contiguity to existing or programmed development or would cause anticipated negative fiscal or environmental impacts.

Sec. 50-20.1 – Residential care facility: Shall provide landscaping as required for multi-family residential abutting single-family residential.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Future Land Use

Central Business Secondary: An area adjacent to and supporting the central business primary area or a stand-alone area providing a similar mix of destination land uses but at a lower intensity than the primary CB area. Includes mixed regional and neighborhood retail, employment centers, public spaces, medium density residential, and public parking facilities.

History

These parcels have been used for off-street parking since previous structures were razed during urban renewal processes. Because the parking lot is being fully redeveloped, a Special Use Permit is required, and the off-street parking lot must meet all UDC standards.

Review and Discussion Items:

Staff finds that:

- 1) The application is consistent with the Comprehensive Plan Future Land Use designation of Central Business Secondary, which allows for parking facilities that support the central business primary area. This parking facility supports parking needs for the St. Louis County Government Services Center.
- 2) The proposal does not include modifications or improvements to any parking lots below the 2nd Street Alley between 3rd and 4th Avenues West.
- 3) UDC Sec. 50-24 (Parking and loading). The proposed design meets parking lot specifications. Parking spaces are shown as 18' deep and the applicant's designer states that spaces are 9' wide. Drive aisle widths are 24'.
- 4) UDC Sec. 50-25 (Landscaping and Tree Preservation). Plans show street frontage along all public streets. Based on total dimensions, an additional two trees and two shrubs may be required for street frontage landscaping. Interior landscaping requirements are met; however, applicant will need to demonstrate space allocated for snow storage.
- 5) UDC Sec. 50-26 (Screening, Walls and Fences). Retaining walls are proposed as part of this project. Applicant states retaining walls might be visible from the avenues. Retaining walls need to meet the requirements of 50-26.4.B, including materials and terracing if higher than 6'.
- 6) UDC Sec. 50-29 (Sustainability Standards) and UDC Sec. 50-30 (Building Design Standards). These do not apply.
- 7) UDC Sec. 50-31 (Exterior Lighting). Applicant is proposing 10 new solar light fixtures. Photometrics submitted with the application demonstrate compliance with lighting regulations. Prior to construction, applicant will need to confirm that light fixtures are full cut-off and no higher than 3000K color temperature.
- 8) As demonstrated by the above findings, this proposal meets all application provisions of the UDC.
- 9) The proposed facility is not anticipated to have any negative impact on the community. This redevelopment will improve the aesthetics and stormwater rate and quality control for an existing parking lot.
- 10) No public, agency, or City comments were received.

Staff Recommendation

Based on the above findings, Staff recommends that the Planning Commission approve the special use permit with the following conditions:

- 1) The project be limited, constructed, and maintained consistent with plans and documents submitted with the application, including the Preliminary Site Plan, Preliminary Planting Plan, and Electrical Plan.
- 2) Prior to construction, applicant shall amend landscaping plan to provide required trees and shrubs for each street frontage.
- 3) Prior to construction, applicant shall provide details on retaining wall design demonstrating compliance with UDC Section 50-26, and this plan shall be approved by the Land Use Supervisor.
- 4) Prior to construction, applicant shall submit a lighting plan that demonstrates full cut-off light fixtures that are no higher than 3000K, and this plan shall be approved by the Land Use Supervisor.
- 5) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



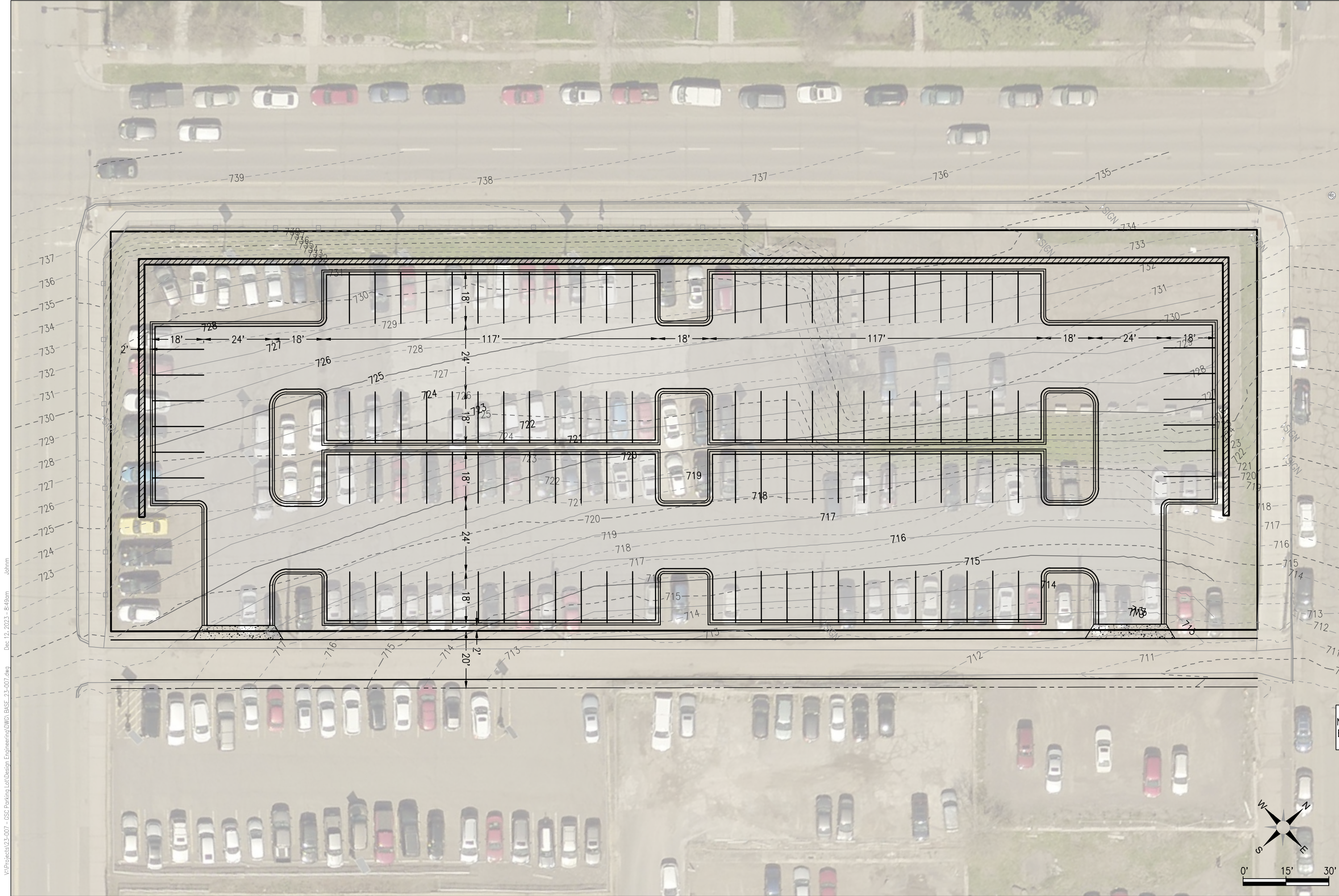
PL 23-217
Special Use Permit
St. Louis County



The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, December 15, 2023 Source: City of Duluth



\\Projects\23-007 - CSC Parking Lot\Design Engineering\DWG BASE\23-007.dwg Dec 12, 2023 - 8:49am johnm

**Northland**
Consulting Engineers L.L.P.
Structural, Civil and Forensic Engineering Services
Voice: (202) 727-5985
Fax: (202) 727-7779
www.nce-engineers.com

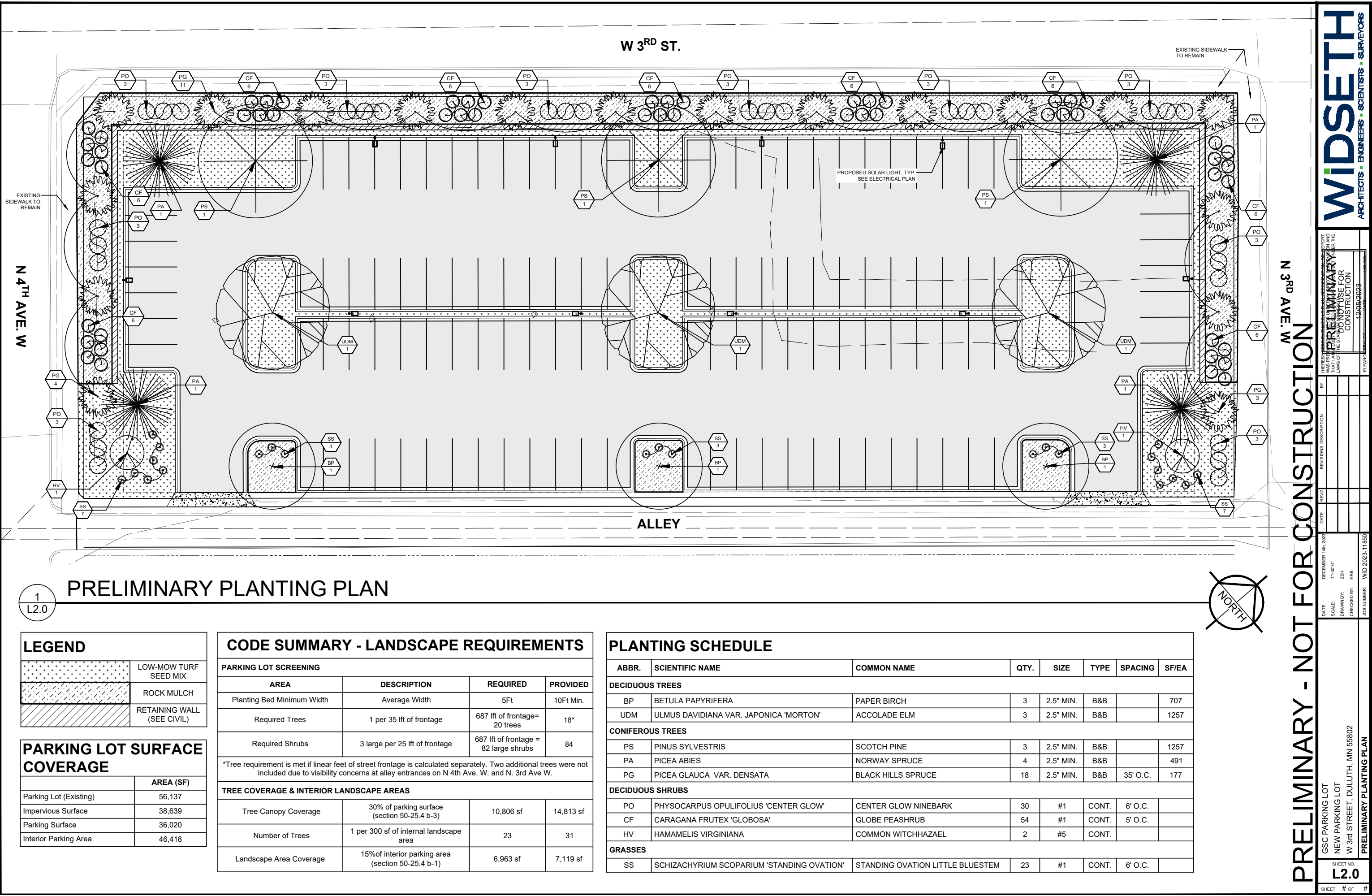
**ST. LOUIS COUNTY GREEN LOT
PARKING LOT RECONSTRUCTION**
W 3RD ST, DULUTH, MN 55802

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.

PRELIMINARY
NOT FOR CONSTRUCTION

Engineer: David G. Boif
Lic. No: 40926
XXXXXX

revision	
Proj: 23-007	
Date: 12-12-23	
Drawn: DRH/JFM	
Checked: TTP	
PRELIM SITE	
Sheet Title	
Sheet Number	



N 4TH AVE. W

W 3RD ST.

404'-11 1/2"

N 3RD AVE. W

ALLEY

PRELIMINARY DIMENSION PLAN

1
L3.0



PRELIMINARY - NOT FOR CONSTRUCTION

WIDSETH

ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

DATE: 12/05/2023

BY: ELEANOR

PROJECT: NEW PARKING LOT

LOCATION: W 3rd STREET, DULUTH, MN 55802

SCALE: 1"=30'-0"

DRAWN BY: ZSH

CHECKED BY: ERB

JOB NUMBER: WID 2023-11850

DATE: DECEMBER 04, 2023

SCALE: 1"=30'-0"

DRAWN BY: ZSH

CHECKED BY: ERB

JOB NUMBER: WID 2023-11850

DATE: 12/05/2023

BY: ELEANOR

PROJECT: NEW PARKING LOT

LOCATION: W 3rd STREET, DULUTH, MN 55802

SCALE: 1"=30'-0"

DRAWN BY: ZSH

CHECKED BY: ERB

JOB NUMBER: WID 2023-11850

DATE: 12/05/2023

BY: ELEANOR

PROJECT: NEW PARKING LOT

LOCATION: W 3rd STREET, DULUTH, MN 55802

SCALE: 1"=30'-0"

DRAWN BY: ZSH

CHECKED BY: ERB

JOB NUMBER: WID 2023-11850

DATE: 12/05/2023

BY: ELEANOR

PROJECT: NEW PARKING LOT

LOCATION: W 3rd STREET, DULUTH, MN 55802

SCALE: 1"=30'-0"

DRAWN BY: ZSH

CHECKED BY: ERB

JOB NUMBER: WID 2023-11850

SHEET # OF #

N 4TH AVE. W

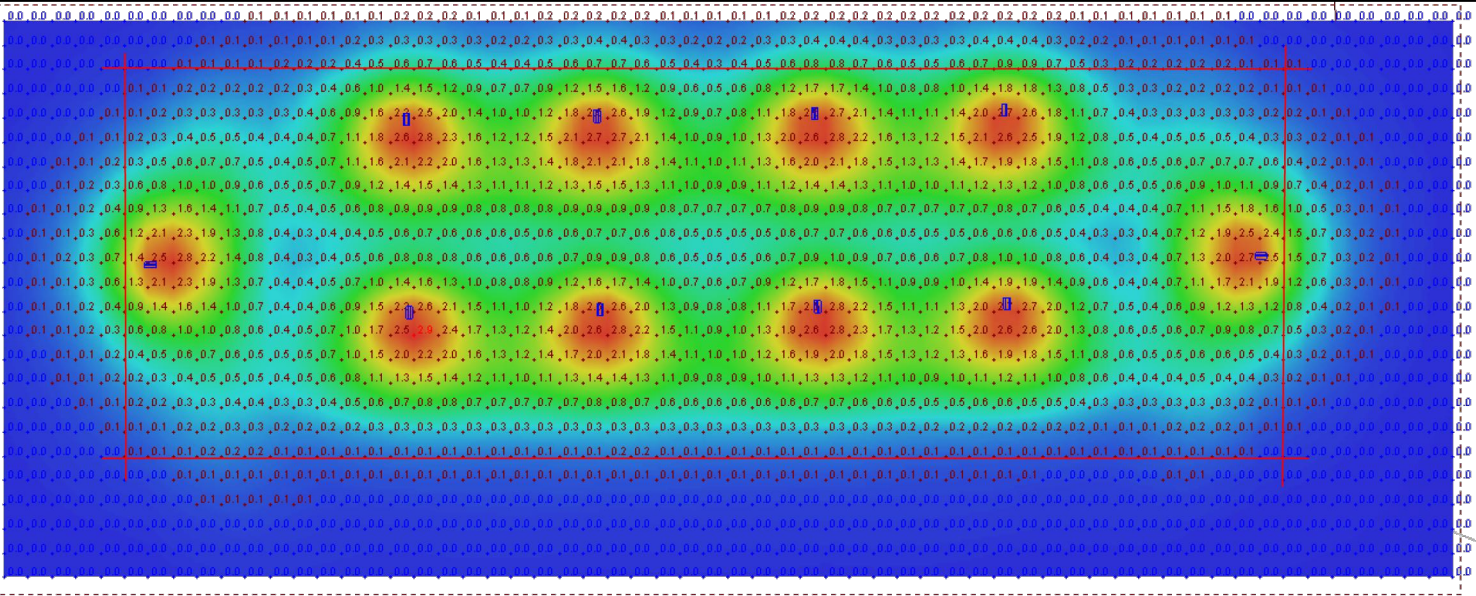
W 3RD ST.

N 3RD AVE. W

ALLEY

PRELIMINARY ELECTRICAL PLAN

1
E1.0



LIGHTING LEVELS

2
E1.0

LIGHT FIXTURE SCHEDULE

TAG	MODEL	MANUFACTURER	DESCRIPTION	QUANTITY
A	SUPERA GS-LED-290D	GREENSHINE	SOLAR POWERED LED LIGHTING SYSTEM	10

CODE SUMMARY - LIGHTING REQUIREMENTS

50-31.3 EXTERIOR LIGHTING - DESIGN AND ILLUMINATION STANDARDS

	(IN FOOTCANDLES)	REQUIREMENTS	PROVIDED
LIGHT SOURCES EMITTING MORE THAN 900 LUMENS SHALL BE SHIELDED WITH A FULL CUT-OFF STYLE FIXTURE			
		YES	YES
MAXIMUM ILLUMINATION ON PROPERTY			
		10	2.9
MAXIMUM ILLUMINATION AT PROPERTY LINE (EXCLUDING RIGHTS-OF-WAY)			
		1.0	0.8
MAXIMUM ILLUMINATION AT RIGHT-OF-WAY			
		2.0	0.1
MAXIMUM/MINIMUM RATIO IN AN ILLUMINATED AREA			
		15:1	14.5:1
POLE HEIGHT (MINUS BASE)			
		25 FEET	20 FEET

PRELIMINARY - NOT FOR CONSTRUCTION

WIDSETH
ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

REPORT NO. 2023-11850
DATE: 12/05/2023
BY: [Signature]
CHECKED BY: [Signature]
JOB NUMBER: WID 2023-11850

REVISIONS DESCRIPTION
DATE
REVISOR
DATE
REVISOR

DATE: DECEMBER 05, 2023
SCALE: 1"=30'-0"
DRAWN BY: AF
CHECKED BY: XXX

GSC PARKING LOT
NEW PARKING LOT
W 3rd STREET, DULUTH, MN 55802

PRELIMINARY ELECTRICAL PLAN

SHEET # OF #
E1.0

ST. LOUIS COUNTY GREEN LOT RECONSTRUCTION
SPECIAL USE PERMIT APPLICATION NARRATIVE

PROJECT OVERVIEW AND RELATION TO 12 GUIDING PRINCIPLES

St. Louis County recognizes a need to reconstruct an aging parking lot downtown in Duluth, MN. Their green lot has existed for decades on the north side of the West 3rd Street alley. The parking facility is between 3rd and 4th Avenues West. The primary purpose of the parking lot has been to serve staff members at the county Government Services Center (GSC) on West 2nd Street. The parking lot is a reduced-rate parking facility that serves county staff to provide close and adequate parking to the GSC building.

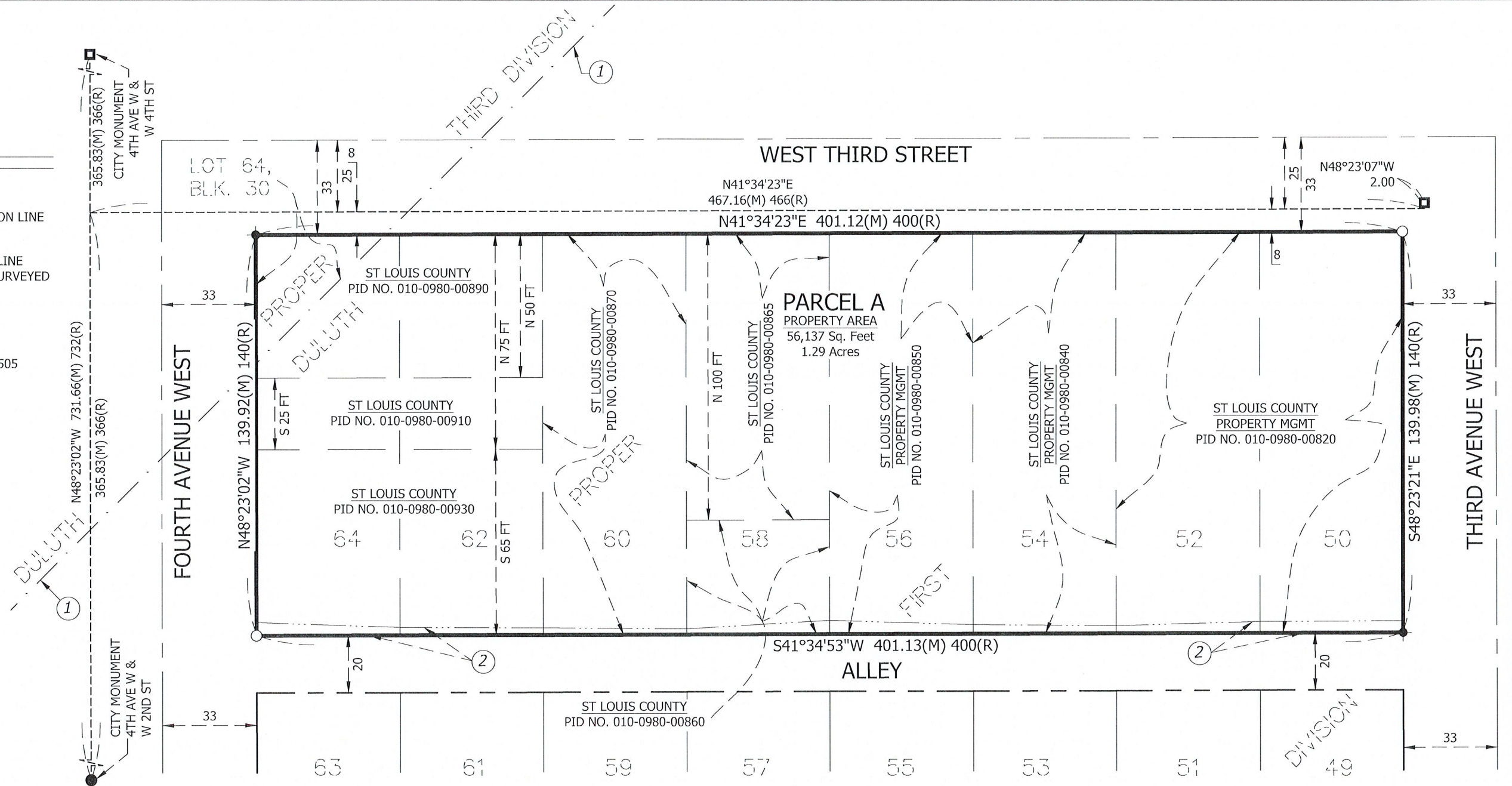
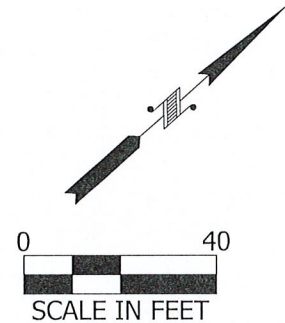
The staff at the GSC building are directly responsible for meeting various goals from the comprehensive plan including economics of the region, supporting economic growth, strengthening communities, education, and public services. The reconstruction of this parking lot will provide a safer and more sustainable property for these staff members. Much of the site is currently either gravel or asphalt. The new parking facility will re-use the developed land, provide more green space and landscaping, while also providing stormwater management of site runoff.

COMMUNITY IMPACT

St. Louis County has used the green lot for staff parking for the last several decades. The parking facility will be reconstructed to meet City UDC standards. The new parking lot will meet the landscaping requirements and stormwater management requirements of the city. The reconstruction of the parking lot will not change the properties use. It will continue to provide parking for staff at the GSC building. The new parking lot will have more green space, more plantings, cleaner stormwater runoff, and a safer walking surface. The impact of this project will not negatively impact the area but instead improve it.

LEGEND

- (M)-FIELD MEASURED DIMENSION
(R)-RECORD DIMENSION
- APPROXIMATE DIVISION LINE
--- CENTER LINE
--- RIGHT OF WAY LINE
--- EXISTING EASEMENT LINE
--- BOUNDARY LINE AS SURVEYED
--- EXISTING PLAT LINE
- FOUND REBAR
■ FOUND SURVEY MONUMENT
● SET MAG NAIL
○ SET CAPPED REBAR RLS. NO. 49505
REFER TO SURVEYOR'S NOTES



LEGAL DESCRIPTION OF PARCEL A

Lots 50, 52, 54, 56, 58, 60, 62, and 64,
WEST THIRD STREET, DULUTH PROPER, FIRST DIVISION, according to the
recorded plat thereof, St. Louis County, Minnesota.
AND
Lot 64, Block 30, DULUTH PROPER THIRD DIVISION, according to the recorded
plat thereof, St. Louis County, Minnesota.
Said Parcel A contains 56,137 square feet or 1.23 acres.

LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 277492
Lot 60 WEST THIRD STREET, DULUTH PROPER FIRST DIVISION

LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 337167
Lot 54 WEST THIRD STREET, DULUTH PROPER FIRST DIVISION

LEGAL DESCRIPTION PER DOCUMENT NO. 647526
LOTS NUMBERED FIFTY SIX (56), FIFTY-EIGHT (58), SIXTY (60), SIXTY-TWO (62) AND SIXTY-FOUR (64),
WEST THIRD STREET, DULUTH PROPER, FIRST DIVISION AND ALL OF LOTS SIXTY-TWO (62) AND SIXTY
FOUR (64), BLOCK THIRTY (30), DULUTH PROPER, THIRD DIVISION, ACCORDING TO THE PLAT THEREOF.

LEGAL DESCRIPTION PER DOCUMENT NO. 1273201
Lots 50 and 52, WEST THIRD STREET, DULUTH PROPER, FIRST DIVISION, St. Louis County, Minnesota.

