



MEETING AGENDA

Duluth Heritage Preservation Commission, Special Meeting
To view the meeting, visit <http://duluthmn.gov/live-meeting>

Monday, February 8, 2021