SURVEYOR'S NOTES

- APPROXIMATE DIVISION LINE BETWEEN DULUTH PROPER FIRST DIVISION & DULUTH PROPER THIRD DIVISION.
- CONDEMNATION PLAT FOR EASEMENT OF SLOPES ON W THIRD ALLEY DATED DECEMBER 4, 1896, DOCUMENT NO. 5970.
- THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
- BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

David R. Evanson
David R. Evanson
MN License #49505

DATE:02-15-2023

CERTIFICATE OF SURVEY

CLIENT:NORTHLAND CONSULTING

ENGINEERS

ADDRESS:W THIRD ST,
DULUTH, MN 55806

DATE:02-15-2023

REVISIONS:

JOB NO:23-016

SHEET 1 OF 1

ALTA
LAND SURVEY COMPANY

PHONE: 218-727-5211
LICENSED IN MN & WI
WWW.ALTLANDSURVEYDULUTH.COM



V:\Projects\23-007 - GSC Parking Lot\Design Engineer\DWG\23-007.dwg Date: 05/05/2023 2:05pm

**Northland**
Consulting Engineers L.L.P.

Structural, Civil and Forensic Engineering Services
Voice: (218) 727-5995
Fax: (218) 727-7779
www.nce-engineers.com

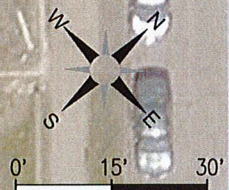
GSC PARKING LOT NEW PARKING LOT

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.

PRELIMINARY
NOT FOR CONSTRUCTION

XX/XX/XX
Lic. No: 40926
Engineer: David G. Bolf

revision _____
Proj: 23-007
Date: 02/15/23
Drawn: DRH
Checked: TTP
BASE_23-007
- PRELIM SITE
Sheet Title
Sheet Number



MEMORANDUM DATE: December 12, 2023

TO: Planning Commission
FROM: Danielle Rhodes, Planning Commissioner (danielleduluth@gmail.com)
RE: Viewshed and the Lift Bridge

Dear Commissioners,

I have become aware of inconsistency between the UDC zoning code and iconic viewsheds. **The below research supports adopting code to protect views of the iconic Duluth Aerial Lift Bridge.**

Views and viewsheds are referenced often in [Imagine Duluth 2035](#) and the [2006 Comp Plan](#), but primarily in “Principle #2: Declare the necessity and secure the future of undeveloped places” and “Principle #6: Reinforce the Place Specific”. The concept of protecting views of a local landmark is referenced concisely in the Transformational Opportunities section of the Executive Summary (page 12):

*“Prioritize key viewsheds – Views of the lake, the estuary, the hill, or **landmarks.**”*

The concept is also referenced under the “Open Space: Intrinsic Value” (page 114):

*Duluth is known as a scenic city with views from the hillside to the harbor and lake, views from the waterfront to the hillside, and views of important structures like the **Lift Bridge**, Civic Center, and Old Central High School, to name a few. The community should identify these important views and cultural sites and take steps to preserve the views to them.*

As evidence of its landmark status, the Duluth Aerial Lift Bridge is featured on the cover of the Imagine Duluth 2035 report, and prominently on the Visit Duluth website. The bridge is present in ~50% of google images results for keyphrase “Duluth Minnesota”. In an 2023 online poll of local real estate professionals, 65% of respondents would be ‘Enraged’ and 24% ‘Disappointed’ if an 80’ structure was erected in front of the Duluth Aerial Lift Bridge – indicating public interest in action to protect views of the structure.

The UDC currently allows building heights of 80’ on Lake Ave — which includes structures immediately adjacent to the Duluth Aerial Lift Bridge. For historical context, the zoning code UDC was modified in 2017 to change the building height in this area from 4 stories. (File #17-041-O, Ord No. 10522). Other structures in Canal Park (F-3, F-5 and F-9) are currently limited to 55’. Recent modifications to the off-street parking regulations (File 3 23-048-O) may promote development, so this is an opportune time to identify and preserve important and iconic views.

My recommendation to modify Table 50-22.7-1: Building Type Summary Table related to Main Building II and Corridor Building II to read:

“55’; 80’ on Lake Avenue except within 850’ of the Duluth Aerial Lift Bridge”. (See fig 1)

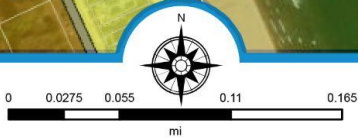


County Land Explorer

St. Louis County, Minnesota



Title...



County Land Explorer

St. Louis County www.stlouiscountymn.gov/explorer Minnesota

Disclaimer

This is a compilation of records as they appear in the Saint Louis County Offices affecting the area shown. This drawing is to be used only for reference purposes and the County is not responsible for any inaccuracies herein

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Map created using County Land Explorer
www.stlouiscountymn.gov/explorer



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802

218-730-5580
planning@duluthmn.gov

MEMORANDUM

DATE: December 4, 2023
TO: Planning Commission
FROM: Kyle Deming, Senior Planner (kdeming@duluthmn.gov)
RE: Public Hearing for Scoping EAW (Environmental Assessment Worksheet) for Central High School Redevelopment (**PL 23-127**)

On November 20, 2023 I sent a memo to the Planning Commission concerning the Central High School Redevelopment Project environment review and introducing the commission to the three-step Alternative Urban Areawide Review (AUAR) process.

We are currently in the first step, which is the 30-day comment period for the Scoping EAW. Comments on the document are due by 4:00 p.m., Thursday, January 4, 2024. The document can be found at <https://duluthmn.gov/planning-development/environmental/environmental-reviews/>.

Notice of the Scoping EAW's availability and the 30-day comment period have been advertised in the Duluth News Tribune, in a City-issued press release, and on the City's web page. The required government agencies have been notified and a paper copy of the document is available at the Duluth Public Library.

At the December 12, 2023 Planning Commission meeting, you will be holding a public hearing on the Scoping EAW. It is important to note that, at this step in the AUAR process, you are not evaluating the environmental effects of the proposed development scenarios. That will happen during the second step (anticipated to be February/March, 2024) where there will be another 30-day comment period and public hearing.

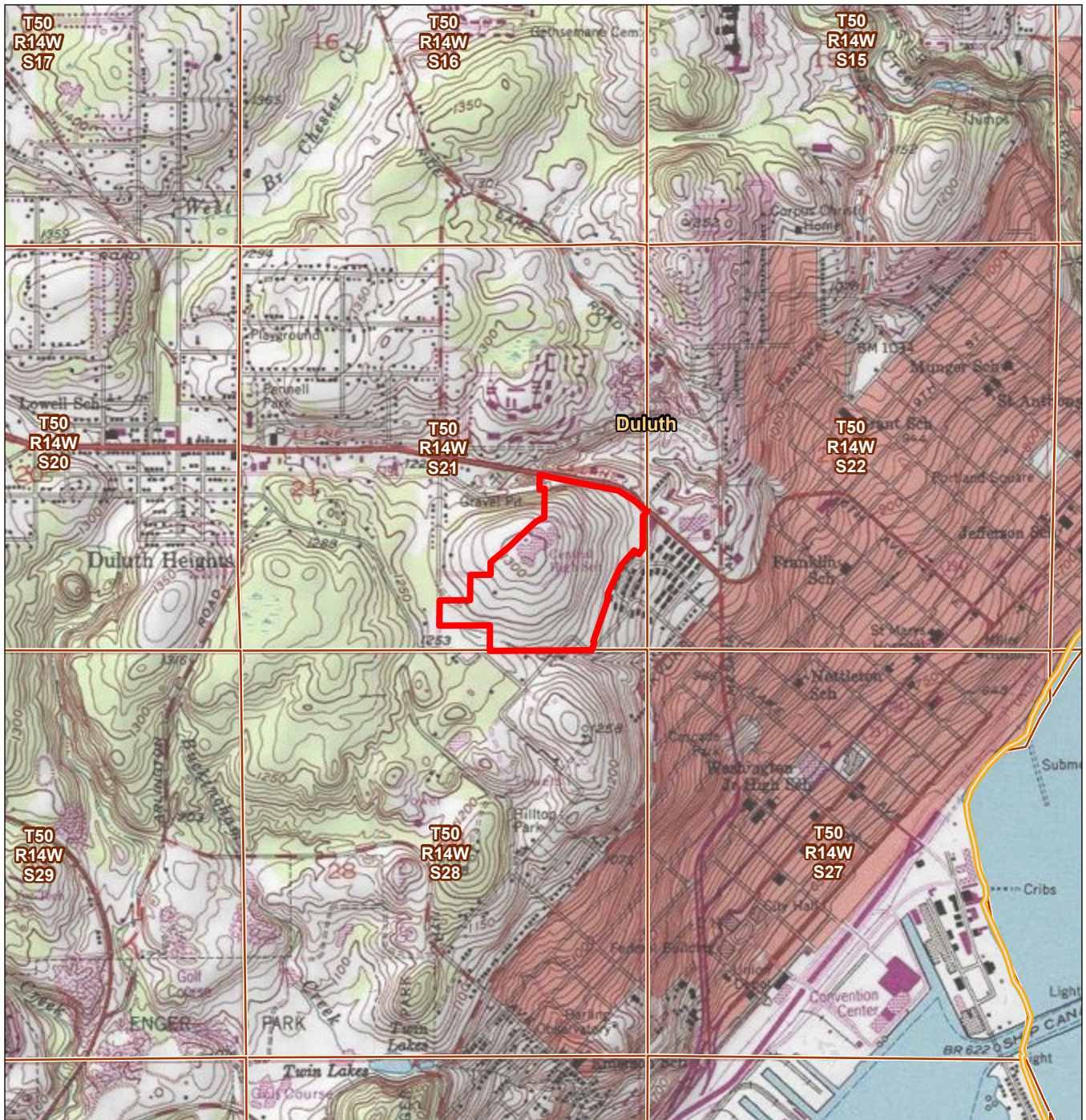
Comments during the first phase, the Scoping EAW, may suggest additional development scenarios and relevant issues to be analyzed in the subsequent AUAR document, including development at sites outside of the proposed AUAR boundary. The comments must provide reasons why a suggested development scenario or alternative to a specific project is potentially environmentally superior to those identified in the Scoping EAW.

At the January 9, 2024 Planning Commission meeting we will present responses to substantive comments made on the Scoping EAW and request your approval of the Final Order for AUAR. That action will commence the development of the Draft AUAR of the second step.

Please contact me if you have questions about the environmental review process.

Appendix A

Figures



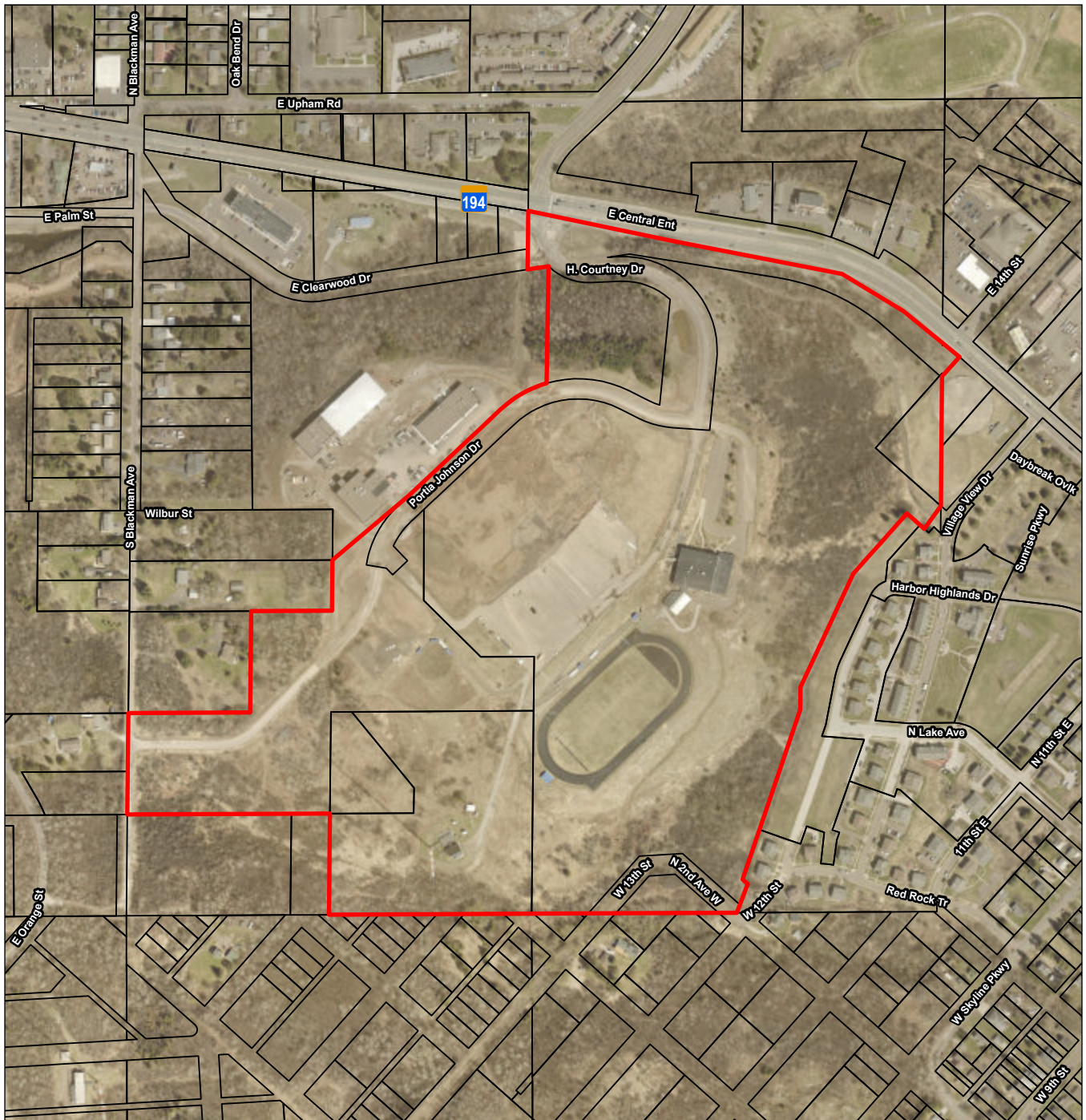
Notes
 1. Coordinate System: NAD 1983 HARN Adj MN St Louis CS96 Feet
 2. Data Sources: Stantec, City of Duluth, MnGeo, MnDOT
 3. Background: USGS Northfield 7.5 Minute Quadrangle

Legend
 [Red Outline] AUAR Area
 [Orange Outline] Municipal Boundary
 [Brown Outline] Township, Range & Section Boundary

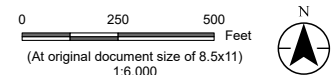
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Project Location T69N, R50W, S21
 Duluth, St. Louis Co., MN
Client/Project City of Duluth
 Duluth Central High School Redevelopment Site
 Scoping EAW
 Figure No. 1
 Title
Project Location USGS Topo Map



- Legend**
- AUAR Area
 - Parcel Boundary



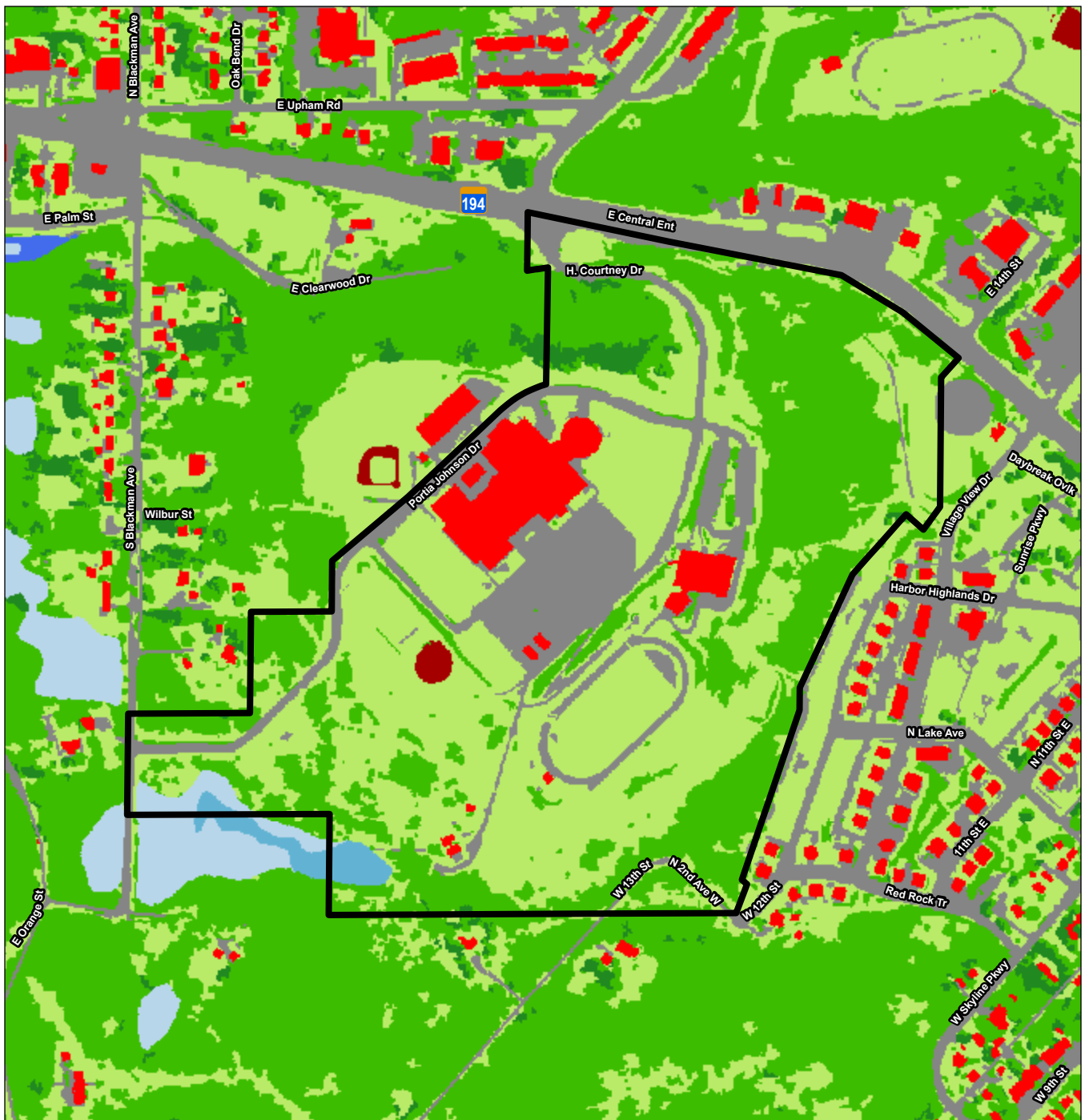
Project Location T69N, R50W, S21
Duluth, St. Louis Co., MN

Client/Project City of Duluth
Duluth Central High School Redevelopment Site
Scoping EAW

227706270

Figure No.
2

Title
Project Location Aerial Map



Notes
 1. Coordinate System: NAD 1983 HARN Adj MN St Louis CS96 Feet
 2. Data Sources: Stantec, MnGeo
 3. Background: UMN Duluth 1-meter Land Cover 2016

Legend

- AUAR Area
- Duluth Land Cover 2016**
 - Grass/Shrub
 - Bare Soil
 - Buildings
 - Roads/Paved Surfaces
 - Lakes/Ponds
 - Deciduous Tree Canopy
 - Coniferous Tree Canopy
 - Emergent Wetland
 - Forested/Shrub Wetland

0 250 500
 Feet
 (At original document size of 8.5x11)
 1:6,000



Project Location
 T69N, R50W, S21
 Duluth, St. Louis Co., MN

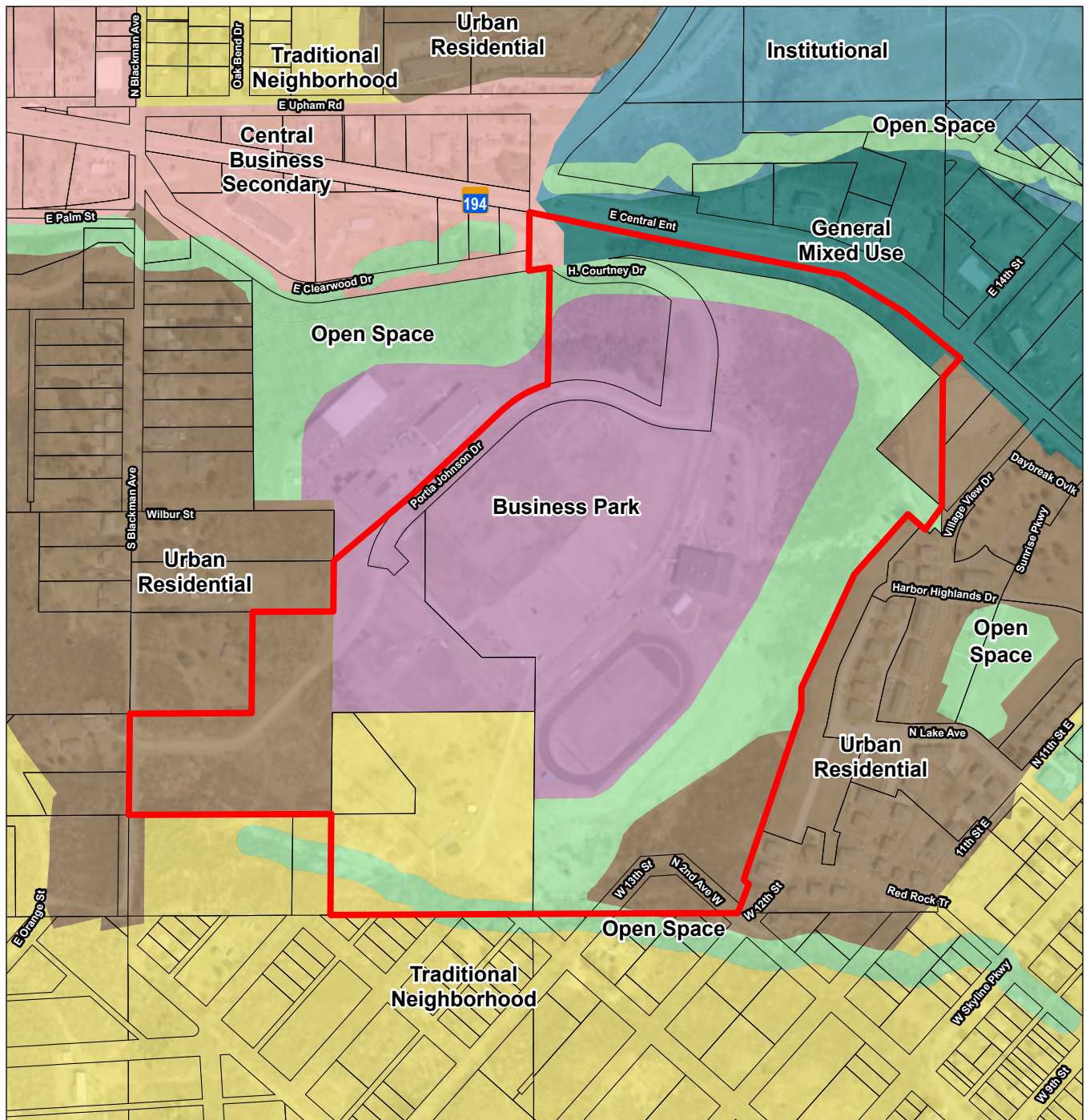
Prepared by KJM on 2023-11-14

Client/Project
 City of Duluth
 Duluth Central High School Redevelopment Site
 Scoping EAW

227706270

Figure No.
 3

Title
 Land Cover



Notes
 1. Coordinate System: NAD 1983 HARN Adj MN St Louis CS96 Feet
 2. Data Sources: Stantec, City of Duluth, St. Louis Co., MnGeo, MnDOT
 3. Background: 2023 St. Louis Co.

Legend

- AUAR Area
- Parcels
- Future Land Use**
- Business Park
- Central Business Secondary
- General Mixed Use
- Institutional
- Open Space
- Traditional Neighborhood
- Urban Residential

0 250 500
 Feet
 (At original document size of 8.5x11)
 1:6,000



Project Location
 T69N, R50W, S21
 Duluth, St. Louis Co., MN

Prepared by KJM on 2023-11-14

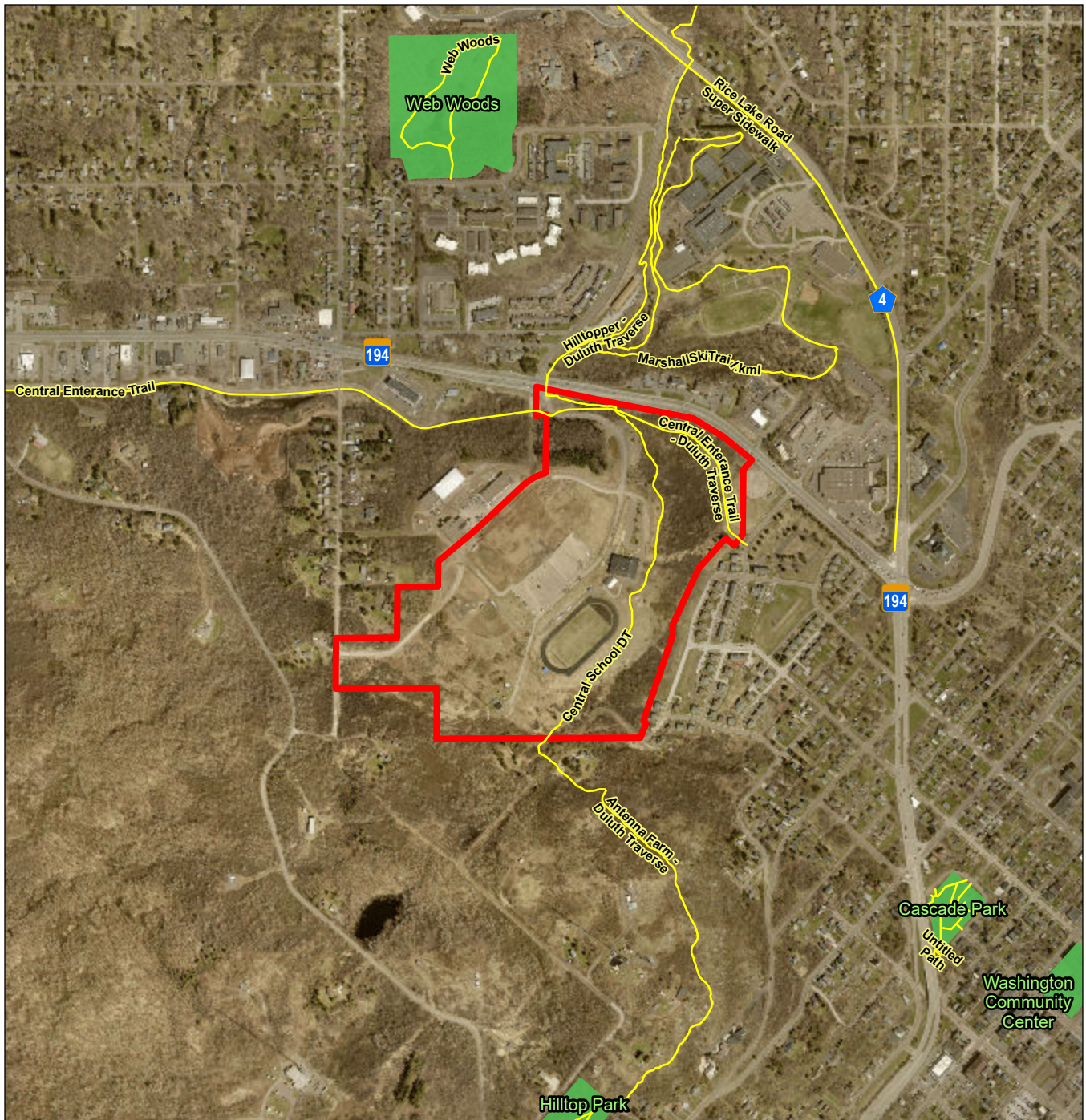
Client/Project
 City of Duluth
 Duluth Central High School Redevelopment Site
 Scoping EAW

227706270

Figure No.
 4

Title
 Future Land Use

V:\2277\active\22770627003_data\gis_cad\gis\proj\leaw\leaw.aprx Revised: 2023-11-14 By: kjmueller



Notes
1. Coordinate System: NAD 1983 HARN Adj MN St Louis CS96 Feet
2. Data Sources: Stantec, City of Duluth, St. Louis Co., MnDOT
3. Background: 2023 St. Louis Co.

Legend

- Existing Trail
- AUAR Area
- Park Boundary

0 500 1,000 Feet
(At original document size of 8.5x11)
1:12,000



Project Location
T69N, R50W, S21
Duluth, St. Louis Co., MN

Prepared by KJM on 2023-11-14

Client/Project
City of Duluth
Duluth Central High School Redevelopment Site
Scoping EAW

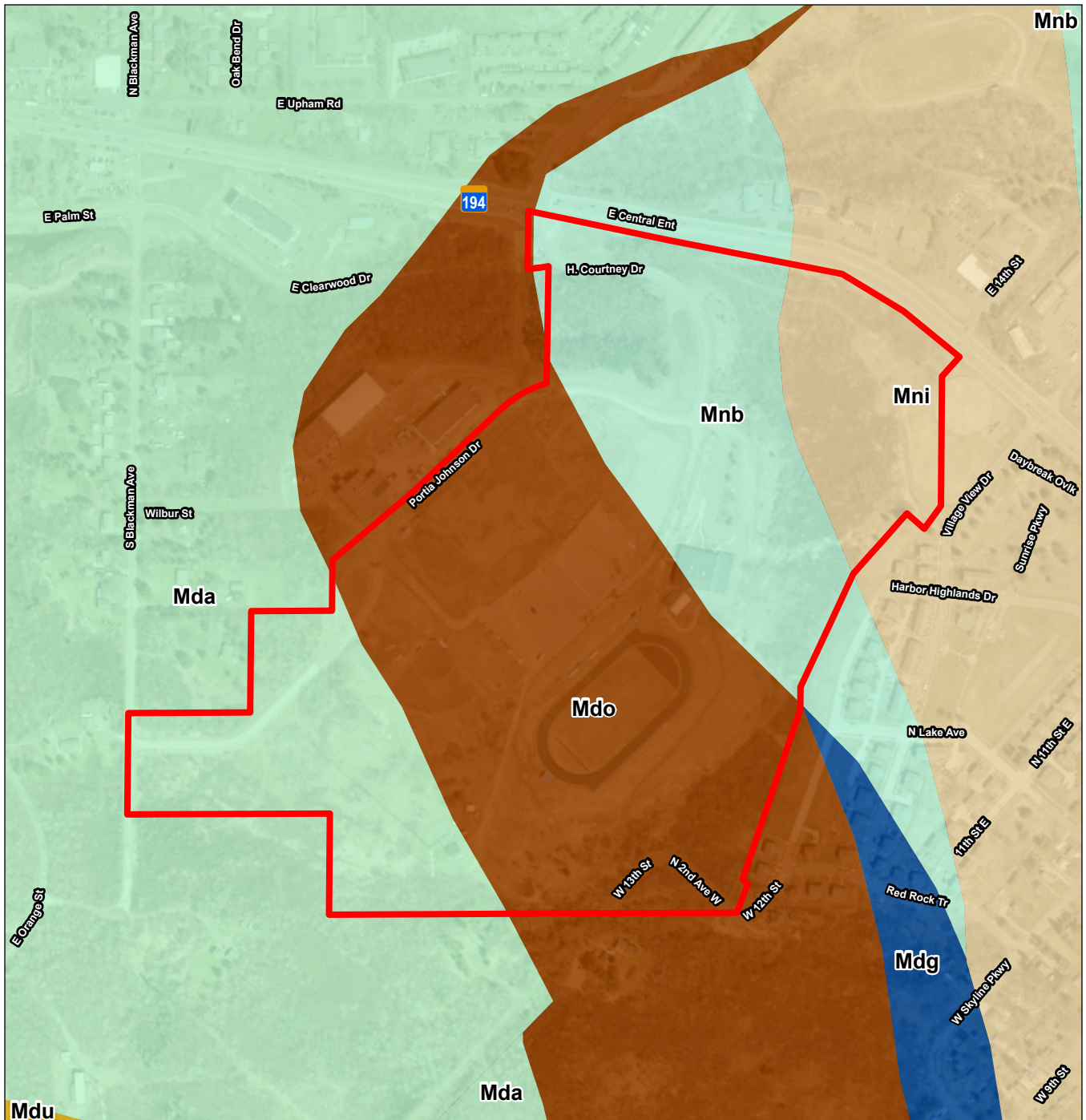
227706270

Figure No.
5

Title
Parks Trails and Other Recreational Areas

Page 1 of 1

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Notes
 1. Coordinate System: NAD 1983 HARN Adj MN St Louis CS96 Feet
 2. Data Sources: Stantec, MnGeo, MnDOT, MGS C-51
 3. Background: 2023 St. Louis Co.

Legend

 AUAR Area

Bedrock Geology

Mdo, Porphyritic ophitic olivine leucogabbro

Mdu, Upper contact zone - ferrodiorite, ferromonzodiorite, ferrogabbro

Mda, Anorthosite, troctolitic anorthosite, olivine gabbroic anorthosite, anorthositic gabbro

Mdg, Ferromonzodiorite to granophyre

Mnb, Undifferentiated basalt to basaltic andesite flows

Mni, Icelandite

0 250 500 Feet
 (At original document size of 8.5x11)
 1:6,000



Project Location
 T69N, R50W, S21
 Duluth, St. Louis Co., MN

Prepared by KJM on 2023-11-14

Client/Project
 City of Duluth
 Duluth Central High School Redevelopment Site
 Scoping EAW

227706270

Figure No.

6

Title

Bedrock Geology Map



Notes

1. Coordinate System: NAD 1983 HARN Adj MN St Louis CS96 Feet
2. Data Sources: Stantec, MnGeo, MnDOT, NRCS
3. Background: 2023 St. Louis Co.

Legend

- AUAR Area
- Soil Map Unit

0 250 500 Feet
(At original document size of 8.5x11)
1:6,000



Project Location
T69N, R50W, S21
Duluth, St. Louis Co., MN

Prepared by KJM on 2023-11-14

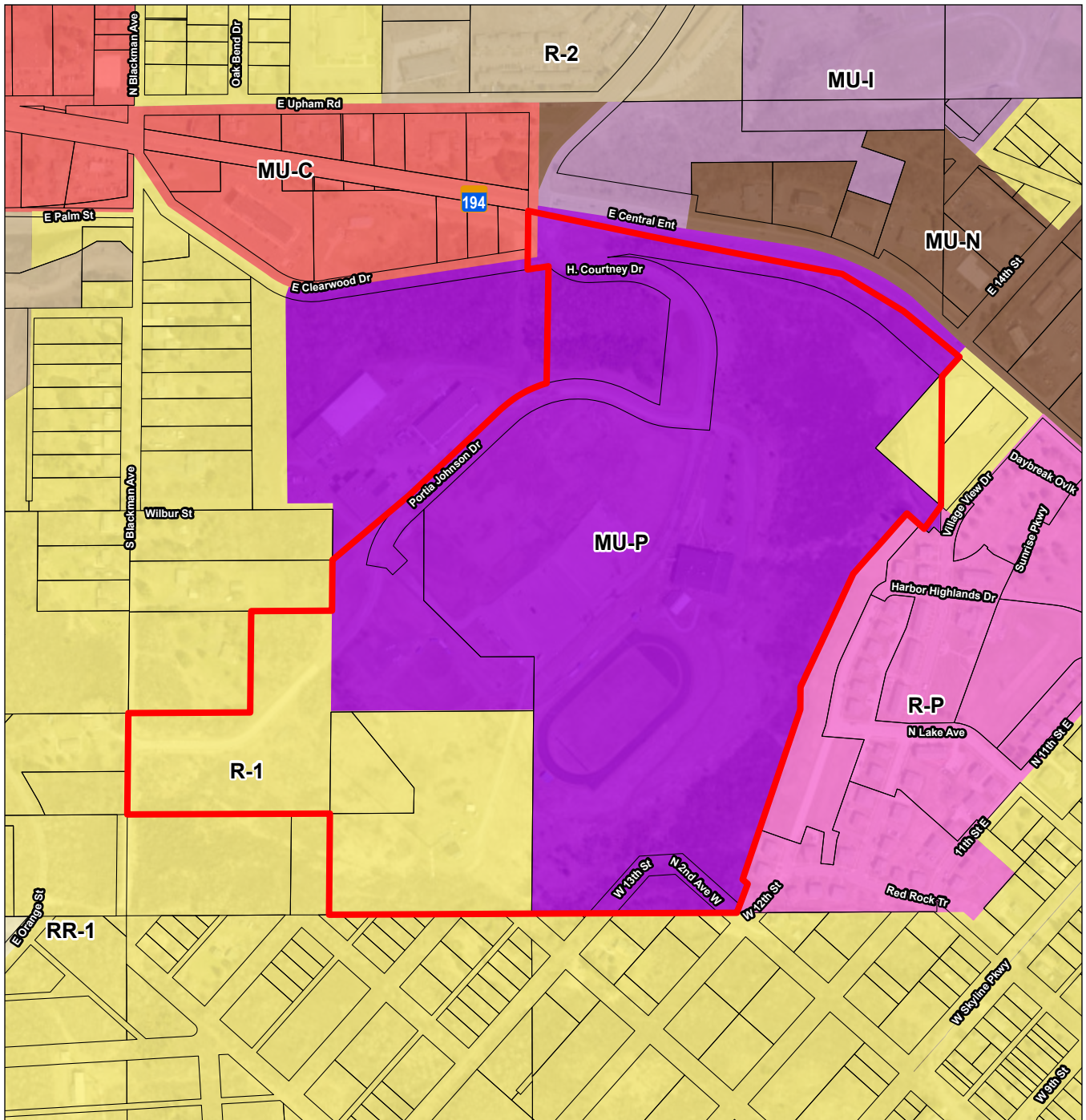
Client/Project
City of Duluth
Duluth Central High School Redevelopment Site
Scoping EAW

227706270

Figure No.

7

Title
Soils Classification Map



Notes
 1. Coordinate System: NAD 1983 HARN Adj MN St Louis CS96 Feet
 2. Data Sources: Stantec, City of Duluth, St. Louis Co., MnGeo, MnDOT
 3. Background: 2023 St. Louis Co.

Legend

- AUAR Area
- Parcels
- City of Duluth Zoning**
- MU-C (Mixed Use Commercial)
- MU-I (Mixed Use Institutional)
- MU-N (Mixed Use Neighborhood)
- MU-P (Mixed Use Planned)
- R-1 (Residential Traditional)
- R-2 (Residential Urban)
- R-P (Residential Planned)
- RR-1 (Rural Residential 1)

0 250 500 Feet
 (At original document size of 8.5x11)
 1:6,000



Project Location Prepared by KJM on 2023-11-14
 T69N, R50W, S21
 Duluth, St. Louis Co., MN

Client/Project 227706220
 City of Duluth
 Duluth Central High School Redevelopment Site
 Scoping EAW

Figure No.
 8

Title
 Zoning



Notes
 1. Coordinate System: NAD 1983 HARN Adj MN St Louis CS96 Feet
 2. Data Sources: Stantec, City of Duluth, MnGeo, MnDOT, MDA, MGS
 3. Background: 2023 St. Louis Co.

- Legend**
- ▮ AUAR Area
 - 1/4 Mile Radius
 - Field Verified Wells**
 - Domestic
 - Monitoring Well
 - Environmental Bore Hole

0 450 900 Feet
 (At original document size of 8.5x11)
 1:10,800

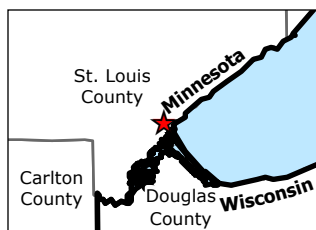
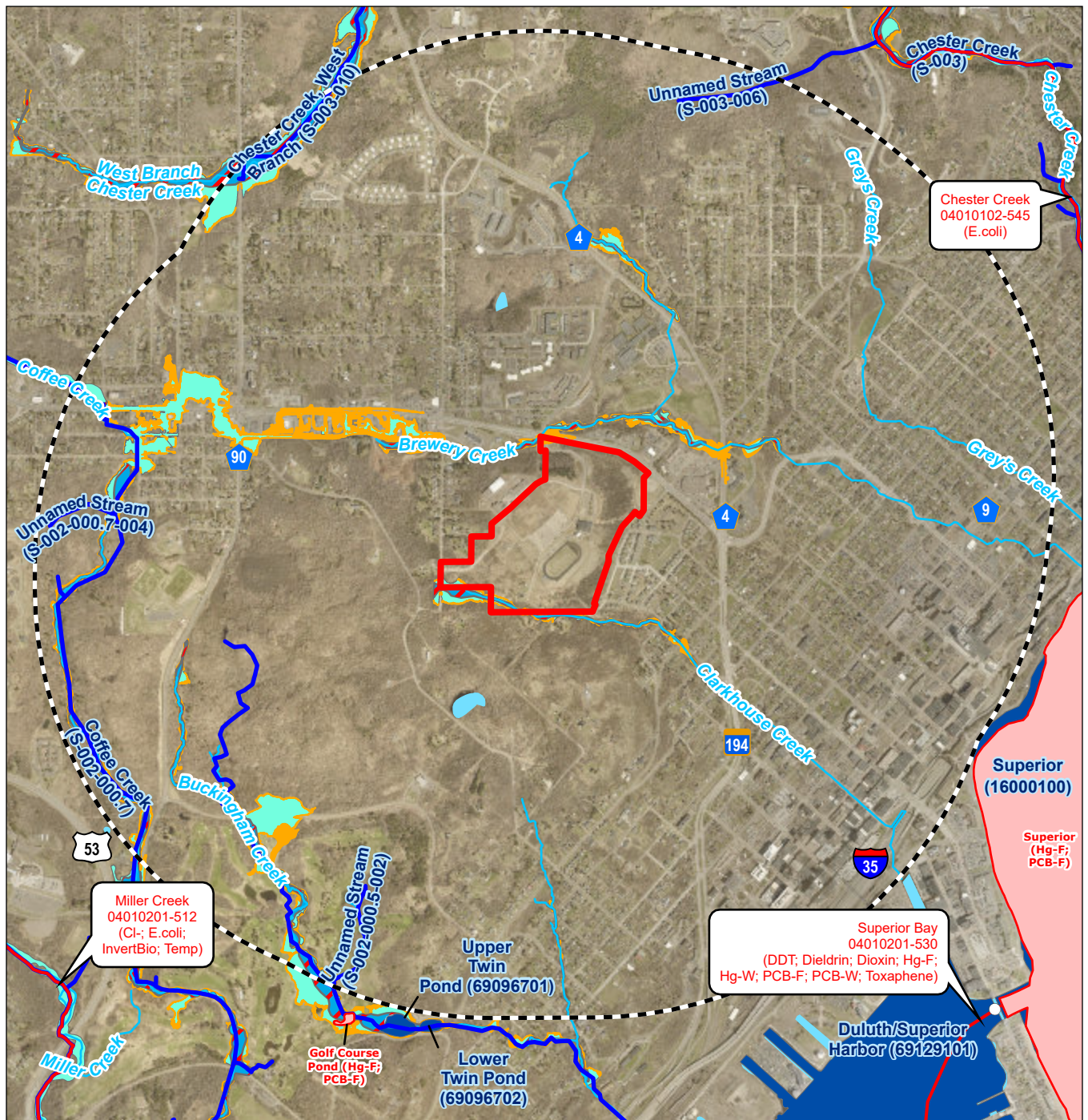


Project Location T69N, R50W, S21
 Duluth, St. Louis Co., MN

Client/Project City of Duluth
 Duluth Central High School Redevelopment Site
 Scoping EAW

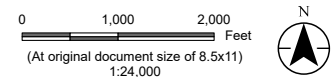
Figure No. 9

Title Minnesota Well Index Map



Notes
 1. Coordinate System: NAD 1983 HARN Adj MN St Louis CS96 Feet
 2. Data Sources: Stantec, City of Duluth, MnDNR, MnDOT, MPCA, USGS, FEMA
 3. Background: 2023 St. Louis Co.

- Legend**
- AUAR Area
 - ⬢ 1 Mile Radius
 - ~ 2022 MPCA Impaired Streams (Draft)
 - 2022 MPCA Impaired Lakes (Draft)
 - Minnesota Public Waters Delineations**
 - Public Water Watercourse
 - Public Waters Basins
 - ~ City of Duluth Streams
 - Waterbody
 - FEMA Flood Hazard (Preliminary)**
 - 1% Annual Chance Flood Hazard
 - Floodway
 - 0.2% Annual Chance Flood Hazard

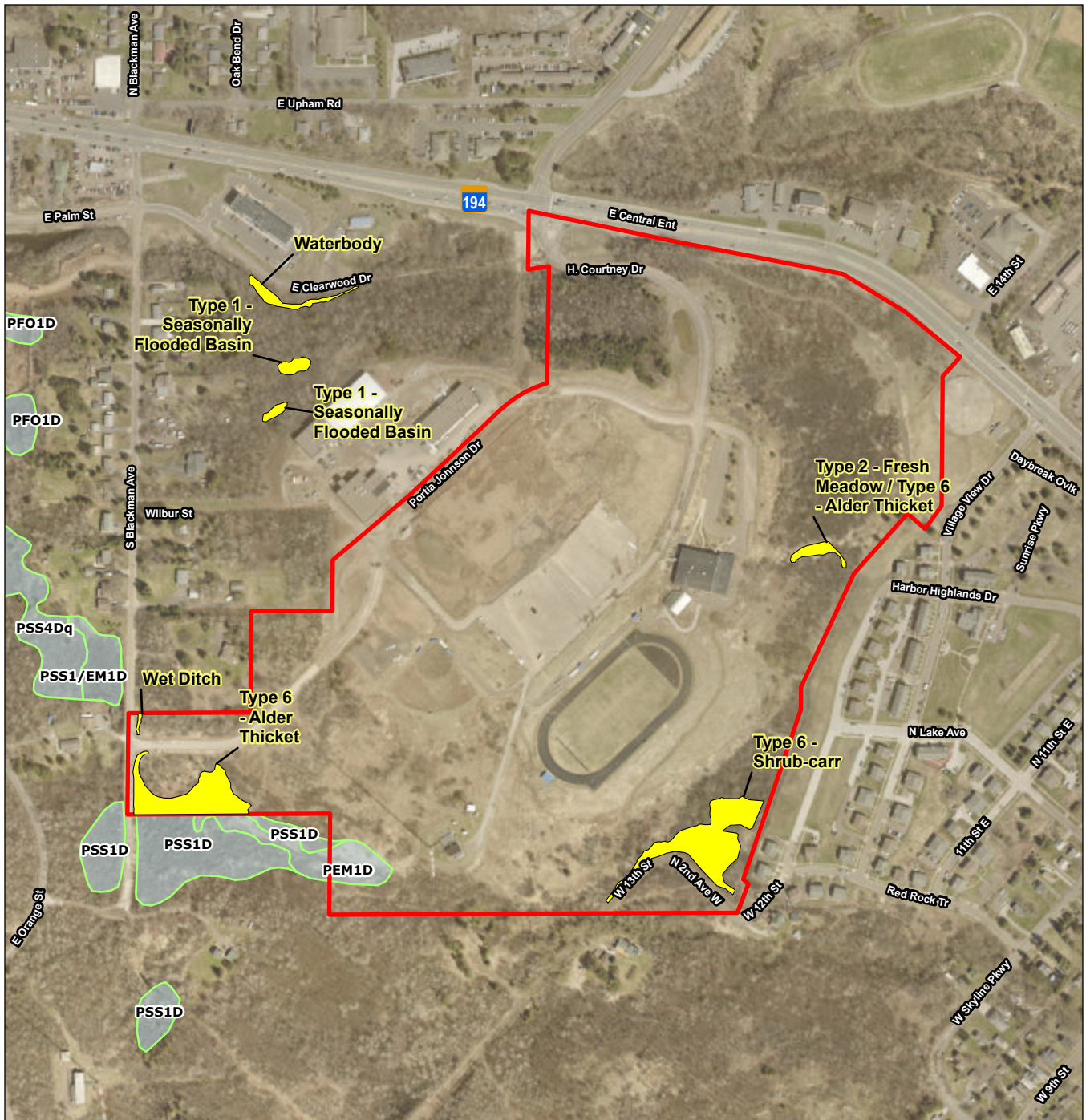


Project Location
 T69N, R50W, S21
 Duluth, St. Louis Co., MN

Client/Project
 City of Duluth
 Duluth Central High School Redevelopment Site

Scoping EAW
 Figure No. 10

Title
Water Resources Map



Legend

- Field Delineated Wetland
- National Wetlands Inventory Feature
- AUAR Area

0 250 500
Feet
(At original document size of 8.5x11)
1:6,000



Project Location
T69N, R50W, S21
Duluth, St. Louis Co., MN

Prepared by KJM on 2023-11-14

Client/Project
City of Duluth
Duluth Central High School Redevelopment Site
Scoping EAW

227706270

Figure No.

11

Title

Wetlands Map



Notes
 1. Coordinate System: NAD 1983 HARN Adj MN St Louis CS96 Feet
 2. Data Sources: Stantec, MnGeo, MnDOT, MPCA
 3. Background: 2023 St. Louis Co.

Legend

- AUAR Area
- 1/4 Mile Radius
- MPCA Sites**
- Program Name**
- Multiple Programs
- Hazardous Waste
- Investigation and Cleanup
- ▲ Tanks

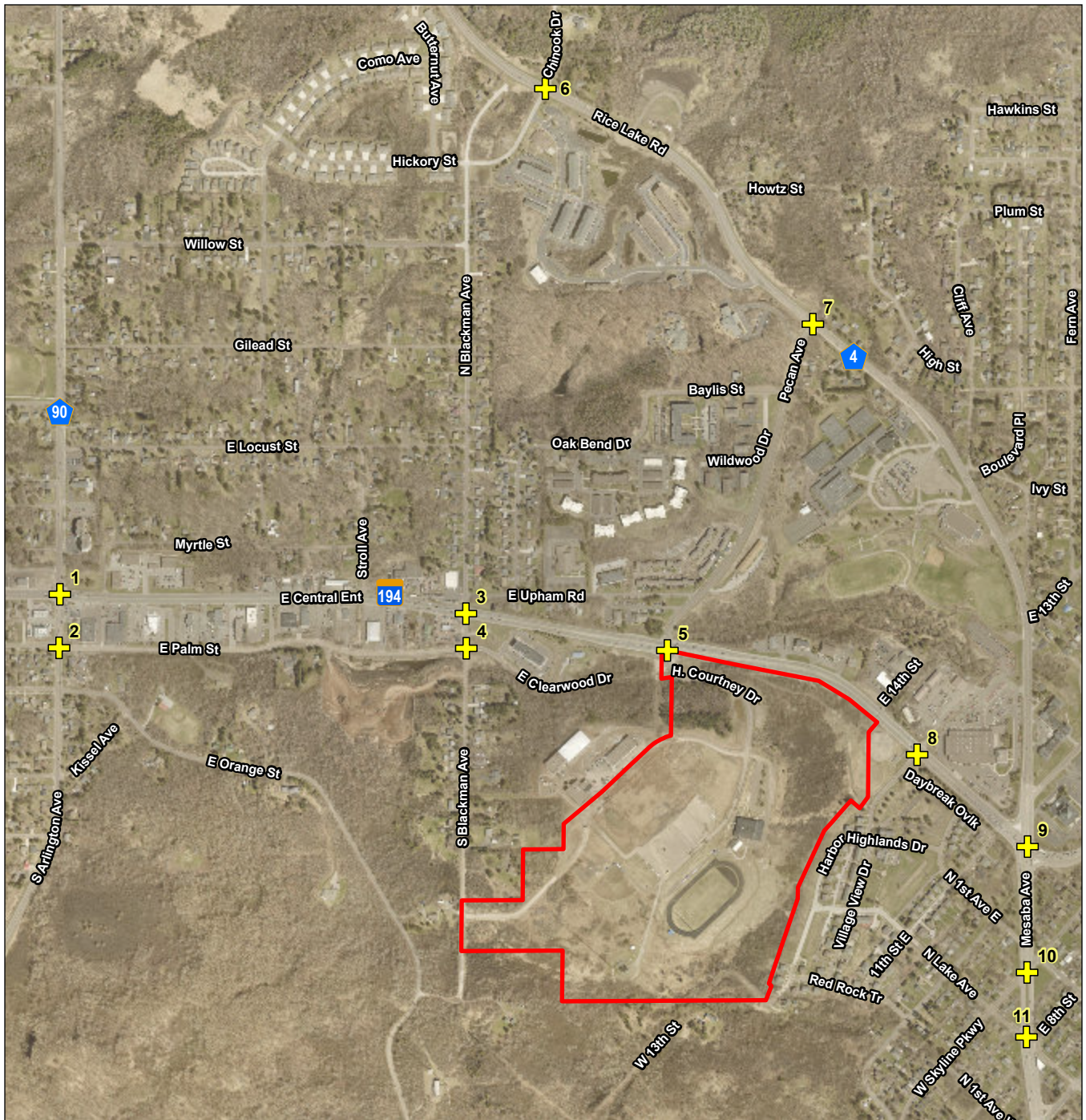
0 450 900 Feet
 (At original document size of 8.5x11)
 1:10,800



Project Location Prepared by KJM on 2023-11-14
 T69N, R50W, S21
 Duluth, St. Louis Co., MN

Client/Project 227706270
 City of Duluth
 Duluth Central High School Redevelopment Site
 Scoping EAW

Figure No.
12
Title
MPCA WIMN Potentially Contaminated Sites



Notes
 1. Coordinate System: NAD 1983 HARN Adj MN St Louis CS96 Feet
 2. Data Sources: Stantec, City of Duluth, St. Louis Co., MnDOT
 3. Background: 2023 St. Louis Co.

Legend

- + Transportation Study Intersections
- AUAR Area

Map ID	Intersection
01	Central Entrance (TH 194)/Arlington Avenue
02	Arlington Avenue/Palm Street
03	Central Entrance/Blackman Avenue
04	Blackman Avenue/Palm Street/ Clearwood Drive
05	Central Entrance/Courtney Dr
06	Rice Lake Road/Hickory Street/ Chinook Drive
07	Rice Lake Road/Pecan Avenue
08	Central Entrance/13th Street
09	Central Entrance/Rice Lake Road
11	Mesaba Avenue/Skyline Parkway
10	Mesaba Avenue/Lake Avenue

0 500 1,000 Feet
 (At original document size of 8.5x11)
 1:12,000



Project Location T69N, R50W, S21
 Duluth, St. Louis Co., MN

Client/Project City of Duluth
 Duluth Central High School Redevelopment Site
 Scoping EAW

Figure No. 13
Title Transportation Study Intersections

Appendix B

FEMA FIRMette

Appendix C

MDH Well Log Reports

340357

County St. Louis
Quad Duluth
Quad ID 244D

MINNESOTA DEPARTMENT OF HEALTH
WELL AND BORING REPORT
Minnesota Statutes Chapter 1031

Entry Date 08/02/2018
Update Date 09/04/2018
Received Date

Well Name 50					Township 14					Range W 21					Dir Section DCDACC					Subsection					Well Depth 20 ft.					Depth Completed 20 ft.					Date Well Completed 06/04/2018									
Elevation 1243					Elev. Method LiDAR 1m DEM (MNDNR)					Drill Method					Drill Fluid																													
Address Well 1421 N. 3RD AV W DULUTH MN 55811																									Use environ. bore hole					Status Sealed														
Well Hydrofractured? Yes <input type="checkbox"/> No <input type="checkbox"/>																									From					To														
Casing Type Drive Shoe? Yes <input type="checkbox"/> No <input type="checkbox"/>																									Joint Above/Below																			
Stratigraphy Information Geological Material From To (ft.) Color Hardness CLAYEY SAND 0 15 BROWN MEDIUM SILTY SAND 15 20 BROWN MEDIUM																																												
Open Hole From ft. To ft.																																												
Screen? <input type="checkbox"/> Type Make																																												
Static Water Level																																												
Pumping Level (below land surface)																																												
Wellhead Completion Pitless adapter manufacturer Model <input type="checkbox"/> Casing Protection <input type="checkbox"/> 12 in. above grade <input type="checkbox"/> At-grade (Environmental Wells and Borings ONLY)																																												
Grouting Information Well Grouted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Specified Material Amount From To bentonite 2 Sacks ft. 2 ft.																																												
Nearest Known Source of Contamination feet Direction Type Well disinfected upon completion? <input type="checkbox"/> Yes <input type="checkbox"/> No																																												
Pump <input type="checkbox"/> Not Installed Date Installed Manufacturer's name Model Number HP Volt Length of drop pipe ft Capacity g.p. Typ																																												
Abandoned Does property have any not in use and not sealed well(s)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																																												
Variance Was a variance granted from the MDH for this well? <input type="checkbox"/> Yes <input type="checkbox"/> No																																												
Miscellaneous First Bedrock Aquifer Last Strat sand+silt-brown Depth to Bedrock ft Located by Minnesota Geological Survey Locate Method Digitization (Screen) - Map (1:24,000) (15 meters or System UTM - NAD83, Zone 15, Meters X 567358 Y 5182649 Unique Number Verification Site Plan Input Date 08/02/2018																																												
Angled Drill Hole																																												
Well Contractor Twin Ports Testing II, Inc. 3704 HALVORSON, M. Licensee Business Lic. or Reg. No. Name of Driller																																												

745808

County

St. Louis

Quad

Duluth

Quad ID

244D

MINNESOTA DEPARTMENT OF HEALTH

WELL AND BORING REPORT

Minnesota Statutes Chapter 1031

Entry Date

07/28/2009

Update Date

12/05/2019

Received Date

03/01/2007

<div>Well Name</div> RAPPANA, <div>Township</div> 50 <div>Range</div> 14 <div>Dir Section</div> W 21 <div>Subsection</div> CDDABD	<div>Well Depth</div> 189 ft. <div>Depth Completed</div> 189 ft. <div>Date Well Completed</div> 03/01/2007
<div>Elevation</div> 1241 <div>Elev. Method</div> LiDAR 1m DEM (MNDNR)	<div>Drill Method</div> Multiple methods used <div>Drill Fluid</div> Water
<div>Address</div> <div>C/W</div> 615 BLACKMAN AV S DULUTH MN 55811	<div>Use</div> domestic <div>Status</div> Active
<div>Stratigraphy Information</div> <div>Geological Material</div> <div>SANDY CLAY</div> <div>ROCK</div> <div>From</div> <div>To (ft.)</div> <div>Color</div> <div>Hardness</div> <div>0</div> <div>18</div> <div>BROWN</div> <div>MEDIUM</div> <div>18</div> <div>189</div> <div>GRAY</div> <div>HARD</div>	<div>Well Hydrofractured?</div> <div>Yes</div> <div>No</div> <div>From</div> <div>To</div>
	<div>Casing Type</div> Single casing <div>Joint</div> Welded
	<div>Drive Shoe?</div> <div>Yes</div> <div>No</div> <div>Above/Below</div>
	<div>Casing Diameter</div> <div>Weight</div> <div>Hole Diameter</div> <div>6 in. To 26 ft. 19 lbs./ft.</div> <div>6 in. To 189 ft.</div> <div>0 in. To ft.</div>
	<div>Open Hole</div> <div>From</div> <div>26</div> <div>ft.</div> <div>To</div> <div>189</div> <div>ft.</div>
	<div>Screen?</div> <div>Type</div> <div>Make</div>
	<div>Static Water Level</div> <div>23</div> <div>ft.</div> <div>land surface</div> <div>Measure</div> <div>03/01/2007</div>
	<div>Pumping Level (below land surface)</div> <div>160</div> <div>ft.</div> <div>2</div> <div>hrs.</div> <div>Pumping at</div> <div>2</div> <div>g.p.m.</div>
	<div>Wellhead Completion</div> <div>Pitless adapter manufacturer</div> BAKER <div>Model</div> BULLDOG <div>Casing Protection</div> <div>12 in. above grade</div> <div>At-grade (Environmental Wells and Borings ONLY)</div>
	<div>Grouting Information</div> <div>Well Grouted?</div> <div>Yes</div> <div>No</div> <div>Not Specified</div> <div>Material</div> bentonite <div>Amount</div> <div>From</div> <div>To</div> <div>ft.</div> <div>ft.</div>
<div>Nearest Known Source of Contamination</div> <div>55</div> <div>feet</div> <div>East</div> <div>Direction</div> <div>Sewer</div> <div>Type</div> <div>Well disinfected upon completion?</div> <div>Yes</div> <div>No</div>	
<div>Pump</div> <div>Not Installed</div> <div>Date Installed</div> 06/01/2007 <div>Manufacturer's name</div> STA-RITE <div>Model Number</div> I <div>HP</div> 0.75 <div>Volt</div> 220 <div>Length of drop pipe</div> 160 <div>ft</div> <div>Capacity</div> 10 <div>g.p.</div> <div>Typ</div> Submersible	
<div>Abandoned</div> <div>Does property have any not in use and not sealed well(s)?</div> <div>Yes</div> <div>No</div>	
<div>Variance</div> <div>Was a variance granted from the MDH for this well?</div> <div>Yes</div> <div>No</div>	
<div>Miscellaneous</div> <div>First Bedrock</div> Duluth Cplx-anorth.series <div>Aquifer</div> Duluth Cplx- <div>Last Strat</div> Duluth Cplx-anorth.series <div>Depth to Bedrock</div> 18 <div>ft</div> <div>Located by</div> Minnesota Geological Survey <div>Locate Method</div> Digitization (Screen) - Map (1:12,000) (>15 meters) <div>System</div> UTM - NAD83, Zone 15, Meters <div>X</div> 566974 <div>Y</div> 5182707 <div>Unique Number Verification</div> <div>Address verification</div> <div>Input Date</div> 04/28/2016	
<div>Angled Drill Hole</div>	
<div>Well Contractor</div> <div>Dennys Drilling, Inc.</div> 1779 <div>KOEPP, D.</div> <div>Licensee Business</div> <div>Lic. or Reg. No.</div> <div>Name of Driller</div>	

754614

County

St. Louis

Quad

Duluth

Quad ID

244D

MINNESOTA DEPARTMENT OF HEALTH

WELL AND BORING REPORT

Minnesota Statutes Chapter 1031

Entry Date

07/28/2009

Update Date

12/05/2019

Received Date

01/11/2008

<div><div>Well Name</div><div>VUKELICH,</div></div> <div><div>Township</div><div>50</div></div> <div><div>Range</div><div>14</div></div> <div><div>Dir Section</div><div>W 28</div></div> <div><div>Subsection</div><div>ABBABB</div></div>	<div><div>Well Depth</div><div>264 ft.</div></div> <div><div>Depth Completed</div><div>264 ft.</div></div> <div><div>Date Well Completed</div><div>10/03/2007</div></div>
<div><div>Elevation</div><div>1248</div></div> <div><div>Elev. Method</div><div>LiDAR 1m DEM (MNDNR)</div></div>	<div><div>Drill Method</div><div>Multiple methods used</div></div> <div><div>Drill Fluid</div><div>Water</div></div>
<div><div>Address</div><div>C/W</div><div>413 15TH ST W DULUTH MN 55811</div></div>	<div><div>Use</div><div>domestic</div></div> <div><div>Status</div><div>Active</div></div>
<div><div>Stratigraphy Information</div><div>Geological Material</div><div>SANDY CLAY</div><div>ROCK</div></div> <div><div>From</div><div>0</div><div>4</div></div> <div><div>To (ft.)</div><div>4</div><div>264</div></div> <div><div>Color</div><div>BROWN</div><div>GRAY</div></div> <div><div>Hardness</div><div>MEDIUM</div><div>HARD</div></div>	<div><div>Well Hydrofractured?</div><div>Yes</div><div><input checked="" type="checkbox"/></div><div>No</div><div><input type="checkbox"/></div></div> <div><div>From</div><div>45 ft.</div></div> <div><div>To</div><div>264 ft.</div></div>
	<div><div>Casing Type</div><div>Single casing</div></div> <div><div>Joint</div><div>Welded</div></div>
	<div><div>Drive Shoe?</div><div>Yes</div><div><input checked="" type="checkbox"/></div><div>No</div><div><input type="checkbox"/></div></div> <div><div>Above/Below</div><div></div></div>
	<div><div>Casing Diameter</div><div>6 in.</div><div>To</div><div>19 ft.</div></div> <div><div>Weight</div><div>19 lbs./ft.</div></div> <div><div>Hole Diameter</div><div>10 in.</div><div>To</div><div>19 ft.</div></div> <div><div></div><div>6 in.</div><div>To</div><div>264 ft.</div></div>
	<div><div>Open Hole</div><div>From</div><div>19 ft.</div><div>To</div><div>264 ft.</div></div>
	<div><div>Screen?</div><div><input type="checkbox"/></div></div> <div><div>Type</div><div></div></div> <div><div>Make</div><div></div></div>
	<div><div>Static Water Level</div><div>36 ft.</div><div>land surface</div><div>Measure</div><div>10/04/2007</div></div>
	<div><div>Pumping Level (below land surface)</div><div>250 ft.</div><div>2 hrs.</div><div>Pumping at</div><div>g.p.m.</div></div>
	<div><div>Wellhead Completion</div><div>Pitless adapter manufacturer</div><div>BAKER</div><div>Model</div><div>BULLDOG</div></div> <div><div><input type="checkbox"/> Casing Protection</div><div><input checked="" type="checkbox"/> 12 in. above grade</div></div> <div><div><input type="checkbox"/> At-grade (Environmental Wells and Borings ONLY)</div></div>
	<div><div>Grouting Information</div><div>Well Grouted?</div><div><input checked="" type="checkbox"/> Yes</div><div><input type="checkbox"/> No</div><div><input type="checkbox"/> Not Specified</div></div> <div><div>Material</div><div>neat cement</div><div>Amount</div><div>8 Sacks</div><div>From</div><div>6 ft.</div><div>To</div><div>19 ft.</div></div>
	<div><div>Nearest Known Source of Contamination</div><div><u>90</u> feet</div><div><u>West</u> Direction</div><div><u>Sewer</u> Type</div></div> <div><div>Well disinfected upon completion?</div><div><input checked="" type="checkbox"/> Yes</div><div><input type="checkbox"/> No</div></div>
	<div><div>Pump</div><div><input type="checkbox"/> Not Installed</div><div>Date Installed</div><div></div></div> <div><div>Manufacturer's name</div><div>STA-RITE</div></div> <div><div>Model Number</div><div><u>1</u></div><div>HP</div><div><u>1</u></div><div>Volt</div><div><u>220</u></div></div> <div><div>Length of drop pipe</div><div><u>240</u> ft</div><div>Capacity</div><div><u>10</u> g.p.</div><div>Typ</div><div><u>Submersible</u></div></div>
	<div><div>Abandoned</div><div>Does property have any not in use and not sealed well(s)?</div><div><input type="checkbox"/> Yes</div><div><input checked="" type="checkbox"/> No</div></div>
	<div><div>Variance</div><div>Was a variance granted from the MDH for this well?</div><div><input type="checkbox"/> Yes</div><div><input checked="" type="checkbox"/> No</div></div>
	<div><div>Miscellaneous</div><div>First Bedrock</div><div>Duluth Cplx-anorth.series</div><div>Aquifer</div><div>Duluth Complex</div></div> <div><div>Last Strat</div><div>Duluth Complex</div><div>Depth to Bedrock</div><div>4 ft</div></div> <div><div>Located by</div><div>Minnesota Geological Survey</div></div> <div><div>Locate Method</div><div>GPS SA Off (averaged) (15 meters)</div></div> <div><div>System</div><div>UTM - NAD83, Zone 15, Meters</div><div>X</div><div>567136</div><div>Y</div><div>5182534</div></div> <div><div>Unique Number Verification</div><div>Address verification</div><div>Input Date</div><div>07/05/2017</div></div>
<div><div>Remarks</div><div>DRILLING METHOD= DRIVEN ROTARY.</div></div>	<div><div>Angled Drill Hole</div><div></div></div>
	<div><div>Well Contractor</div><div>Dennys Drilling, Inc.</div><div>1779</div><div>NELSON, C.</div></div> <div><div>Licensee Business</div><div>Lic. or Reg. No.</div><div>Name of Driller</div></div>

Quad ID 244D

Received Date 09/24/2010

Well Name COLE, EITHAN					Township 50	Range 14	Dir W	Section 28	Subsection AABBBB
Elevation 1196					Elev. Method LiDAR 1m DEM (MNDNR)				
Address Well 224 13TH ST W DULUTH MN 55806 Contact 2857 EXETER ST DULUTH MN 55806									
Stratigraphy Information Geological Material From To (ft.) Color Hardness DIRTY GRAVEL 0 9 BROWN SOFT CLAY/GRAVEL 9 11 BROWN MEDIUM CLAY 11 24 RED/BRN MEDIUM GRANITE 24 405 GRAY HARD									
Well Depth 405 ft.									
Depth Completed 405 ft.									
Date Well Completed 09/24/2010									
Drill Method Multiple methods used									
Drill Fluid									
Use domestic									
Status Active									
Well Hydrofractured? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> From 120 ft. To 405 ft.									
Casing Type Single casing									
Joint Other									
Drive Shoe? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Above/Below									
Casing Diameter 6 in. To 24 ft.									
Weight 19.4 lbs./ft.									
Hole Diameter 6 in. To 405 ft.									
Open Hole From 24 ft. To 405 ft.									
Screen? <input type="checkbox"/> Type Make									
Static Water Level									
Pumping Level (below land surface)									
Wellhead Completion Pitless adapter manufacturer Model <input type="checkbox"/> Casing Protection <input checked="" type="checkbox"/> 12 in. above grade <input type="checkbox"/> At-grade (Environmental Wells and Borings ONLY)									
Grouting Information Well Grouted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Specified Material Amount From To driven casing seal ft. 24 ft.									
Nearest Known Source of Contamination 100 feet Direction Type Well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
Pump <input checked="" type="checkbox"/> Not Installed Date Installed Manufacturer's name Model Number HP Volt Length of drop pipe ft Capacity g.p. Typ									
Abandoned Does property have any not in use and not sealed well(s)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
Variance Was a variance granted from the MDH for this well? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
Miscellaneous First Bedrock M.Prot.mafic intr.undif. Aquifer Duluth Complex Last Strat Duluth Complex Depth to Bedrock 24 ft Located by Minnesota Geological Survey Locate Method Digitization (Screen) - Map (1:12,000) (>15 meters) System UTM - NAD83, Zone 15, Meters X 567480 Y 5182526 Unique Number Verification Address verification Input Date 04/28/2016									
Angled Drill Hole									
Well Contractor Bob Kent Well Drilling 1886 KENT, B. Licensee Business Lic. or Reg. No. Name of Driller									
Minnesota Well Index Report					778106				
Printed on 11/06/2023 HE-01205-15									

821830

County St. Louis
Quad Duluth
Quad ID 244D

MINNESOTA DEPARTMENT OF HEALTH
WELL AND BORING REPORT
Minnesota Statutes Chapter 1031

Entry Date 04/26/2017
Update Date 09/17/2020
Received Date 04/17/2017

Well Name DULUTH MW	Township 50	Range 14	Dir Section W 21	Subsection DBBBCB	Well Depth 17.5 ft.	Depth Completed 17.5 ft.	Date Well Completed 04/04/2017
Elevation 1227	Elev. Method LiDAR 1m DEM (MNDNR)					Drill Method Auger (non-specified)	Drill Fluid
Address Contact 411 FIRST ST W DULUTH MN 55802					Use monitor well Status Active		
					Well Hydrofractured? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> From To		
					Casing Type Single casing Joint		
					Drive Shoe? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Above/Below		
Stratigraphy Information					Casing Diameter Weight Hole Diameter		
Geological Material		From	To (ft.)	Color	Hardness		
TOP SOIL		0	2	BROWN			
SANDY CLAY		2	10	BROWN			
CLAYEY SAND		10	18	BROWN			
					Open Hole From ft. To ft.		
					Screen? <input checked="" type="checkbox"/> Type plastic Make JOHNSON		
					Diameter Slot/Gauze Length Set		
					2 in. 10 10 ft. 7.5 ft. 17.5 ft.		
					Static Water Level		
					10.5 ft. land surface Measure 04/04/2017		
					Pumping Level (below land surface)		
					Wellhead Completion		
					Pitless adapter manufacturer PRO TOP Model		
					<input type="checkbox"/> Casing Protection <input checked="" type="checkbox"/> 12 in. above grade		
					<input type="checkbox"/> At-grade (Environmental Wells and Borings ONLY)		
					Grouting Information Well Grouted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Specified		
					Material Amount From To		
					bentonite 1 Sacks ft. 5.5 ft.		
					Nearest Known Source of Contamination		
					feet Direction Type		
					Well disinfected upon completion? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
					Pump <input checked="" type="checkbox"/> Not Installed Date Installed		
					Manufacturer's name		
					Model Number HP Volt		
					Length of drop pipe ft Capacity g.p. Typ		
					Abandoned		
					Does property have any not in use and not sealed well(s)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
					Variance		
					Was a variance granted from the MDH for this well? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
					Miscellaneous		
					First Bedrock Aquifer Quat. Water		
					Last Strat clay+sand-brown Depth to Bedrock ft		
					Located by Minnesota Geological Survey		
					Locate Method Digitization (Screen) - Map (1:12,000) (>15 meters)		
					System UTM - NAD83, Zone 15, Meters X 567038 Y 5183292		
					Unique Number Verification Site Plan Input Date 05/01/2017		
					Angled Drill Hole		
					Well Contractor		
					Dakota Technologies 3553 EYSTAD, C.		
					Licensee Business Lic. or Reg. No. Name of Driller		

Remarks
LICENSEE BUSINESS: DAKOTA TECHNOLOGIES.

835884

County

St. Louis

Quad

Duluth

Quad ID

244D

MINNESOTA DEPARTMENT OF HEALTH

WELL AND BORING REPORT

Minnesota Statutes Chapter 1031

Entry Date

12/04/2018

Update Date

12/05/2019

Received Date

10/31/2018

<div><div>Well Name</div>DRCC<div>Township</div>50<div>Range</div>14<div>Dir Section</div>W 21<div>Subsection</div>CDBDCA</div> <div><div>Elevation</div>1299<div>Elev. Method</div>LiDAR 1m DEM (MNDNR)</div> <div><div>Address</div><div>Contact</div>5629 GRAND AV DULUTH MN 55807<div>Well</div>320 ORANGE ST E DULUTH MN 55811</div> <div><div>Stratigraphy Information</div><table><tr><td>Geological Material</td><td>From</td><td>To (ft.)</td><td>Color</td><td>Hardness</td></tr><tr><td>CLAY</td><td>0</td><td>12</td><td>RED</td><td>MEDIUM</td></tr><tr><td>GRANITE</td><td>12</td><td>17</td><td>GRAY</td><td>MED-HRD</td></tr><tr><td>GRANITE</td><td>17</td><td>340</td><td>GRAY</td><td>SFT-MED</td></tr></table></div>	Geological Material	From	To (ft.)	Color	Hardness	CLAY	0	12	RED	MEDIUM	GRANITE	12	17	GRAY	MED-HRD	GRANITE	17	340	GRAY	SFT-MED	<div><div>Well Depth</div>340 ft.<div>Depth Completed</div>340 ft.<div>Date Well Completed</div>10/19/2018</div> <div><div>Drill Method</div>Non-specified Rotary<div>Drill Fluid</div>Water</div> <div><div>Use</div>domestic<div>Status</div>Active</div> <div><div>Well Hydrofractured?</div><div>Yes</div><div>No</div><div>From</div><div>To</div></div> <div><div>Casing Type</div>Single casing<div>Joint</div>Welded</div> <div><div>Drive Shoe?</div><div>Yes</div><div>No</div><div>Above/Below</div></div> <div><div>Casing Diameter</div>6 in.<div>Weight</div>17 ft.<div>Hole Diameter</div>10 in.<div>17 ft.</div></div> <div><div>Open Hole</div><div>From</div>17 ft.<div>To</div>340 ft.</div> <div><div>Screen?</div><div>Type</div><div>Make</div></div> <div><div>Static Water Level</div><div>30 ft.</div><div>land surface</div><div>Measure</div>10/19/2018</div> <div><div>Pumping Level (below land surface)</div><div>330 ft.</div><div>1 hrs.</div><div>Pumping at</div>1.5 g.p.m.</div> <div><div>Wellhead Completion</div><div>Pitless adapter manufacturer</div><div>Model</div><div>Casing Protection</div><div>12 in. above grade</div><div>At-grade (Environmental Wells and Borings ONLY)</div></div> <div><div>Grouting Information</div><div>Well Grouted?</div><div>Yes</div><div>No</div><div>Not Specified</div><div>Material</div><div>Amount</div><div>From</div><div>To</div><div>neat cement</div><div>2 Sacks</div><div>12 ft.</div><div>17 ft.</div><div>bentonite</div><div>2 Sacks</div><div>ft.</div><div>12 ft.</div></div> <div><div>Nearest Known Source of Contamination</div><div>50 feet</div><div>Southwes</div><div>Direction</div><div>Well disinfected upon completion?</div><div>Yes</div><div>No</div><div>Sewer Type</div></div> <div><div>Pump</div><div>Not Installed</div><div>Date Installed</div><div>Manufacturer's name</div><div>Model Number</div><div>HP</div><div>Volt</div><div>Length of drop pipe</div><div>ft</div><div>Capacity</div><div>g.p.</div><div>Typ</div></div> <div><div>Abandoned</div><div>Does property have any not in use and not sealed well(s)?</div><div>Yes</div><div>No</div></div> <div><div>Variance</div><div>Was a variance granted from the MDH for this well?</div><div>Yes</div><div>No</div></div> <div><div>Miscellaneous</div><div>First Bedrock</div><div>Duluth Cplx-anorth.series</div><div>Aquifer</div><div>Duluth Complex</div><div>Last Strat</div><div>Duluth Complex</div><div>Depth to Bedrock</div><div>17 ft</div><div>Located by</div><div>Minnesota Geological Survey</div><div>Locate Method</div><div>GPS SA Off (averaged) (15 meters)</div><div>System</div><div>UTM - NAD83, Zone 15, Meters</div><div>X</div><div>566773</div><div>Y</div><div>5182790</div><div>Unique Number Verification</div><div>Tax Records</div><div>Input Date</div><div>02/14/2019</div></div> <div><div>Angled Drill Hole</div></div> <div><div>Well Contractor</div><div>Sunnarborg Well Drilling Inc.</div><div>1295</div><div>SEE REMARKS</div><div>Licensee Business</div><div>Lic. or Reg. No.</div><div>Name of Driller</div></div>
Geological Material	From	To (ft.)	Color	Hardness																	
CLAY	0	12	RED	MEDIUM																	
GRANITE	12	17	GRAY	MED-HRD																	
GRANITE	17	340	GRAY	SFT-MED																	

Appendix D

DNR NHIS Initial Response and USFWS IPaC Species List



Formal Natural Heritage Review - Cover Page

See next page for results of review. A draft watermark means the project details have not been finalized and the results are not official.

Project Name: Central High School Redevelopment Project AUAR

Project Proposer: City of Duluth

Project Type: Development, Mixed Use

Project Type Activities: Tree Removal; Structure Removal or Bridge Removal; Wetland impacts (e.g., dewatering, discharge, excavation, fill, runoff, sedimentation, changes in hydrology))

TRS: T50 R14 S21, T50 R14 S22

County(s): St. Louis

DNR Admin Region(s): Northeast

Reason Requested: Other

Project Description: The City of Duluth and Proposer are partnering to conduct an Alternative Urban Areawide Review (AUAR) for an approximately 80-acre area on the site of ...

Existing Land Uses: The AUAR area consists of the former Central High School site which is currently vacant, undeveloped land. Northwest of the AUAR area, facilities owned ...

Landcover / Habitat Impacted: The AUAR area includes about 27 acres of wooded open space primarily towards the edges of the AUAR boundary.

Waterbodies Affected: Brewery Creek and Clarkhouse Creek extend along the northern and southern boundaries of the AUAR area, respectively. A few wetlands are present towards ...

Groundwater Resources Affected: The Project is not anticipated to affect groundwater resources.

Previous Natural Heritage Review: No

Previous Habitat Assessments / Surveys: No

SUMMARY OF AUTOMATED RESULTS

Category	Results	Response By Category
Project Details	Comments	Tree Removal - Recommendations
Ecologically Significant Area	No Comments	No Further Review Required
State-Listed Endangered or Threatened Species	Needs Further Review	State-protected Species in Vicinity
State-Listed Species of Special Concern	Comments	Recommendations
Federally Listed Species	No Records	Visit IPaC For Federal Review



November 6, 2023

Project Name: Central High School Redevelopment Project AUAR

Project Proposer: City of Duluth

Project Type: Development, Mixed Use

Project ID: MCE #2023-00835

AUTOMATED RESULTS: FURTHER REVIEW IS NEEDED

As requested, the above project has undergone an automated review for potential impacts to rare features. Based on this review, one or more rare features may be impacted by the proposed project and further review by the Natural Heritage Review Team is needed. You will receive a separate notification email when the review process is complete and the Natural Heritage Review letter has been posted.

Please refer to the table on the cover page of this report for a summary of potential impacts to rare features. For additional information or planning purposes, use the Explore Page in Minnesota Conservation Explorer to view the potentially impacted rare features or to create a Conservation Planning Report for the proposed project.

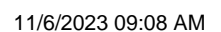
If you have additional information to help resolve the potential impacts listed in the summary results, please attach related project documentation in the Edit Details tab of the Project page. Relevant information includes, but is not limited to, additional project details, completed habitat assessments, or survey results. This additional information will be considered during the project review.

Aerial Imagery With Locator Map



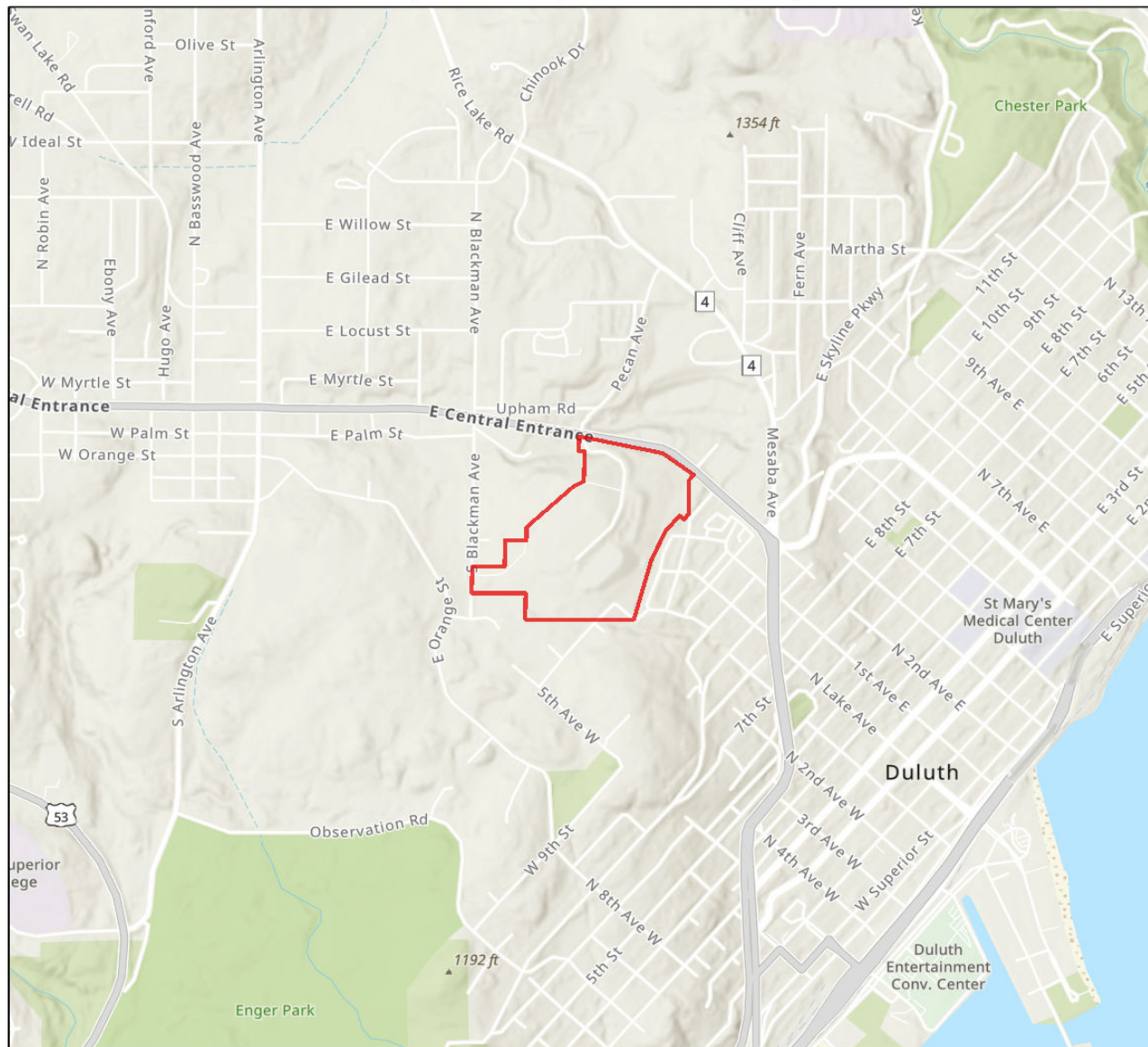
TRS: T50 R14 S21, T50 R14 S22

Esri, HERE, Garmin, FAO, NOAA, USGS, EPA



Central High School Redevelopment Project AUAR

USA Topo Basemap With Locator Map



0 0.15 0.3 0.6 0.9 1.2 Miles

 Project Boundary

Project Type: Development, Mixed Use

Project Size (acres): 79.57

County(s): St. Louis

TRS: T50 R14 S21, T50 R14 S22

Esri, NASA, NGA, USGS, FEMA
Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,
EPA, NPS, US Census Bureau, USDA



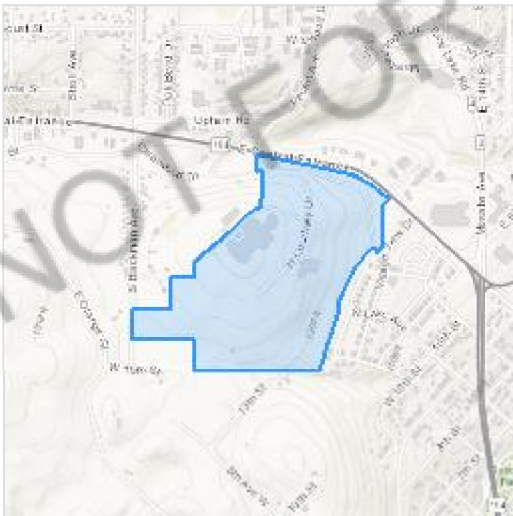
IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

St. Louis County, Minnesota



Local office

Minnesota-Wisconsin Ecological Services Field Office

☎ (952) 858-0793

📅 (952) 646-2873

3815 American Blvd East
Bloomington, MN 55425-1659

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

-
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Canada Lynx <i>Lynx canadensis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/3652	Threatened
Gray Wolf <i>Canis lupus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/4488	Threatened
Northern Long-eared Bat <i>Myotis septentrionalis</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

Birds

NAME	STATUS
Rufa Red Knot <i>Calidris canutus rufa</i> Wherever found There is proposed critical habitat for this species. https://ecos.fws.gov/ecp/species/1864	Threatened

Insects

NAME	STATUS
------	--------

Monarch Butterfly *Danaus plexippus*

Candidate

Wherever found

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/9743>

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

There are bald and/or golden eagles in your project area.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Dec 1 to Aug 31
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum

probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

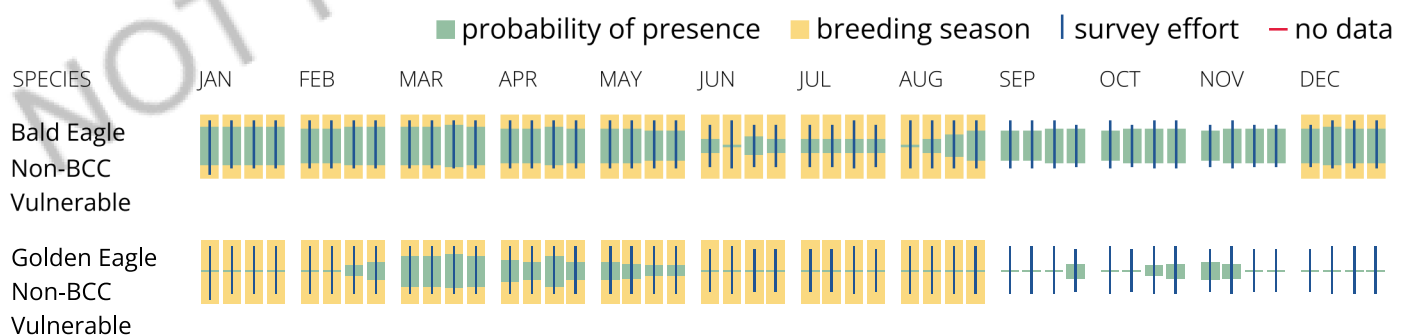
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply). To see a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the [Eagle Act](#) should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON

Bald Eagle *Haliaeetus leucocephalus*

Breeds Dec 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Black Tern *Chlidonias niger*

Breeds May 15 to Aug 20

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
<https://ecos.fws.gov/ecp/species/3093>

Black-billed Cuckoo *Coccyzus erythrophthalmus*

Breeds May 15 to Oct 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
<https://ecos.fws.gov/ecp/species/9399>

Bobolink *Dolichonyx oryzivorus*

Breeds May 20 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Canada Warbler *Cardellina canadensis*

Breeds May 20 to Aug 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
Common Tern <i>Sterna hirundo hirundo</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds May 1 to Aug 31
Connecticut Warbler <i>Oporornis agilis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jun 15 to Aug 10
Evening Grosbeak <i>Coccothraustes vespertinus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 15 to Aug 10
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31
Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Long-eared Owl <i>asio otus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3631	Breeds Mar 1 to Jul 15
Olive-sided Flycatcher <i>Contopus cooperi</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914	Breeds May 20 to Aug 31

Pectoral Sandpiper *Calidris melanotos*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Ruddy Turnstone *Arenaria interpres morinella*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Wood Thrush *Hylocichla mustelina*

Breeds May 10 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

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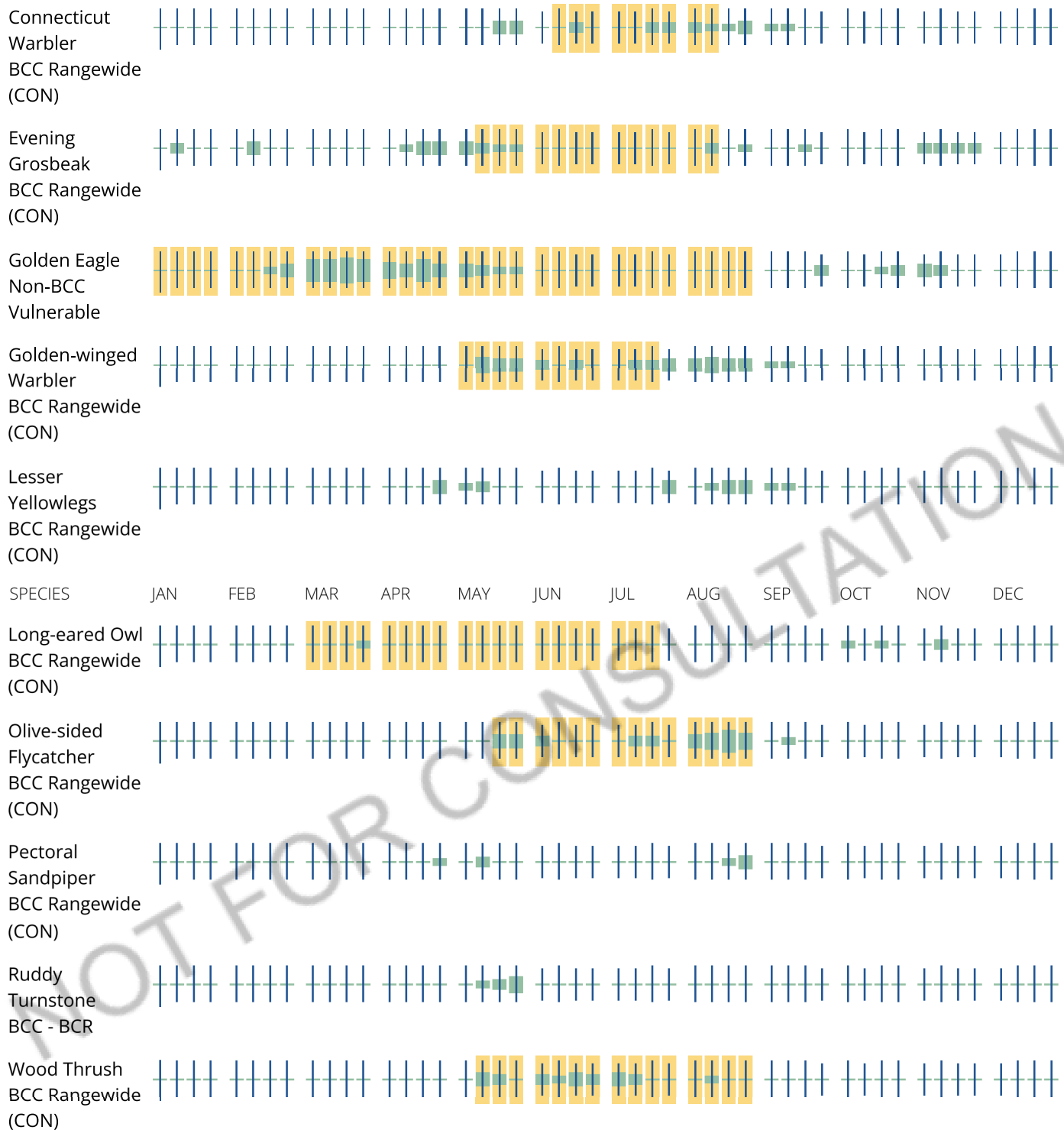
No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

[PEM1D](#)

FRESHWATER FORESTED/SHRUB WETLAND

[PSS1D](#)

RIVERINE

[R4SBC](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.



**Central High School
Redevelopment Project
Scoping Environmental Assessment
Worksheet**

November 2023

Prepared for:

RGU: City of Duluth

Prepared by:

Stantec Consulting Services Inc.
One Carlson Parkway, Suite 100
Plymouth, Minnesota 55426



Central High School Redevelopment Project Scoping Environmental Assessment Worksheet

Proposer: City of Duluth
RGU: City of Duluth

November 2023



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December 2022 version

Environmental Assessment Worksheet

This most recent Environmental Assessment Worksheet (EAW) form and guidance documents are available at the Environmental Quality Board's website at: <https://www.eqb.state.mn.us/> The EAW form provides information about a project that may have the potential for significant environmental effects. Guidance documents provide additional detail and links to resources for completing the EAW form.

Introduction

An Alternative Urban Areawide Review (AUAR) is an alternative to an Environmental Impact Statement (EIS) that responds to the items in the EAW form to the level of analysis similar to an EIS. Minnesota Rules Chapter 4410.3610, subp. 4 states that "the content and format [of an AUAR document] must be similar to that of an EAW but must provide for a level of analysis comparable to that of an EIS for impacts typical of urban residential, commercial warehousing, and light industrial development and associated infrastructure."

An AUAR consists of three steps: Scoping EAW, Draft AUAR and Final AUAR. The Scoping EAW describes issues to be studied in the AUAR and potential data sources to be used in this analysis. The purpose of the Scoping EAW is to provide information to agencies and the public on the proposed scope of the AUAR and to invite feedback on any additional analysis or data sources that should be included in the AUAR. Once the Scoping EAW process and comment period has been completed, a Draft AUAR is prepared that reflects the comments received.

The revised EAW form (December 2022 version) was used to conduct and document the scope of this AUAR for potential mixed use or business park development in Duluth, Minnesota. The twenty-two items in the EAW form provide information about proposed development scenarios within the AUAR area, existing conditions, existing plans, potential issues to explore through the AUAR process, and specific methodologies for special studies that will be conducted for the AUAR (i.e., the scope of the Traffic Impact Study). The EAW and AUAR Guidelines provide additional details and resources for completing the EAW form for an AUAR and conducting the AUAR review process.

Following developer interest in the Central High School Redevelopment Site in summer 2023, the City of Duluth decided to conduct this AUAR to plan for future development and to evaluate environmental impacts for the maximum potential buildout of the AUAR area.

Cumulative potential effects can either be addressed under each applicable EAW Item or can be addressed collectively under EAW Item 21.

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

Central High School Redevelopment Project

2. Proposer

Proposer:	City of Duluth, Department of Planning and Economic Development
Contact person:	Ryan Pervenance
Title:	Manager of Planning and Development Division
Address:	City Hall Room 160, 411 W. First St.
City, State, ZIP:	Duluth, MN 55802
Phone:	(218) 730 - 5580
Email:	rpervenance@duluthmn.gov

3. Responsible Governmental Unit (RGU)

RGU Agency: City of Duluth
Contact person: Adam Fulton
Title: Deputy Director of Planning and Economic Development
Address: City Hall, Room 160, 411 W. First St.

City, State, ZIP: Duluth, MN, 55802
Phone: (218) 730 - 5580
Email: afulton@duluthmn.gov

4. Reason for EAW Preparation

Required: Discretionary:
☒ EIS Scoping (AUAR) ☐ Citizen petition
☐ Mandatory EAW ☐ RGU discretion
☐ Proposer initiated

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

Minnesota Rules 4410.3610, Subpart 1 allow for eligible projects to be reviewed through the AUAR procedures instead of the EAW and EIS procedures. Pursuant to Minnesota Rules Chapter 4410.3610, Subpart 5a additional procedures are required when certain large specific projects are reviewed. This Scoping EAW has been prepared in accordance with these procedures to guide the Draft AUAR. Minnesota Rules Chapter 4410.4300, Subpart 14 and Minnesota Rules 4410.4400, Subpart 11 pertain to Scenario A (Business Park). Minnesota Rules Chapter 4410.4300 Subpart 32 and 4410.4400 Subpart 21 pertain to the Scenario B (Mixed Use Scenario).

5. Project Location

County: St. Louis County

City/Township: City of Duluth

PLS Location (¼, ¼, Section, Township, Range): Township 50 North, Range 14 West, Section 21

Watershed (81 major watershed scale): St. Louis River and Lake Superior - South

GPS Coordinates: Latitude 46.796296, Longitude -92.115402

Tax Parcel Number: 010-0435-00030, 010-0435-00020, 010-2710-06240, 101-0435-00010 (part of), 010-2710-06180, 010-0435-00040, 010-2710-06185

At a minimum attach each of the following to the EAW:

- County map showing the general location of the project;
- U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries (photocopy acceptable); and
- Site plans showing all significant project and natural features. Pre-construction site plan and post-construction site plan.
- List of data sources, models, and other resources (from the Item-by-Item Guidance: *Climate Adaptation and Resilience* or other) used for information about current Minnesota climate trends and how climate change is anticipated to affect the general location of the project during the life of the project (as detailed below in item 7. Climate Adaptation and Resilience).

6. Project Description

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

The City of Duluth is preparing an AUAR for an approximately 80-acre area on the site of the former Central High School near Central Entrance and H. Courtney Drive in the City of Duluth, St. Louis County, Minnesota. Two development scenarios will be evaluated as part of the AUAR which include a business park scenario consistent with the city's adopted Comprehensive Plan, and a mixed residential and commercial use scenario.

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

Existing Conditions

The AUAR area encompasses approximately 80 acres of land on the site of the former Central High School near Central Entrance and H. Courtney Drive in the City of Duluth, St. Louis County, Minnesota. Figure 1 (USGS Topographic Map) and Figure 2 (Aerial Project Location Map) in Appendix A show the AUAR area. The AUAR area consists of the demolished Central High School building area and associated infrastructure including the Secondary Technical Center (STC) building, the former track field, tennis courts, parking lots, and road system serving the AUAR area.

The Duluth School District recently constructed a new District Service Center building and Transportation Building on the property adjacent to the northwestern boundary of the AUAR area along Portia Johnson Drive. The District Service Center consists of office and administrative uses. The Transportation Building includes bus storage, offices, a repair shop, and a bus wash bay. An existing building was also repurposed as a Facilities Building that includes offices, utilities shop, print shop, and storage.

Additionally, two broadcast towers are located in the southern portion of the AUAR area. Approximately 27 acres of wooded area exists within the AUAR area primarily along the northern, eastern, and southern edges of the AUAR area. Portions of both the Duluth Traverse and Central Entrance trails fall within the AUAR area.

Proposed Project

Proposed AUAR Development Scenarios

Two development scenarios will be considered as part of the AUAR which include one scenario that is consistent with the City's adopted Comprehensive Plan (Imagine Duluth 2035 – Forward Together¹), and another scenario consisting of a mixed commercial and residential development pattern. The mixed use scenario is based on a potential development proposed by a private developer and incorporates elements that the City intends to pursue as part of the overall development of the AUAR area. The two development scenarios are further described below:

- Scenario A: Business Park Scenario

The business park scenario would consist of approximately 360,000 square feet of light industrial/warehouse distribution uses at full buildout, consistent with the City's future land use map in its adopted Comprehensive Plan. Surface parking would be included in this scenario, and the site would be accessed via the existing entrance Central Entrance/Trunk Highway (TH) 194 and H.

¹ City of Duluth. Imagine Duluth 2035 – Forward Together. Adopted June 25, 2018. https://duluthmn.gov/media/rtgk5tin/imagine-duluth-2035-combined_website_temp.pdf

Courtney Drive. Future potential connections are shown including the extension of Portia Johnson Drive to a new entrance on Blackman Avenue to the west and a potential connection to Lake Avenue and the residential neighborhood to the southeast of the AUAR area.

Both the Duluth Traverse and Central Entrance trails would remain within the AUAR area, although slight adjustments to alignment may be necessary depending on the future site layout. The scenario proposes that the existing broadcast towers would remain, as well as the approximately 27 acres of wooded area. Exhibit 1 depicts Development Scenario A.

- Scenario B: Mixed Use Scenario (Maximum Development)

The mixed commercial and residential scenario (mixed use) will be studied in this AUAR as the maximum development scenario. This scenario is intended to maximize development of the AUAR area and represents the “worst case scenario” for environmental impacts studied in the AUAR. The actual development, encompassing plans proposed by a private developer, may represent a modified version of this development scenario, which may include fewer residential units and less commercial development depending on market forces. The City of Duluth has also proposed elements within this scenario that will be explored as part of the full buildout of the AUAR area, including additional connections to adjacent neighborhoods, open space and development of property owned by the school district within the AUAR area.

At full buildout, the mixed use scenario would consist of 1,590 units of residential and 124,000 square feet of commercial development. Potential commercial uses considered in this AUAR include hotel, restaurant, pre-school, alternative school, and other neighborhood-serving commercial uses. Residential development is proposed to consist of a mix of densities including apartments and townhomes. The scenario would include a mix of surface and structured parking.

The AUAR area would be accessed via the existing entrance from Central Entrance (TH 194) and H. Courtney Drive. Future potential connections are shown including the extension of Portia Johnson Drive to Blackman Avenue to the west and a potential connection to Lake Avenue and the residential neighborhood to the southeast of the AUAR area.

Both the Duluth Traverse and Central Entrance trails would remain within the AUAR area, although slight adjustments to alignment may be necessary depending on the future site layout. This scenario proposes the addition of trailhead and a small park facility with restrooms. The scenario proposes that the existing broadcast towers would remain, as well as most of the approximately 27 acres of wooded area. Exhibit 2 depicts Development Scenario B.

Exhibit 1: Development Scenario A - Business Park

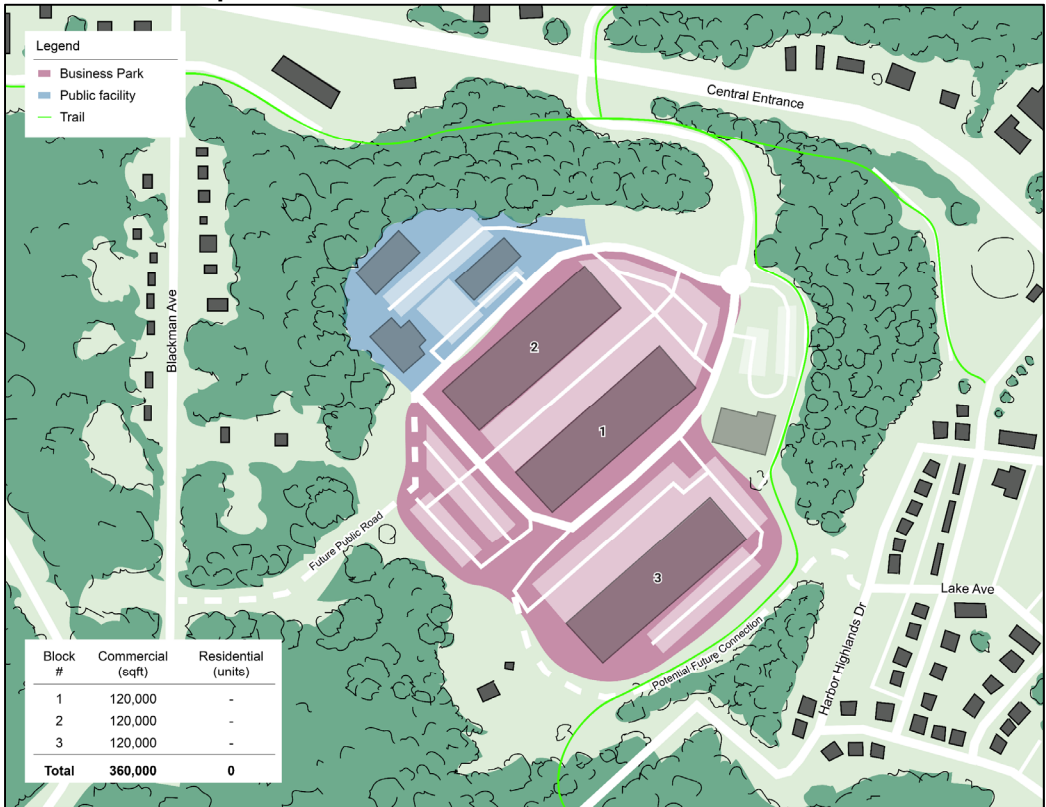
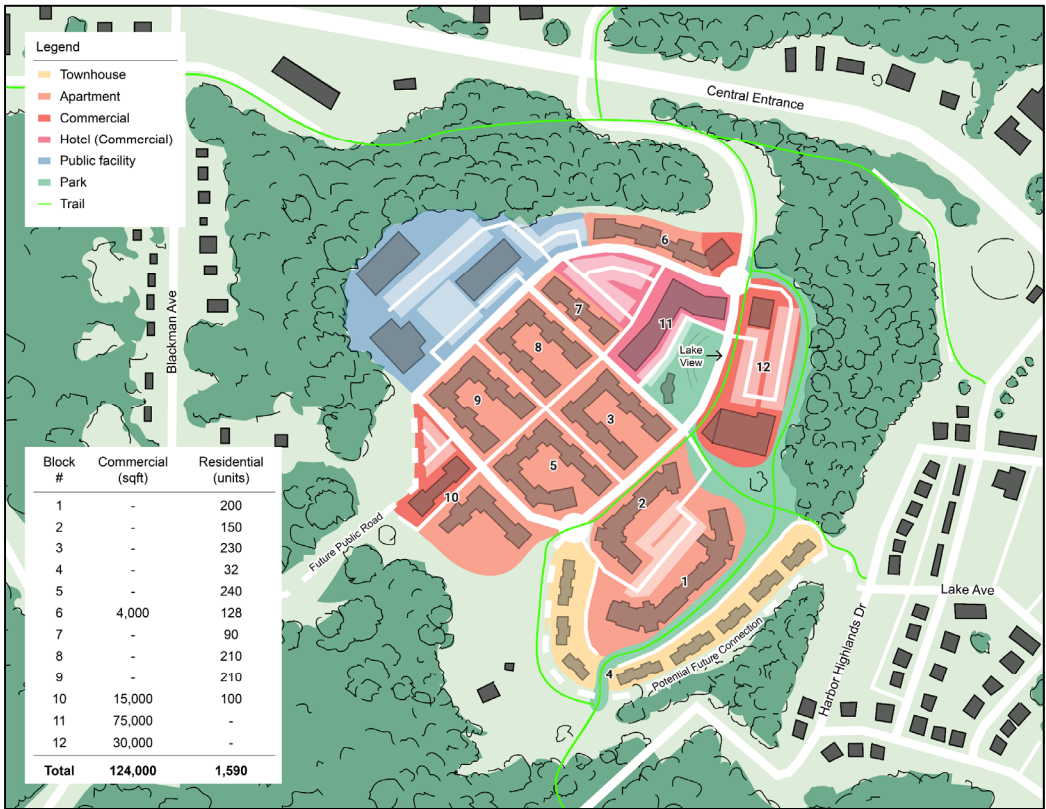


Exhibit 2: Development Scenario B – Mixed Use (Maximum Development)



1) *Construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes*

Both Development Scenarios would include construction of new buildings and associated access roadways, parking areas and infrastructure improvements. Site preparation would include grading, excavation and vegetation removal. It is anticipated that full buildout of the AUAR area would include the construction of roadway connections to the west and southeast as described in the Development Scenario descriptions above. The AUAR area was previously developed, but capacity of municipal sanitary sewer and water supply would need to be studied and potentially increased depending on the intensity of development. Stormwater infrastructure would be constructed to accommodate the increase in impervious surfaces.

2) *Modifications to existing equipment or industrial processes*

Not applicable – no planned modifications to existing equipment or industrial processes.

3) *Significant demolition, removal or remodeling of existing structures*

Most of the buildings within the AUAR area, including the former Central High School, have already been demolished to prepare the site for redevelopment. An existing 52,775 square foot building (referred to as the Secondary Technical Center building) within the AUAR area may be demolished or remodeled as part of the redevelopment project. Other existing structures include a small storage building near the former high school running track and the dugouts at the former ballfield.

4) *Timing and duration of construction activities*

It is anticipated that construction on a first phase of the mixed use project may begin as early as 2024. It is anticipated that full buildout of the AUAR area would occur over the course of several years. The timing of development would be driven by market conditions.

c. **Project magnitude**

Table 1 summarizes the project magnitude.

Table 1. Project Magnitude

Description	Development Scenario A	Development Scenario B
Total Project Acreage	79.7	79.7
Linear project length	N/A	N/A
Number and type of residential units	N/A	1590 units of medium to high density housing (32 townhomes + 1558 apartments)
Residential building area (in square feet)	N/A	1,479,000
Commercial building area (in square feet)	N/A	124,000
Industrial building area (in square feet)	360,000	N/A
Institutional building area (in square feet)	N/A	N/A
Other uses – specify (in square feet)	N/A	N/A
Structure height(s)	1-story	7-story

- 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.**

The purpose of completing this AUAR is to plan for and study the potential development of the AUAR study area. An AUAR is being conducted to study two development scenarios and intensities and to ensure that the environmental review incorporates the “worst case scenario” for full buildout of the AUAR area.

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

The purpose of this AUAR is to evaluate the full buildout of future potential development. It is anticipated that development would occur in phases based on market conditions.

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

7. Climate Adaptation and Resilience

- a. Describe the climate trends in the general location of the project (see guidance: Climate Adaptation and Resilience) and how climate change is anticipated to affect that location during the life of the project.**

In general, Minnesota is anticipated to experience an increase in temperature, precipitation, and more frequent extreme precipitation events resulting from climate change. In Minnesota, annual average temperatures have risen two degrees over the past century and up to three degrees in the northern part of the state. The highest average temperature increases have occurred during the winter. Since 1895, temperatures during the winter have increased at a rate two to three times higher than during the summer. In particular, winter warming rates have risen more sharply in recent decades.² Current climate warming trends, most notably during the winter, are anticipated to continue.³

Heavy rain events have become more frequent in Minnesota and more intense. From 1973 to 2020, Minnesota experienced 17 mega-rain events⁴ with a notable increase since 2000. Of these 17 events, three occurred in the 1970s, two in the 1980s, one in the 1990s, six mega-rain events occurred in the 2000s, four in the 2010s, and one in 2020. Thus, in the past 21 years (2000 to 2020), almost two times as many mega rain events occurred compared to the prior 27 years (1973 to 1999).⁵

Climate trends for St. Louis County parallel the overall statewide trends, indicating Minnesota’s climate is becoming warmer and wetter. Exhibits 3 and 4 illustrate historical average annual temperature and precipitation trends from 1895 to 2023, respectively. During this time period, the County experienced an average annual temperature increase of 0.27 degrees Fahrenheit (°F) per decade and an annual precipitation increase of 0.20 inches per decade.

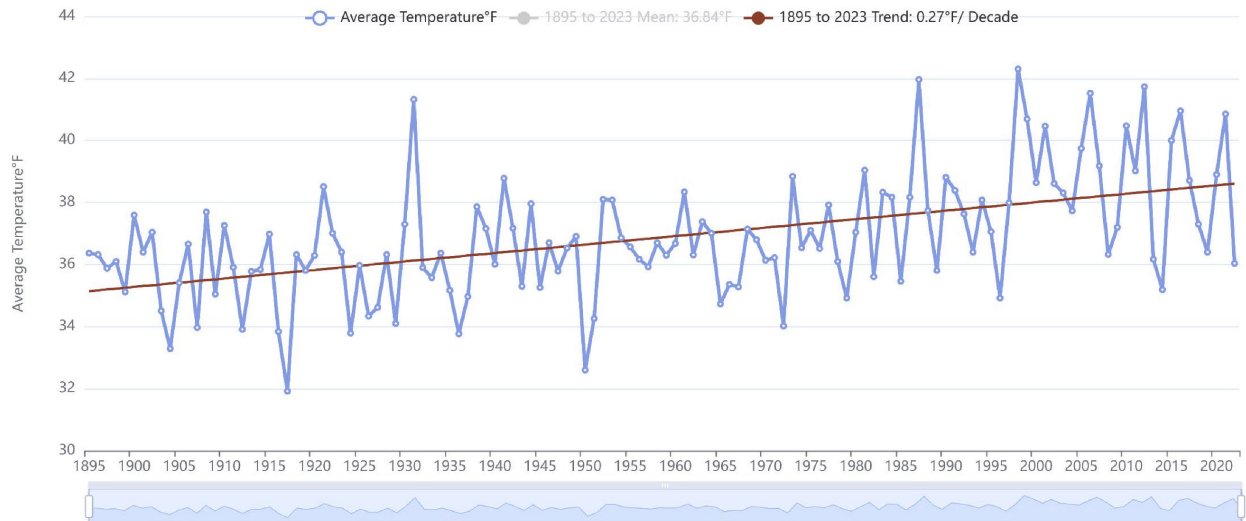
² DNR. Climate Trends. https://www.dnr.state.mn.us/climate/climate_change_info/climate-trends.html

³ MnDOT. Minnesota Go Climate Change Report. 2021. <https://www.minnesotago.org/trends/climate-change>

⁴ Mega-rain events are defined as events in which six inches of rain covers more than 1,000 square miles and the core of the event tops eight inches.

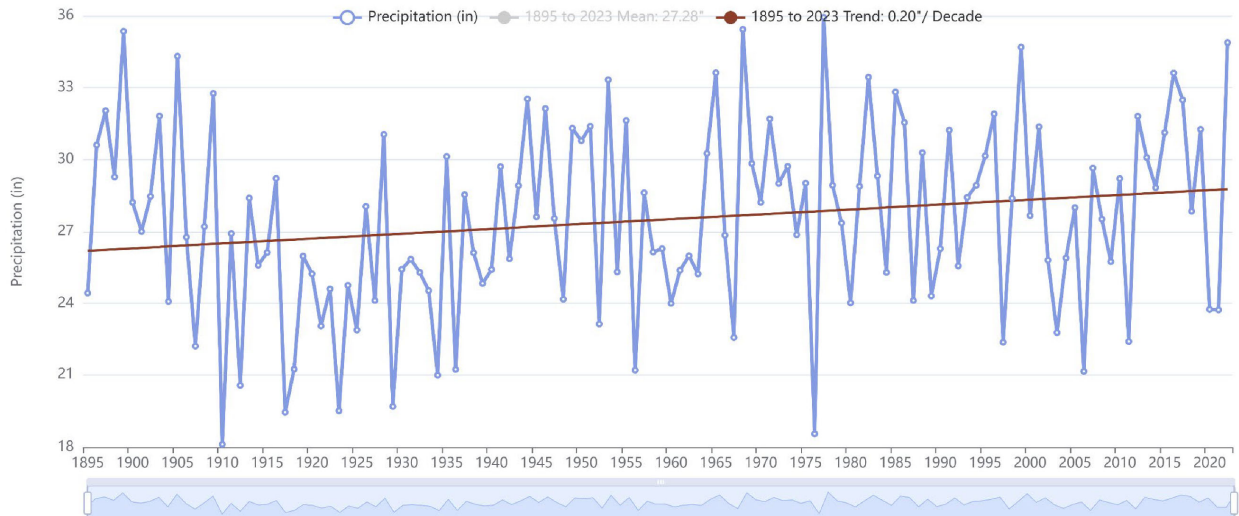
⁵ DNR. Historic Mega-Rain Events in Minnesota. https://www.dnr.state.mn.us/climate/summaries_and_publications/mega_rain_events.html

Exhibit 3: Historical Annual Average Temperature in St. Louis County (1895 – 2023)



Source: Minnesota Department of Natural Resources.
<https://arcgis.dnr.state.mn.us/ewr/climateexplorer/main/historical>

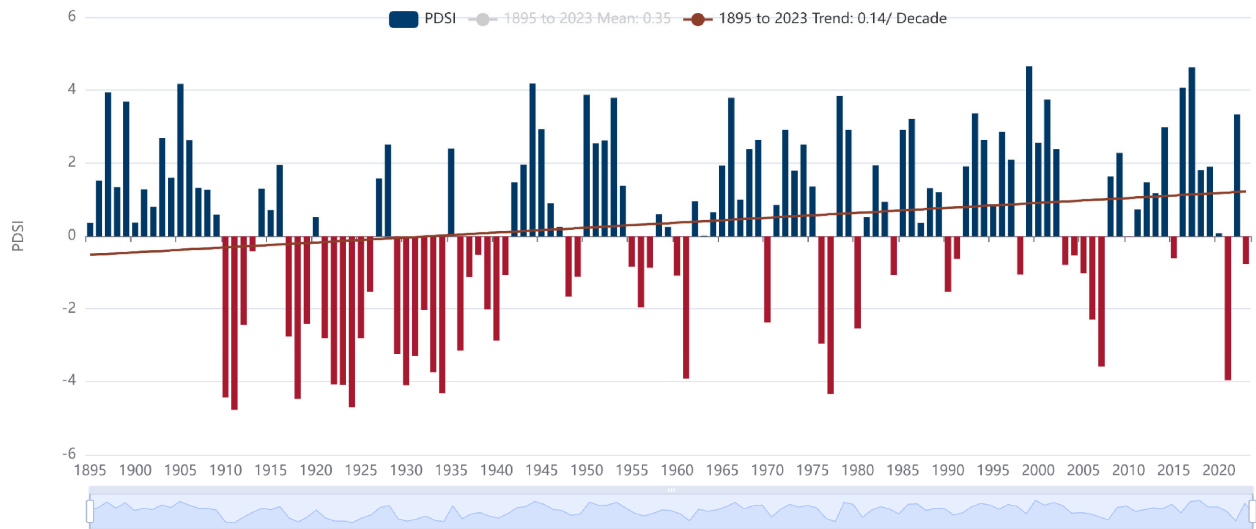
Exhibit 4: Historical Annual Average Precipitation in St. Louis County (1895 – 2023)



Source: Minnesota Department of Natural Resources.
<https://arcgis.dnr.state.mn.us/ewr/climateexplorer/main/historical>

The Palmer Drought Severity Index (PDSI) utilizes temperature and precipitation data to estimate relative soil moisture conditions and serve as an indicator of long-term drought conditions. The index ranges from -5 to +5 indicating dry and wet conditions, respectively. PDSI values are reported on a monthly basis. Exhibit 5 shows historic PDSI values for the month of August from 1895 to 2023 for St. Louis County, which indicates an increase of 0.14 per decade. Generally, the PSDI historical data indicates that the region is experiencing a wetter climate.

Exhibit 5: Historical PDSI Values for St. Louis County (1895 – 2023)



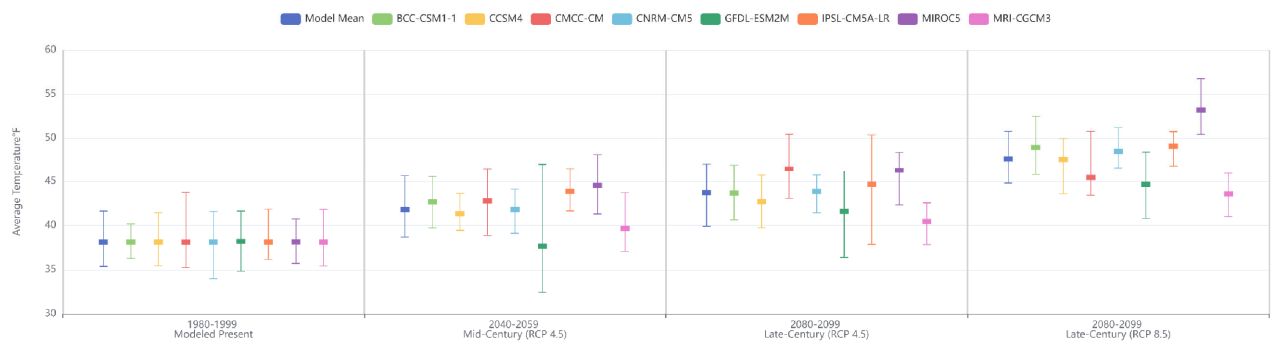
Source: Minnesota Department of Natural Resources.

<https://arcgis.dnr.state.mn.us/ewr/climateexplorer/main/historical>

Projected climate trends indicate that temperatures within the County will continue to increase. Exhibit 6 illustrates projected temperatures for the County. Several climate models are shown in the projected temperature analysis. The model mean, shown in blue, illustrates the average of all models included in the analysis. Exhibit 6 shows the modeled present condition, mid-century (2040-2059) at Representative Concentration Pathway (RCP) 4.5, late-century (2080-2099) at RCP 4.5, and late-century (2080-2099) at RCP 8.5. RCP is a greenhouse gas concentration scenario used by the Intergovernmental Panel on Climate Change in the fifth assessment report. RCP 4.5 is an intermediate scenario in which emissions decline after peaking around 2040 and RCP 8.5 represents a worst-case scenario in which emissions continue rising through the 21st century.

Under the RCP 4.5 scenario, the annual temperature is anticipated to increase within the County from a modeled present mean of 38.2°F (1980-1999) to a mid-century (2040-2059) model mean of 41.8°F and a late-century (2080-2099) model mean of 43.7°F. Under the RCP 8.5 worst-case scenario, the County would experience a late-century (2080-2099) model mean temperature of 47.6°F.

Exhibit 6: Projected Temperatures in St. Louis County



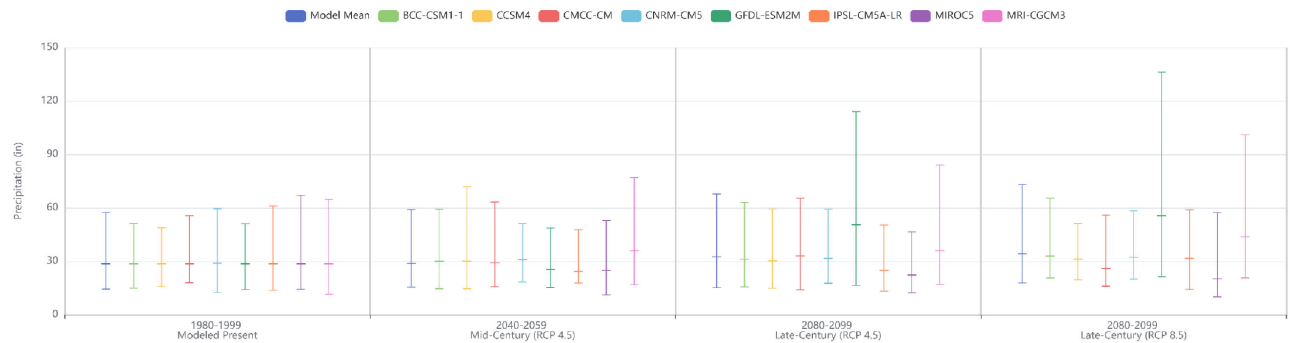
Source: Minnesota Department of Natural Resources.

<https://arcgis.dnr.state.mn.us/ewr/climateexplorer/main/historical>

Exhibit 7 presents projected average annual precipitation for St. Louis County. Under the RCP 4.5 scenario, the annual precipitation is anticipated to increase within the County from a modeled present

mean of 38.2 inches (1980-1999) to a mid-century (2040-2059) model mean of 41.8 inches and a late-century (2080-2099) model mean of 43.7 inches. Under the RCP 8.5 worst-case scenario, the County would experience a late-century (2080-2099) model mean precipitation of 47.6 inches. In comparison to the modeled present mean (1980-1999), the late-century (2080-2099) modeled mean annual precipitation would increase by approximately 5.5 percent under the RCP 4.5 scenario and increase by approximately 9.4 percent under the RCP 8.5 scenario.

Exhibit 7: Projected Precipitation in St. Louis County



Source: Minnesota Department of Natural Resources.
<https://arcgis.dnr.state.mn.us/ewr/climateexplorer/main/historical>

8. Cover Types

Estimate the acreage of the site with each of the following cover types before and after development.

Land cover in the AUAR area was determined based on the National Land Cover Database (NLCD) geospatial data accessed in October 2023. The majority of the AUAR area, 35 acres of the approximately 79.7 acres or 44 percent of the total AUAR area, is classified as grass/shrub. Table 3 summarizes the cover types within the AUAR area. Figure 3, Appendix A illustrates land cover types within the AUAR area.

AUAR Scope

The cover type analysis would be augmented with aerial photographs and other desktop resources as part of the AUAR. Future land cover for both development scenarios would be evaluated in the AUAR. Existing conditions information is included in the following Tables 3 through 5. These tables would be completed for each development scenario as part of the draft AUAR.

Table 2. Cover Types

Cover Types	Before(acres)	After (acres)
Wetlands and shallow lakes (<2 meters deep)	1.31	Future land cover for both development scenarios would be evaluated in the AUAR.
Deep lakes (>2 meters deep)	-	
Wooded/forest	27.2	
Rivers/streams ¹	-	
Brush/grassland	35	
Cropland	-	
Livestock rangeland/pastureland	-	
Lawn/landscaping	-	
Green infrastructure TOTAL (from table below*)	-	

Cover Types	Before(acres)	After (acres)
Impervious surface	15.9	
Stormwater Pond (wet sedimentation basin) ^{2,3}	-	
Other (bare soil)	0.3	
TOTAL	79.7	

Note the following features are not included in the NCLD geospatial data. Further quantification and review of cover types would be completed for the AUAR.

¹ Clarkhouse Creek, while not captured flows across the southern boundary of the AUAR area, south of the broadcast tower. There are approximately 500 feet of the creek within the AUAR area.

² A stormwater pond occurs approximately 0.1 mile south of Central Entrance on the west side of H. Courtney Drive.

³ A stormwater collection area occurs on the eastern portion of the AUAR study area, immediately west of Lake Avenue, that discharges to the storm sewer on Lake Avenue.

Table 3. Green Infrastructure

Green Infrastructure*	Before (acreage)	After (acreage)
Constructed infiltration systems (infiltration basins/infiltration trenches/ rainwater gardens/bioretention areas without underdrains/swales with impermeable check dams)	-	Future land cover for both development scenarios would be evaluated in the AUAR.
Constructed tree trenches and tree boxes	-	
Constructed wetlands	-	
Constructed green roofs	-	
Constructed permeable pavements	-	
Other (describe) Landfill-based geothermal system	-	
TOTAL*	-	

Table 4. Tree Canopy

Trees	Percent	Number
Percent tree canopy removed or number of mature trees removed during development	-	Potential tree removal impacts would be evaluated in the AUAR.
Number of new trees planted	-	

9. 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 5. Permits and Approvals

Unit of Government	Type of Application	Status
Federal		
U.S. Army Corps of Engineers (USACE)	Section 404 Permit	To be submitted, if required
U.S. Fish and Wildlife Service (USFWS)	Section 7 ESA Consultation	To be completed, if required
State		
Minnesota Department of Transportation (MnDOT)	(e.g., Drainage Permit, Right-of-way permit for work within or affecting MnDOT right-of-way)	To be submitted, if required
Minnesota Department of Health (MDH)	Water Main Plan Review	To be submitted, if required
DNR	Temporary Water Appropriation Permit for construction dewatering	To be submitted, if required
DNR	Natural Heritage Information System (NHIS) concurrence	To be submitted, if required
Minnesota Pollution Control Agency (MPCA)	401 Water Quality Certification	To be submitted, if required
MPCA, City of Duluth	National Pollutant Discharge Elimination System (NPDES) MS4 Stormwater Discharge Permit, MS4 Statement of Compliance	To be submitted, if required
MPCA	Construction Site Stormwater Permit	To be submitted, if required
Local		
City of Duluth	Preliminary and Final Plat or a CIC (Common Interest Communities) Plat	To be submitted, if required
City of Duluth	Sign Permits	To be submitted, if required
City of Duluth	Certificate of Occupancy	To be submitted, if required
City of Duluth	Fill Permit	To be submitted, if required
City of Duluth	Erosion and Sediment Control Permits	To be submitted, if required
City of Duluth	Sewer Connection Permits	To be submitted, if required
City of Duluth	Water Connection Permits	To be submitted, if required
City of Duluth	Utility Extension Permits	To be submitted, if required
City of Duluth	Building Permits	To be submitted, if required
City of Duluth	Full Drainage Study	To be submitted, if required
City of Duluth/South St. Louis Soil and Water Conservation District	Wetland Conservation Act (Boundary Approval/Replacement Plan)*	To be submitted, if required

* Not likely to need this since the wetlands are a distance from AUAR area.

Cumulative potential effects may be considered and addressed in response to individual EAW Item Nos. 10-20, or the RGU can address all cumulative potential effects in response to EAW Item No.22. If addressing cumulative effect under individual items, make sure to include information requested in EAW Item No. 21.

10. Land use

a. Describe:

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

The majority of the AUAR area consists of previously developed land. The Central High School building has been removed, however, the parking lot, STC building, the football field, running track, and adjacent storage structure remain. Northwest of the AUAR area, the Duluth School District owns a District Service Center building, Transportation Building, and Facilities Building. Portions of the Duluth Traverse and Central Entrance trails are within and adjacent to the AUAR area. The Duluth Traverse trail connects the AUAR area to Hilltop Park, approximately 0.5 miles southeast of the AUAR area. The AUAR area includes about 27 acres of wooded open space. Figure 5 in Appendix A shows the existing parks, trails and other recreational areas.

North: Central Entrance is directly north of the AUAR area. Several commercial businesses are located along the north side of Central Entrance as well as residential areas and institutional uses, including Marshall School. Central Entrance Trail, a paved multi-use trail facility, runs along the northern boundary of the AUAR area on the south side of Central Entrance from Arlington Avenue/ County State Aid Highway (CSAH) 90 to Village View Drive. This trail provides a connection to businesses along the Central Entrance corridor and intersects the Duluth Traverse trail. The Duluth Traverse, a multi-use trail facility, extends north-south through the AUAR area. The Duluth Traverse connects Chambers Grove Park, approximately 12 miles southwest of the AUAR area, to Lester Park, approximately six miles northeast of the AUAR area.

South: The land south of the AUAR area is an area platted for low-density residential development (Summit Park Division of Duluth). The area is largely undeveloped and heavily wooded. There are a few rural residential properties and several radio towers in the vicinity south of the AUAR area. Clarkhouse Creek and associated wetlands flow near the south AUAR boundary. The Duluth Traverse trail continues south of the AUAR area.

East: There is a medium density residential neighborhood east of the AUAR area which consists mostly of townhomes. Most of this neighborhood (Harbor Highlands) was developed as mixed-income rental housing and is owned by the Duluth Housing and Redevelopment Authority (HRA). These properties offer rental units at market rates, below-market rates, and income-based public housing rental rates. There are supportive community uses in the neighborhood including the Harbor Highlands Community Center (YMCA), Young Minds Learning Center and Highlands Park. South of this development are single-family homes.

West: The land west of the AUAR area consists of a strip of single-family residential homes along Blackman Avenue and a 200-unit apartment building. Additionally, there is a Tru by Hilton Hotel west of the AUAR area adjacent to Central Entrance.

There are no cemeteries or areas of prime or unique farmland within or near the AUAR area.

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.

AUAR Scope

Several plans will be reviewed and summarized in the Draft AUAR. These plans include:

- Imagine Duluth 2035 (City's Comprehensive Plan)
- Essential Spaces – Duluth Parks, Recreation, Open Space & Trails Plan
- Duluth Parks and Recreation Master Plan
- Duluth Trail and Bikeway Plan
- Central Entrance-Miller Hill Small Area Plan
- Highway 194/Central Entrance Corridor Study (ongoing)
- Duluth School District Master Plan – Cunningham Group

Figure 4 in Appendix A shows the Future Land Use Map for the AUAR area from Imagine Duluth 2035, the city's Comprehensive Plan.

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

AUAR Scope

Land within the AUAR area is zoned MU-P (Mixed Use-Planned) and R-1 (Residential – Traditional). Regulations for this district are included in Article 2, Section 50-15.7 and Section 50-14.5, respectively, of the city's zoning code called the Unified Development Chapter (UDC). Additional regulations within the zoning code will apply including the Permitted Uses in Article 3 and Development Standards in Article 4. These sections of the zoning code will be reviewed and critical elements summarized in the Draft AUAR.

Land adjacent to the AUAR area is zoned R-1, R-P, MU-I, MU-N, and MU-C. These zoning districts are regulated by Article 2, Sections 50.14-3, 50-14.7, 50-15.4, 50-15.2, and 50-15.3, as well as the permitted uses and development standards in Articles 3 and 4. These districts will be reviewed for potential conflicts with the MU-P and Development Scenarios. Zoning within and adjacent to the AUAR area is mapped in Figure 8, Appendix A.

iv. *If any critical facilities (i.e. facilities necessary for public health and safety, those storing hazardous materials, or those with housing occupants who may be insufficiently mobile) are proposed in floodplain areas and other areas identified as at risk for localized flooding, describe the risk potential considering changing precipitation and event intensity.*

AUAR Scope

Development Scenario B proposes housing within the AUAR area. At this point there are no areas identified as floodplain or at risk for localized flooding. Should concerns arise regarding flooding within the AUAR area, this section will be addressed.

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

AUAR Scope

This section will analyze the compatibility of development of the AUAR area with neighboring land uses and zoning. The development scenarios will be compared to surrounding areas to determine if the proposed uses are compatible. Related changes and impacts to the AUAR area including land cover, transportation and view sheds will be referenced, but discussed in detail in their respective sections.

c. *Identify measures incorporated into the proposed project to mitigate any potential incompatibility as discussed in Item 10b above and any risk potential.*

AUAR Scope

This section will address any potential mitigation strategies needed to ensure compatibility between the two proposed development scenarios, the existing surrounding areas, and planned land use. Any necessary changes to the Comprehensive Plan could be completed as a Comprehensive Plan Amendment or in a subsequent update of the Comprehensive Plan.

11. 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.***

The surficial geology across the AUAR area has been mapped by the Minnesota Geological Survey's Geologic Atlas of St. Louis County (2022)⁶ as being sediments deposited by ice from the northeast-sourced Superior Lobe. The Superior Lobe advanced from the northeast carrying sediment from the Superior Basin. As the Superior Lobe receded, till was deposited in the AUAR area. The AUAR area appears to consist of a Superior Lobe loamy till and the local well logs indicate the presence of clay from near the surface to the bedrock interface. Based on a review of well log reports available from the Minnesota Department of Health (MDH) Minnesota Well Index (MWI) database, it appears the thickness of the surficial glacial deposits varies from 4 to 24 feet (Unique Well ID Numbers 745808, 754614, and 778106) in the southern portion of the southern portion of the AUAR area. The Geologic Atlas of St. Louis County indicates the depth to bedrock in the AUAR area is less than 50 feet. It is anticipated the depth to bedrock within the AUAR area would be less than 50 feet and may be encountered during construction. Appendix C includes the MDH Well Log Reports.

The bedrock geology across the proposed AUAR area has been mapped by the Minnesota Geological Survey's Geologic Atlas of St. Louis County (2022) and the bedrock units mapped include Mesoproterozoic age igneous rocks from the Midcontinent Rift Intrusive Supersuite and the Keweenaw Supergroup (Figure 6). The components of the North Shore Volcanic Group identified within the Keweenaw Supergroup include undifferentiated basalt to basaltic andesite flows and icelandite. The component of the Duluth Complex within the Midcontinent Rift Intrusive Supersuite is a portion of the Anorthositic Series, which can contain anorthosite, troctolitic anorthosite, olivine gabbroic anorthosite, leucogabbro, and leucotroctolite. The components of the Midcontinent Rift Intrusive Supersuite found include intrusions of ferromonzodiorite to granophyre and porphyritic ophitic olivine leucogabbro.

The igneous bedrock formations in the AUAR area are not susceptible to the formation of karst features.

AUAR Scope

The AUAR will discuss construction in shallow bedrock at the AUAR area and the potential need for blasting and identify appropriate mitigation measures as needed.

- 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.***

⁶ Geologic Atlas of St. Louis County, Minnesota, C-51, Bauer, E.J.; Jirsa, M.A.; Block, A.R.; Boerboom, T.J.; Chandler, V.M.; Peterson, D.M.; Wagner, K.G.; McDonald, J.M.; Dengler, E.L.; Meyer, G.N.; Hamilton, J.D. (Minnesota Geological Survey, 2022). Retrieved from the University of Minnesota Digital Conservancy, <https://conservancy.umn.edu/handle/11299/254417>.

Erosion/sedimentation control related to stormwater runoff should be addressed in response to Item 12.b.ii.

Table 6 below describes the 2023 United States Department of Agriculture (USDA) Soil Survey Geographic Database (SSURGO) soil map units within the AUAR area⁷. Based on the SSURGO soils data, the AUAR area soils are expected to have shallow bedrock and large areas of disturbance related to previous development. The majority of the AUAR area (96 percent) is mapped as some mix of Urban Land, Rock Outcrop, Mesaba soil, and Barto soil. The “Urban Land” designation is used to indicate areas of urban development and disturbance. These areas are highly altered from their natural condition and typically feature soils impacted by cutting, grading, filling, compaction, and impervious cover. Rock Outcrop areas feature surficial (at or near surface) bedrock with little or no soil cover. Mesaba and Barto are glacial till soils formed in bedrock-controlled surfaces and feature approximately 12 to 30 inches of gravelly sandy loam or gravelly loam over bedrock.

Shallow bedrock, disturbed soils, gravelly soils, and steep slopes create risks for water erosion, sloughing, and overall soil stability. Area soils are expected to be significantly disturbed with potentially high gravel content and shallow bedrock. The AUAR area is situated on the summit and sideslopes of a glacially-derived hill feature. Much of the summit and portions of the side slopes have been graded for previous school facility development. Slopes exceed 40 percent in some areas. Well construction logs, cited in Section 11a, found bedrock within four to 24 feet of the surface near the southern base of the hill. Bedrock depth is likely shallower on the slopes and summit. Runoff rates may be high on steep slopes, previously disturbed areas, and areas of very shallow or exposed bedrock.

The majority of soils throughout the AUAR area have undergone past development, with most areas having received past cut-fill, grading and impervious surfaces which likely altered the characteristics beyond what can be interpreted from the SSURGO data. Non-disturbed areas of the AUAR area appear to have other limitations based on soil wetness, shallow bedrock, or other factors.

Table 6. USDA Soil Map Units Within the AUAR Area (also see Figure 7, Appendix A)

Map Unit Symbol	Map Unit Name	Hydrologic Group	Wind Erodibility Group	Kf (Water Erodibility factor)	Acres Within AUAR Area	Pct of AUAR Area
F163D	Urban land-Mesaba-Rock outcrop complex, 1 to 18 percent slopes	No rating	No rating	0.36	41.45	52
F160F	Rock outcrop-Mesaba-Barto complex, 18 to 60 percent slopes	No rating	No rating	0.40	34.96	44
F137B	Normanna-Canosia-Hermantown complex, 0 to 8 percent slopes	B/D	5	0.43	1.81	2
F143A	Giese muck, depressional, 0 to 1 percent slopes	C/D	5	0.47	1.50	2
TOTAL					79.72	100.0

The hydrologic soil groups are:

- **Group A:** Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Group B:** Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly

⁷ 2023 Soil Survey Geographic Database. Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Accessed October 2023 via ESRI ArcGIS Online services.

of moderately deep or deep, moderately well drained, or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

- **Group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Group D:** Soils having a very slow infiltration rate (high runoff potential). These consist chiefly of soils with high clay content, soils that have a high-water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.
- **Dual Groups:** Dual Group designations (A/D, B/D, or C/D) are used to indicate naturally wet soils that belong to Group D due to a high water table but would meet the drainage class or textural criteria for Group A, B, or C if drained. Dual Group soils should be treated as Group D soils in the absence of effective artificial drainage.

The soil erodibility factors are:

- **Wind Erodibility Group:** Soils are assigned a Wind Erodibility Group (WEG) rating based on their inherent vulnerability to soil particle detachment from wind forces. Values range from 1 (most erodible) to 8 (least erodible).
- **Water Erodibility Factor (Kf):** The Soil Erodibility Factor (Kf or “rock free”) is a unitless quantitative description of the inherent vulnerability of a soil to water erosion. It provides a measurement of soil particles’ susceptibility to detachment from rain drops or surface runoff. Values range from 0.02 (least erodible) to 0.69 (most erodible). Other factors being equal, the higher the value, the more susceptible the soil is to sheet and rill erosion by water.

AUAR Scope

The AUAR will address the factors above and identify measures to mitigate soil stability and soil loss concerns.

12. 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, shoreland classification and floodway/floodplain, trout stream/lake, wildlife lakes, migratory waterfowl feeding/resting lake, and outstanding resource value water. Include the presence of aquatic invasive species and the 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.*

Surface Waters

A review of DNR geospatial data determined that there are no lakes, state designated trout streams

or lakes⁸, wildlife lakes⁹, migratory waterfowl feeding/resting lakes¹⁰, or lakes of biological significance¹¹ within the AUAR area.

The City of Duluth Streams data set indicates that Clarkhouse Creek is located along the southern boundary of the AUAR area and flows east. Additionally, Brewery Creek is located north of the AUAR area and crosses the northwest corner of the AUAR area at the intersection of H. Courtney Drive and Central Entrance. Figure 10, Appendix A identifies surface waters in the vicinity of the AUAR area. Lake Superior, classified as a lake of outstanding biological significance, is located one mile southeast of the AUAR area.

DNR Public Waters

According to the DNR National Wetland Inventory (NWI) Wetland Finder¹² and geospatial data, no DNR Public Waters or Watercourses are located within the AUAR area.

Two DNR Public Waters and three DNR Public Watercourses are located within a mile of the AUAR area. Lake Superior, Public Water No. 69129101, is located approximately one mile southeast of the AUAR area, and Public Water Basin No. 69096702 is located approximately one mile to the south.

Buckingham Creek (S-002-000.5) and an unnamed creek tributary (S-002-000.5-002) are located approximately 0.7 miles southwest; Coffee Creek (S-002-000.7-002) and its small tributary (S-002-000.7.004) are located approximately 0.8 miles west; West Branch Chester Creek (S-003-010) is located approximately one mile northwest; and an unnamed tributary (S-003-006) of Chester Creek is located 0.8 miles northeast of the AUAR area. Figure 10, Appendix A identifies DNR Public Waters within and in close proximity to the AUAR area.

Wetland Resources

The DNR National Wetland Inventory (NWI) geospatial data identifies a NWI wetland within the AUAR area. The wetland is comprised of a freshwater shrub-scrub (PSS1D) and freshwater emergent (PEM1D) wetland within one wetland complex, located in the southwestern corner of the AUAR area (Figure 11, Appendix A).

A wetland delineation (Figure 11, Appendix A) was conducted in June 2021 by WSP USA, Inc. and covered the majority of the AUAR area. A portion of the AUAR area not delineated at that time was the southcentral portion of the AUAR area around the broadcast towers. The 2021 delineation identified three wetlands: a Type 6 alder thicket wetland in the southwestern corner that corresponds with the shrub-scrub NWI wetlands; a Type 6 shrub-scrub wetland located in the southeastern corner of the AUAR area; and a Type 2 fresh meadow wetland located midway along the eastern AUAR boundary. Figure 11, Appendix A identifies wetland features within and in the vicinity of the AUAR area.

MPCA 303d Impaired Waters List

A review of the MPCA's 2022 Impaired Waters List¹³ identified no impaired waters within the AUAR area. Lake Superior, Assessment Unit Identification (AUID) 16-0001-00, is located approximately one mile southeast of the AUAR area and is impaired for aquatic consumption due to the presence of mercury (Hg) and polychlorinated biphenyls (PCB) in fish tissue (Figure 10, Appendix A). No Total

⁸ DNR. 2020. State Designated Trout Streams, Minnesota. Available at: <https://gisdata.mn.gov/dataset/env-trout-stream-designations>. Accessed October 2023.

⁹ DNR. 2016. Designated Wildlife Lakes. Available at: <https://gisdata.mn.gov/dataset/env-designated-wildlife-lakes>. Accessed October 2023.

¹⁰ DNR. 2016. Migratory Waterfowl Feeding and Resting Areas. Available at: <https://gisdata.mn.gov/dataset/env-migratory-waterfowl-areas>. Accessed October 2023.

¹¹ DNR. 2020. Lakes of Biological Significance. Available at: <https://gisdata.mn.gov/dataset/env-lakes-of-biological-significance>. Accessed October 2023.

¹² DNR. 2022. NWI Wetland Finder. Available at: <https://arcgis.dnr.state.mn.us/ewr/wetlandfinder/>. Accessed October 2023.

¹³ MPCA. 2022. Impaired Waters Viewer (IWAV). Available at: <https://mpca.maps.arcgis.com/apps/webappviewer/index.html?id=fcfc5a12d2fd4b16bc95bb535d09ae82>. Accessed October 2023.

Maximum Daily Load (TMDL) has been established for Lake Superior. Several aquatic invasive species (AIS) have been identified in Lake Superior and the St. Louis River (Lake Superior's largest tributary) including Eurasian watermilfoil, New Zealand mudsnail, round goby, ruffe, spiny waterflea, viral hemorrhagic septicemia (VHS), white perch and zebra mussels.¹⁴ No other impaired waters were located within one mile of the AUAR area.

Floodway/Floodplain

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel 2704210025C generated through the National Flood Hazard Layer (NFHL) mapping tool¹⁵ indicates that the majority of the AUAR area is within Zone C, or an area of minimal flood hazard. A small area in the northwest corner of the AUAR area, covering the roadway of the main entrance to the AUAR area at intersection of H. Courtney Drive and Central Entrance, is within the regulated 500-year floodplain (0.2% annual chance of flooding) and floodway associated with Brewery Creek (Figure 10, Appendix A). A second area starting in the southwestern corner and running along the southern boundary of the AUAR area is located within a regulated 100- and 500-year floodplains (1 percent and 0.2 percent annual chance of flooding) and floodway associated with Clarkhouse Creek and is located near the western entrance to the AUAR area. Appendix B provides the FEMA FIRM for the AUAR area. The AUAR area is located on a hill and averages approximately 650-700 feet above the elevation of Lake Superior.

St. Louis County and FEMA are in the process of updating the FIRMs. Preliminary FIRMs have been prepared and are currently published for public review and comment. Once all comments and appeals have been addressed, the preliminary FIRMs will be adopted by FEMA and become effective, which is anticipated in 2024. Figure 10, Appendix A shows the preliminary FEMA regulated flood hazards areas.

AUAR Scope

As part of the Draft AUAR, further analysis of the identified water resources will be conducted as needed. Avoidance, minimization, and mitigation strategies will also be identified to address potential impacts to the identified water resources.

- 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.**

A review of the Minnesota Well Index database¹⁶ for the AUAR area identified no domestic water wells within the AUAR area. The only record within the AUAR area is a record for an environmental borehole (Unique Well ID No. 340357) and is completed within undifferentiated Quaternary-aged silt, sand, and gravel at a surface elevation of 1,243 feet above mean sea level (amsl). Table 7 identifies verified wells within the AUAR area. Figure 9, Appendix A identifies documented wells within and in the vicinity of the AUAR area.

Table 7. Verified Wells Within the Project Area

Well ID	Use Type	Location within Project Area	Depth (ft.)
340357	Environmental Borehole	South	20

¹⁴ St. Louis County. 2023. County Land Explorer GIS Map. Available at: <https://gis.stlouiscountymn.gov/landexplorer/xplorer> (stlouiscountymn.gov). Accessed October 2023.

¹⁵ FEMA. 2021. National Flood Hazard Layer FIRMette. Available at: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. Accessed October 2023.

¹⁶ Minnesota Well Index, Minnesota Department of Health, Version 2.1.2. Accessed October 2023. <https://mnwellindex.web.health.state.mn.us/>.

The Minnesota Well Index database was reviewed for the adjacent properties to a one-quarter mile radius from the AUAR area property boundaries and identified four domestic bedrock water wells and one monitor well. The domestic water wells identified within the one-quarter mile radius are included in Table 9. The domestic water wells are completed in rock formations of the Midcontinent Rift Intrusive Supersuite ranging from 1,196 to 1,299 feet amsl, with static water elevations between 1,212 and 1,269 feet amsl. The monitor well identified within one-quarter mile radius is also included in Table 8.

Table 8. Verified Wells Adjacent to the Project Area

Well ID	Use Type	Location from Project Area	Depth (ft.)	Depth to Groundwater (ft.)
778106	Domestic	South	405	Not Reported
745808	Domestic	West	189	23
754614	Domestic	South	264	36
835884	Domestic	West	340	30
821830	Monitor Well	Northwest	17.5	10.5

The AUAR area is not located within a Drinking Water Supply Management Area (DWSMA) or Wellhead Protection Area (WPA).

AUAR Scope

The AUAR will address the potential of the development scenarios to impact groundwater resources.

- 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. If septic systems are part of the project, describe the availability of septage disposal options within the region to handle the ongoing amounts generated as a result of the project. Consider the effects of current Minnesota climate trends and anticipated changes in rainfall frequency, intensity and amount with this discussion.**
 - 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, taking into consideration how current Minnesota climate trends and anticipated climate change in the general location of the project may influence the effects.**

AUAR Scope

It is anticipated that proposed development within the AUAR area would connect to the City's sanitary sewer service system. The AUAR area would not be allowed to utilize SSTS, per City of Duluth ordinance, disallowing SSTS in areas served by municipal sewer.

The AUAR will discuss projected wastewater flows and loads generated by the development

scenarios. The AUAR will describe any new wastewater collection and/or treatment infrastructure planned for the area. Mitigation strategies included in the AUAR will describe mitigation required for the sanitary sewer system.

- ii. Stormwater - Describe changes in surface hydrology resulting from change of land cover. Describe the routes and receiving water bodies for runoff from the project site (major downstream water bodies as well as the immediate receiving waters). Discuss environmental effects from stormwater discharges on receiving waters post construction including how the project will affect runoff volume, discharge rate and change in pollutants. Consider the effects of current Minnesota climate trends and anticipated changes in rainfall frequency, intensity and amount with this discussion. For projects requiring NPDES/SDS Construction Stormwater permit coverage, state the total number of acres that will be disturbed by the project and describe the stormwater pollution prevention plan (SWPPP), including specific best management practices to address soil erosion and sedimentation during and after project construction. Discuss permanent stormwater management plans, including methods of achieving volume reduction to restore or maintain the natural hydrology of the site using green infrastructure practices or other stormwater management practices. Identify any receiving waters that have construction-related water impairments or are classified as special as defined in the Construction Stormwater permit. Describe additional requirements for special and/or impaired waters.**

Existing Conditions

Currently, stormwater in the proposed AUAR area drains to two City of Duluth Streams, Clarkhouse Creek and Brewery Creek. Two stormwater collection areas are denoted in Table 2. The AUAR area is roughly bisected in half from northwest to southeast. The southern portion of the AUAR area drains southeast to Clarkhouse Creek and the north portion drains northeast to Brewery Creek. Figure 10, Appendix A provides an overview of the AUAR area, water resources and drainage patterns.

Proposed Conditions

Proposed conditions include a change in land use from institutional and brush/grassland to a business park or mixed use land use as described in Item 6. It is anticipated that stormwater management would be needed to meet temporary and permanent volume, rate control and water quality requirements associated with local (City) and State [National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Construction Stormwater permit] stormwater requirements, including updates to any of the existing Best Management Practices (BMPs). Stormwater modeling would be conducted to determine the requirements and the BMP sizing to meet those requirements. As part of the modeling process, opportunities to incorporate climate change and resiliency would be performed. Additionally, the South Saint Louis Soil and Water Conservation District (SWCD) is developing their One Watershed One Plan, which may include goals the AUAR should consider when developing.

Note: Buckingham Creek, has been identified as a trout stream within one mile of the AUAR area; however, assuming existing drainage patterns are maintained, it is not expected the AUAR area would drain to Buckingham Creek, and therefore no additional requirements would need to be met.

AUAR Scope

The Draft AUAR will explore opportunities for innovative natural resource-based stormwater management and alignment with the City and SWCD plans. Potential BMP locations will be identified, and construction site stormwater management (e.g., erosion and sediment control) will also be addressed, including BMPs requirements associated with local and state requirements as noted above.

- 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. Discuss how the proposed water use is resilient in the event of changes in total precipitation, large precipitation events, drought, increased temperatures, variable surface water flows and elevations, and longer growing seasons. Identify any measures to avoid, minimize, or mitigate environmental effects from the water appropriation. Describe contingency plans should the appropriation volume increase beyond infrastructure capacity or water supply for the project diminish in quantity or quality, such as reuse of water, connections with another water source, or emergency connections.**

There are no wells in the AUAR area as described in Item 12.a.ii. The AUAR area is connected to municipal water services. The Lakewood Water Treatment Plant provides city water with Lake Superior serving as the source for the city water. Projected water demands for the area would be utilized in planning additional distribution infrastructure. Any new distribution infrastructure would be constructed in accordance with the City of Duluth's current Water Master Plan or Comprehensive Plan and according to the City's Engineering Guidelines.

AUAR Scope

Projected water demands for the development scenarios and the capacity of the City's water system would be further evaluated and addressed in the Draft AUAR. The AUAR would include a discussion of the influence of climate change and resiliency of the water use associated with the development scenarios.

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, taking into consideration how current Minnesota climate trends and anticipated climate change in the general location of the project may influence the effects. 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.**

Impacts to wetlands are regulated by the Minnesota Wetland Conservation Act (WCA) and the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act. The City of Duluth is the WCA local governmental unit (LGU) for the AUAR area. If wetland impacts associated with future development of the AUAR area are unavoidable a wetland replacement plan will be required. The developer would be required to demonstrate avoidance and minimization of wetland impacts to the greatest practicable extent. The USACE, LGU, and other appropriate stakeholders would be consulted during this process. The AUAR area is located within Bank Service Area (BSA) 1. Purchase of wetland bank credits would be used to provide mitigation for any impacted wetlands.

AUAR Scope

The Draft AUAR will identify and quantify anticipated impacts to wetlands within the AUAR area resulting from the development scenarios. Mitigation strategies will identify measures

for avoidance, minimization, and mitigation for potential wetland impacts in accordance with local, state, and federal regulations.

- 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, taking into consideration how current Minnesota climate trends and anticipated climate change in the general location of the project may influence the effects. 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.**

AUAR Scope

As part of the Draft AUAR, potential impacts to surface waters resulting from the development scenarios will be quantified and measures to avoid, minimize, or mitigate impacts will be identified. BMPs will be proposed that are consistent with the requirements of the local and state regulations. The AUAR will include a discussion of the potential for climate change to influence the impacts of the development scenarios.

13. 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 MPCA's What's In My Neighborhood (WIMN) online database was used to identify potentially contaminated sites within the AUAR area and within one-half mile of the AUAR area.¹⁷ One site was identified within the AUAR area and 51 were identified with one-half mile of the AUAR area. These sites are identified in Table 9 and Figure 12, Appendix A. A review of the Minnesota Department of Agriculture (MDA) WIMN database did not identify any sites within the AUAR area or within one-half mile of the AUAR area.

Table 9. MPCA WIMN Database Inquiry Results

Site ID	Site Name	MPCA Program	Status
Within the AUAR area			
12549	ISD 709 Central High School	<ul style="list-style-type: none"> • Hazardous Waste • Petroleum Remediation (2) • Underground Tanks 	Active Inactive Active
Within One-Half Mile of the AUAR area			
250591	DSC/Transportation Buildings	• Construction Stormwater	Active
257104	Independent School District 709	• Construction Stormwater	Active
28037	ISD 709 Secondary Campus	• Hazardous Waste	Inactive

¹⁷ MPCA. *What's In My Neighborhood*. Accessed October 2023. <https://www.pca.state.mn.us/about-mpca/whats-in-my-neighborhood>

Site ID	Site Name	MPCA Program	Status
Within One-Half Mile of the AUAR area			
214756	Planned Parenthood – Duluth	• Hazardous Waste	Active
22640	Daniel J Loban DDS PA	• Hazardous Waste	Inactive
23093	Duluth Ready Mix Concrete Inc	• Hazardous Waste	Inactive
139395	Falks Pharmacies – Nursing	• Hazardous Waste	Active
25053	Dougherty Veterinary Clinic	• Hazardous Waste	Active
103341	Central High School Entrance Rd	• Construction Stormwater	Inactive
60647	Central High School Athletic Facilities	• Construction Stormwater	Inactive
225345	Tru by Hilton	• Construction Stormwater	Active
253411	Windwood Townhomes	• Construction Stormwater • Wastewater	Active
26021	Marshall School	• Hazardous Waste • Petroleum Remediation • Underground Tanks	Active Inactive Active
113450	Superior View Condominiums	• Underground Tanks	Active
186181	Superior Vista Condominiums	• Petroleum Remediation	Inactive
145168	Minnesota State Patrol - District 2700	• Hazardous Waste	Inactive
113155	Mn Dept Of Transportation	• Petroleum Remediation (3) • Aboveground Tanks • Underground Tanks	Inactive Active Active
255745	Skyridge Flats Senior Housing	• Construction Stormwater	Active
200765	First United Methodist Church	• Petroleum Remediation	Inactive
125804	Harbor Highlands Hope VI Revitalization	• Construction Stormwater	Active
253432	Arris Duluth	• Construction Stormwater	Active
190255	Ahlin Residence	• Petroleum Remediation	Inactive
23551	Exhaust Pros – Duluth	• Hazardous Waste • Brownfields • Petroleum Remediation (2) • Underground Tanks	Active Inactive Inactive/Active Inactive
196139	Dr. Maryland Office Building Property	• Brownfields	Inactive
24187	Vacant Lots	• Hazardous Waste	Inactive
23632	Gold Crown Service – Duluth	• Hazardous Waste	Inactive
112268	Formerly Central Cyles	• Petroleum Remediation • Underground Tanks	Inactive Inactive
108306	Vacant Lot	• Underground Tanks	Inactive
27507	First Photo – 326	• Hazardous Waste	Inactive
Within One-Half Mile of the AUAR area			
14412	Family Dollar Store 11002	• Hazardous Waste	Inactive
13647	Northtown Motors	• Hazardous Waste • Petroleum Remediation (2)	Inactive Inactive
94606	Checker Auto Parts 1878	• Hazardous Waste	Inactive
23636	All Tune & Lube – Duluth	• Hazardous Waste	Inactive
26453	Goodyear Tire & Gemini Automotive	• Hazardous Waste • Petroleum Remediation	Inactive Inactive
117438	Hayes Subaru	• Petroleum Remediation (2) • Aboveground Tanks • Underground Tanks	Inactive Active Active
23088	Duluth Heights Dental Office – 303	• Hazardous Waste	Inactive
107408	Central Entrance Ico	• Petroleum Remediation	Inactive

Site ID	Site Name	MPCA Program	Status
		• Underground Tanks	Inactive
110255	AutoZone 3793	• Hazardous Waste • Petroleum Remediation	Active Inactive
25658	Highland Chateau	• Hazardous Waste • Underground Tanks	Inactive Active
145577	Solvay House	• Hazardous Waste	Active
251472	Essentia Health Amberwing	• Hazardous Waste	Active
139811	Amberwing Development	• Construction Stormwater	Inactive
36137	Atow Truck Auto Service	• Hazardous Waste	Inactive
148048	Central Entrance Short Stop	• Underground Tanks	Active
190695	Como Oil Co	• Petroleum Remediation	Inactive
157504	Residence - 24 & 30 E 9th St	• Hazardous Waste	Inactive
157322	Residence	• Hazardous Waste	Inactive
191525	Sam Stone Residence	• Petroleum Remediation	Inactive
24186	V Baker Trucking Inc	• Hazardous Waste	Inactive
26809	JS Print Group	• Hazardous Waste • Brownfields	Active Inactive
253998	Rush Property	• Petroleum Remediation	Active

Available historical documents associated with the AUAR area were reviewed including a General Excavation Report dated March 6, 2023 and an MPCA Petroleum Tank Release Site File Closure letter dated March 27, 2023 prepared for the school district. The General Excavation Report indicates a 6,000-gallon fuel oil underground storage tank (UST) was removed from the AUAR area on November 29, 2022. During removal, the 6,000-gallon tank appeared to have been installed with a former 30,000-gallon fuel oil UST which was also removed on November 29, 2022. The former tank basin was located along the northwest side of the former high school building on the northwest portion of the AUAR area. Two base soil samples were collected from soils beneath the 30,000-gallon UST, and excavated soils were placed back into the basin. Analytical results from the two base soil samples identified diesel range organics (DRO) at concentrations of 56.4 and 1,010 milligrams per kilogram (mg/kg). Petroleum contaminated soils within the former tank basin were removed in January and February 2023 with approximately 1,050 cubic yards of impacted soil hauled off-site for disposal at the approved landfill. The final extent of excavation was approximately 100 feet in length, 40 feet wide, and 30 feet deep with bedrock at the base of the excavation. One of the nine confirmation soil samples collected from the final excavation had a DRO concentration of 11.1 mg/kg with no other detections above laboratory reporting limits.

Following review of the General Excavation Report, the MPCA issued regulatory closure status associated with the Leak Site investigation associated with the petroleum release associated with the removal of the 6,000-gallon and 30,000-gallon USTs, MPCA Site ID: LS0021939.

AUAR Scope

As part of the Draft AUAR, further review of available desktop resources will be conducted including the MPCA Institutional Controls Interactive (IC) online maps and the MPCA Petroleum Remediation Program (PRP) online maps. The potential to encounter contamination and hazardous materials during site demolition and construction activities will be evaluated. Mitigation strategies consistent with state and federal laws will be developed for the Draft AUAR.

- 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 solidwaste including source reduction and recycling.***

The Draft AUAR will identify potential project related generation and storage of solid wastes as well as requirements for storing and disposing of the materials in accordance with state and federal laws.

- 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 new above or below ground tanks to store petroleum or other materials. Indicate the number, location, size and age of existing tanks on the property that the project will use. 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 Draft AUAR will identify potential project related use and storage of hazardous materials as well as requirements for using and storing materials in accordance with state and federal laws.

- 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***

The Draft AUAR will identify potential project related generation and storage of hazardous wastes as well as requirements for generating and storing materials in accordance with state and federal laws.

14. 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 land cover within the AUAR area was reviewed and is described in Item 8 (Cover Types). Lands classified as grass/shrubland, that is transitional from wild land to manicured lands and urban lands (roads, buildings), are the predominant land cover types within the AUAR area, comprising approximately 51 acres or 64 percent of the total AUAR area. As discussed in Item 10 (Land Use), wooded areas are present. Figure 3, Appendix A illustrates land cover types within the AUAR area based on geospatial data. Table 3 in Item 6 (Project Description) details land cover types identified within the AUAR area.

Wetlands are rare within the AUAR area and comprise less than two acres of land. These areas could provide limited foraging or roaming habitat for a variety of urban wildlife species, including squirrels, rabbits, deer, coyotes, foxes, passerine birds, raptors, and other small mammals. Minor water features (e.g., intermittent water collection features, recognized as rain puddles or similar) could provide limited habitat for aquatic species such as turtles, fish, frogs, and toads within the AUAR area. It is anticipated that there is limited habitat for fish or wildlife. Limited habitat resources are present within the AUAR area due to the isolation of habitat and extent of past disturbance from development.

- b. *Describe rare features state-listed (endangered, threatened or special concern) species, native plant communities, Minnesota 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 (MCE) from which the data were obtained and attach the Natural Heritage Review letter from the DNR. Indicate if any additional habitat or species survey work has been conducted within the site and describe the results.***

Under Stantec's Limited License to Use Copyrighted Material (LA 2022-023) related to Rare Features Data, the Minnesota Department of Natural Resources (DNR) Natural Heritage Information System (NHIS) was searched in October 2023 to identify species within a one-mile radius of the AUAR area. The NHIS search did not indicate any records within the proposed expansion site. Records of rare species

were identified within in the one-mile review area. The following species information was gathered from the DNR Rare Species Guide (<https://www.dnr.state.mn.us/rsg/index.html>). A formal NHIS review request was submitted to the DNR through the Minnesota Conservation Explorer system (MCE No. 2023-00835) which has been routed for further review by DNR NHIS staff. Appendix D includes the initial MCE response letter received from the DNR.

Native Plant Communities and Sites of Biodiversity Significance

Based on a review of the DNR MCE portal and NHIS database, no native plant communities are present within one mile of the AUAR area. One Minnesota Biological Survey (MBS) site (Duluth Lakewalk to Lester River) is located approximately one mile southeast of the AUAR area along the Lake Superior shoreline. This MBS site has been determined to be below the minimum biodiversity threshold for statewide significance.

State – Listed Species

The NHIS search did not indicate any records within the AUAR area. Records of two rare species were identified within one mile of the AUAR area:

- Blanding's turtle (*Emydoidea blandingii*) - Threatened
- Lake sturgeon (*Acipenser fulvescens*) – Special Concern

Federally – Listed Species

A review of the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool identified three federally listed species and one candidate for federal listing with the potential to occur within the AUAR area, which are listed below. Appendix D includes the species lists generated through the USFWS IPaC review tool.

- Northern long-eared bat (*Myotis septentrionalis*) – Endangered
- Tri-colored bat (*Perimyotis subflavus*) – Proposed Endangered
- Canada lynx (*Lynx canadensis*) – Threatened
- Gray wolf (*Canus lupus*) - Threatened
- Monarch butterfly (*Danaus plexippus*) – Candidate
- Rufa red knot (*Calidris canutus rufa*) – Threatened

Seventeen migratory species have the potential to occur within the AUAR area. Suitable nesting habitat and construction timing will be considered when preparing the Draft AUAR to determine whether the development scenarios may affect nesting migratory Birds of Conservation Concern (BCC) in accordance with the Migratory Bird Treaty Act.

- c. ***Discuss how the identified fish, wildlife, plant communities, rare features and ecosystems may be affected by the project including how current Minnesota climate trends and anticipated climate change in the general location of the project may influence the effects. 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.***

A comprehensive desktop assessment (i.e., using aerial photographs, tree species inventory, and publicly available information) will be completed to evaluate the potential for the development scenarios to impact fish, wildlife, plant communities, threatened and endangered species, rare features and ecosystems. In addition, the Draft AUAR will determine the acreage of natural communities or special ecosystems, based on state or local designations, to be disturbed as a result of the development scenarios.

The Draft AUAR will identify habitat requirements for the NLEB, tricolored bat, Canada lynx, gray wolf, monarch butterfly, and rufa red knot. The Draft AUAR will assess potential impacts to these species and determine if suitable habitat for these species would be potentially removed or disturbed by development

within the AUAR area. The Draft AUAR will also discuss how climate trends may influence the effects of future development on these species.

Construction activities that involve soil disturbance can result in the introduction and spread of invasive species. The Draft AUAR will identify permit requirements related to noxious weeds and invasive species management and will provide a discussion of recommended BMPs during construction and operation.

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

Potential impacts to wetlands within the AUAR area will be examined as part of the Draft AUAR to determine whether the Blanding's turtle or other aquatic species may be impacted. Mitigation strategies included in the Draft AUAR will include measures to avoid, minimize, or mitigate potential impacts as applicable.

Based upon aerial imagery, potential wooded summer habitat for the NLEB and tricolored bats likely exists within the AUAR area. However, more information on potential tree clearing requirements and other activities within the AUAR area will be needed to assess impacts. Potential impacts to bat habitat, the presence or absence of white-nose syndrome (WNS), and the proximity to any known maternity roost trees or hibernacula will be further examined as part of the Draft AUAR to determine whether the NLEB and tricolored bat have the potential to be impacted by the development scenarios. Potential avoidance and minimization measures will be recommended to reach a determination of no effect for the NLEB, such as clearing trees outside of the active season (April 1 to October 31), if required.

The Draft AUAR will develop a mitigation strategy for the Canada lynx and gray wolf that may include USFWS consultation based on the anticipated impacts and current USFWS regulations. Forested habitat exists within the Project for these species. However, the abundance of residential housing, commercial businesses and roads surrounding the Project would limit use by either of these species since road density and human use reduces habitat suitability.

A review of land cover and aerial imagery suggests that beach or wetland habitat to support the migratory use by the rufa red knot is not present in the AUAR area. Likewise, the same review of land cover and aerial imagery suggests that native prairie or grassland to support the life cycle of the monarch butterfly is not present in the AUAR area. Further information will be reviewed during preparation of the Draft AUAR to determine the potential for the development scenarios to affect these species and identify avoidance, minimization, and mitigation strategies as applicable.

15. 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.

The Draft AUAR would include a review of the Minnesota State Historic Preservation Office's (SHPO) cultural resources inventory database for the AUAR area and a one-mile buffer indicating both historic structures and archaeological sites to determine if there are historic properties that would potentially be affected by development within the AUAR area. Anticipated impacts to identified historic resources would be evaluated and mitigation measures would be identified to avoid and minimize impacts during construction of future development projects in the AUAR area.

16. 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.

AUAR Scope

The analysis in the Draft AUAR will focus on views of the AUAR area from surrounding properties and scenic views from the AUAR area. The AUAR area is largely previously developed, now undeveloped, land. There are residential properties to the south, east and west which may be impacted by redevelopment of the AUAR area. The property is on a hill and has views of Lake Superior. Properties uphill from the site may be impacted and analysis of these views and mitigation will be included in the Draft AUAR.

Visual effects of land use within the AUAR area will be identified in the Draft AUAR for both Development Scenario A and Development Scenario B. Scenario A includes light industrial/warehouse distribution uses which may impact views of the AUAR area from surrounding properties. Scenario B would include up to 7 - story residential buildings, which could impact scenic views of Lake Superior for properties uphill. Analysis will be conducted to determine the impact. Mitigation measures may include recommendations for landscape screening, adjustment of lighting and others determined by the analysis.

17. 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. 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.***

In accordance with the EQB's AUAR guidance document¹⁸, this item is not applicable to an AUAR as any stationary air emission sources large enough to merit environmental review would require individual review.

AUAR Scope

The Draft AUAR will include a qualitative discussion of potential sources of low-level air emissions typically associated with the development scenarios.

- 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.***

Motorized vehicles affect air quality by emitting air borne pollutants. The changes in traffic volumes, travel patterns, and roadway locations for either development scenario may affect air quality by changing the number of vehicles and the congestion levels in the AUAR area. It is not anticipated that the development scenarios would include transportation improvement projects that would be considered regionally significant per 40 CFR Part 93.

Criteria pollutants identified by the U.S. Environmental Protection Agency (EPA) are ozone, particulate matter (PM), carbon monoxide (CO), nitrogen dioxide (NO₂), lead, and sulfur dioxide (SO₂). In Minnesota,

¹⁸ EQB. Alternative Urban Areawide Review Documents: Recommended Content and Format. Updated September 2008. <https://www.eqb.state.mn.us/sites/default/files/documents/AUAR%20guidance%20%28form%29%20-9-09.pdf>

air quality analysis for transportation projects primarily address localized CO emissions and Mobile Source Air Toxics (MSATs). The AUAR area is not located within a nonattainment or maintenance area for criteria pollutants. The EPA has approved a CO hot spot screening method designed to identify intersections that may result in CO emissions that exceed air quality standards. This screening method assumes that intersections with a total daily traffic volume exceeding 82,300 vehicles per day may result in potential CO impacts that exceed air quality standards. A traffic study would be completed as part of the Draft AUAR to confirm that traffic volumes generated by the development scenarios would not exceed this threshold.

AUAR Scope

A qualitative vehicle emission analysis would be conducted in accordance with MnDOT air quality analysis guidance.¹⁹ It is not anticipated that a quantitative air quality analysis for CO or MSATs would be required.

- 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 17a). 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.*

AUAR Scope

Dust and odors may be of concern during construction of future development projects. The Draft AUAR will document City Ordinances and Codes pertaining to dust and odors and identify sensitive receptors in the vicinity of the AUAR area. Minimization and mitigation strategies for the AUAR area would be developed.

18. Greenhouse Gas (GHG) Emissions/Carbon Footprint

- a. GHG Quantification: For all proposed projects, provide quantification and discussion of project GHG emissions. Include additional rows in the tables as necessary to provide project-specific emission sources. Describe the methods used to quantify emissions. If calculation methods are not readily available to quantify GHG emissions for a source, describe the process used to come to that conclusion and any GHG emission sources not included in the total calculation.*

AUAR Scope

The Minnesota Environmental Quality Board's (EQB's) Revised EAW Guidance (July 2023)²⁰ would be used to develop the carbon footprint for the Draft AUAR. Greenhouse gas emissions would be calculated for existing conditions (baseline) the construction and operation of the two development options. Land use changes would also be included in the greenhouse gas quantification.

Readily available emission calculation tools such as U.S. EPA's Simplified Greenhouse Gas Emissions Calculator (SGEC) Tool or other acceptable methods would be used for the calculations. The SGEC Tool uses building square footage to estimate natural gas and electricity usage for various building types. Construction emissions would be calculated for each development scenario based on the number and type of mobile equipment needed. Greenhouse gas emissions from the equipment exhaust would be calculated using U.S. EPA emission factors.

Summary tables would be provided for the baseline and development scenarios, one summarizing construction emissions and the other summarizing operational emissions.

¹⁹ MnDOT. Air Quality Process. <http://www.dot.state.mn.us/project-development/subject-guidance/air-quality/process.html>

²⁰ EQB. Revised Environmental Assessment Worksheet (EAW) Guidance. July 2023.
<https://www.eqb.state.mn.us/sites/default/files/documents/2023%20EAW%20Climate%20Guidance.pdf>

b. GHG Assessment

i. Describe any mitigation considered to reduce the project's GHG emissions.

Reductions in greenhouse gas emissions associated with the development scenarios compared to baseline would be described. Any additional mitigation considered, such as the use of renewable energy sources, energy efficient lighting or other building efficiency specifications would be noted as well.

ii. Describe and quantify reductions from selected mitigation, if proposed to reduce the project's GHG emissions. Explain why the selected mitigation was preferred.

The selection of mitigation options would be described, including the reasoning behind the selection.

iii. Quantify the proposed projects predicted net lifetime GHG emissions (total tons/#of years) and how those predicted emissions may affect achievement of the Minnesota Next Generation Energy Act goals and/or other more stringent state or local GHG reduction goals.

The net lifetime greenhouse gas emissions would be presented for both development scenarios, along with a discussion of how the scenarios affect the state's greenhouse gas reduction goals.

19. 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.

In accordance with the EQB's AUAR guidance document²¹, it is not required to address construction noise unless there is some unusual reason to do so. No unusual circumstances are anticipated for the development scenarios that would warrant conducting a quantitative noise analysis.

The State of Minnesota's noise rules (Minn. Rules Ch. 7030) establish noise limits by noise area classifications (NACs) based on land use at the location of the person that hears noise. The MPCA enforces noise standards at industrial facilities for which it has issued an air permit. MnDOT is responsible for state highway noise mitigation and coordinates with the Federal Highway Administration (FHWA) and the MPCA to evaluate road projects for noise impacts and possible mitigation measures.

Noise impacts in Minnesota are evaluated by measuring and/or modeling the noise levels that are exceeded 10 percent and 50 percent of the time during the hours of the day and/or night that have the loudest scenario. These numbers are identified as the L10 and L50 levels, respectively. The L10 value is the noise level that is exceeded for a total of 10 percent, or 6 minutes, of an hour. The L50 value is the noise level that is exceeded for a total of 50 percent, or 30 minutes, of an hour.

For traffic noise analyses, traffic volume, types of vehicles, operating speed, topography, and distance from the road to the receptor influences the traffic noise level at the receptor. The sound level decreases as distance from a source increases. A general rule regarding sound level decrease due to increasing distance from a line source (roadway) that is commonly used is: beyond approximately 50 feet from the sound source, each doubling of distance from the line source over hard ground (such as pavement or water) will reduce the sound level by 3 dBA, whereas each doubling of distance over soft ground (such as vegetated or grassy ground) results in a sound level decrease of 4.5 dBA.

²¹ EQB. Alternative Urban Areawide Review Documents: Recommended Content and Format. Updated September 2008. <https://www.eqb.state.mn.us/sites/default/files/documents/AUAR%20guidance%20%28form%29%20-9-09.pdf>

1) *Existing noise levels/sources in the area*

Existing noise sources include vehicle traffic along Central Entrance, H. Courtney Drive and Portia Johnson Drive.

2) *Nearby sensitive receptors*

The majority of the AUAR area consists of previously developed; now undeveloped land. To the northwest of the AUAR area, the Duluth School District has facilities. Additionally, within the AUAR boundary, to the northeast, the Secondary Technical Center building is currently not in use. Nearby sensitive receptors would include medium-density and rural residences present adjacent to the AUAR area.

3) *Conformance to State noise standards*

Minnesota's noise pollution rules²² are based on statistical calculations that quantify noise levels over a one-hour monitoring period. The L₁₀ calculation is the noise level that is exceeded for 10 percent, or 6 minutes, of the hour, and the L₅₀ calculation is the noise level exceeded for 50 percent, or 30 minutes, of the hour. There is no limit on maximum noise.

The statutory limits for a residential location are L₁₀ = 65 dBA and L₅₀ = 60 dBA during the daytime (7:00 a.m. – 10:00 p.m.) and L₁₀ = 55 dBA and L₅₀ = 50 dBA during the nighttime (10:00 p.m. – 7:00 a.m.). This means that during the one-hour period of monitoring, daytime noise levels cannot exceed 65 dBA for more than 10 percent of the time or 60 dBA more than 50 percent of the time. Table 10 summarizes noise standard classifications by land use.

Table 10. Noise Area Classifications (NAC)

NAC	Common land use associated with the Noise Area Classification	Daytime (dBA) L₁₀	Daytime (dBA) L₅₀	Nighttime (dBA) L₁₀	Nighttime (dBA) L₅₀
1	Residential housing, religious activities, camping and picnicking areas, health services, hotels, educational services	65	60	55	50
2	Retail, business and government services, recreational activities, transit passenger terminals	70	65	70	65
3	Manufacturing, fairgrounds and amusement parks, agricultural and forestry activities	80	75	80	75

NACs are based on the land use at the location of the person who hears the noise, which does not always correspond with the zoning of an area. Therefore, noise from an industrial facility near a residential area is held to the NAC 1 standards if it can be heard on a residential property.

By state law, the future proposed development in the AUAR area must comply with state noise standards. Future land uses must also comply with the local noise requirements pursuant to Duluth's Legislative Code, which includes the city's ordinances.

²²More information on Minnesota Noise rules, [Minn. Rules Ch. 7030](https://www.pca.state.mn.us/sites/default/files/p-gen6-01.pdf), may be found at: <https://www.pca.state.mn.us/sites/default/files/p-gen6-01.pdf>

4) Quality of life

The Draft AUAR would evaluate the potential quality of life impacts resulting from operational noise generated by the development scenarios. Mitigation strategies would be identified as applicable.

20. 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 alternativetransportation modes.***

AUAR Scope

The A.M. peak hour, P.M. peak hour, and daily trip generation for land uses within the AUAR area will be estimated using current trip generation information. A traffic impact study evaluating the impacts of the land uses within AUAR area will be completed for the AUAR. The traffic impact study will include intersection capacity analyses for intersections immediately adjacent to the AUAR area along Central Entrance. In addition, other intersections along roadways serving the study area such as Rice Lake Road, Arlington Avenue, and Mesaba Avenue will be evaluated.

Central Entrance is directly north of the AUAR area and provides access to the site. In 2021, this segment of roadway had an average annual daily traffic (AADT) of 25,264 vehicles per day. MnDOT is currently conducting a corridor study of Central Entrance from Trinity Road to Mesaba Avenue in preparation for reconstruction in 2026-2027 to improve traffic flow, business access, transit functioning, and pedestrian safety throughout the corridor.

Two bus transit routes have stops located near the AUAR area at H. Courtney Drive/Central Entrance. Route 112 provides hourly service between the Miller Hill Super One grocery and the Woodland neighborhood via UMD and the College of St. Scholastica. The Go Line - Green route provides 15-minute service from downtown Duluth to Walmart via the medical district and Miller Hill Mall. At the Miller Hill Mall, Route 107 provides service every 30 minutes along Trinity Road to Lake Superior College, Lincoln Park, and Downtown. Additionally, at downtown Duluth, Go Line - Green transit users can access the Go Line - Blue every 15 minutes for service east to UMD and west to Spirit Valley. The broader transit network for the City of Duluth was reviewed and is available at: <https://www.duluthtransit.com/home/getting-there/routes-schedules/>.

The proposed additional parking spaces, construction traffic, and the availability of transit and other transportation modes will be documented in the Draft AUAR.

- 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.***

The City of Duluth met with the Minnesota Department of Transportation to review the study area and as a result of that discussion, it was agreed that the traffic impact study will include the following intersections:

- Central Entrance (TH 194)/ Arlington Avenue

- Arlington Avenue/ Palm Street
- Central Entrance/ Blackman Avenue
- Blackman Avenue/ Palm Street/ Clearwood Drive
- Central Entrance/ Pecan Avenue
- Rice Lake Road/ Hickory Street/ Chinook Drive
- Rice Lake Road/ Pecan Avenue
- Central Entrance/ 13th Street
- Central Entrance/ Rice Lake Road
- Mesaba Avenue/ Lake Avenue
- Mesaba Avenue/ Skyline Parkway

The analysis would include the no-build and build scenarios for the development completion year. A background growth rate would be determined and applied to account for any background developments. A.M. and P.M. peak hour models would be developed for both no-build and build scenarios. Traffic operations for the weekday A.M. and P.M. peak hours would be analyzed for each scenario. Traffic operations at the study intersections and the development access intersections would be reported. Areas of possible mitigation would be identified. Figure 13, Appendix A identifies intersections to be evaluated in the traffic impact study.

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

The AUAR will include mitigation measures identified through the traffic impact analysis.

21. 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 geographic scale considered in the cumulative potential effects analysis would include land adjacent to and within an approximately one-mile radius of the AUAR area. It is anticipated that the full buildout of the AUAR area would occur phases over several years based on market conditions. Reasonably foreseeable projects that are funded or planned to be constructed within the next ten years would be considered for the cumulative potential effects analysis.

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.*

AUAR Scope

A comprehensive assessment of reasonably foreseeable projects would be conducted as part of the Draft AUAR. Desktop resources to be reviewed may include the *EQB Monitor*, City of Duluth's current and planned projects, including reference to the City's Planning & Development Division, Environmental, EAW (project) webpage, and the St. Louis County Highway Department's Projects and Construction webpage. The Draft AUAR will include a summary of known projects funded or under construction in the general geographical area adjacent to the AUAR area.

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.*

AUAR Scope

If reasonably foreseeable future projects are identified as part of Item 21.a, the potential for the environmental effects of these projects and the AUAR development scenarios to interact would be discussed.

22. 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 how the environment will be affected, and identify measures that will be taken to minimize and mitigate these effects.

No other potential environmental effects are anticipated that are not addressed by Items 1 through 21.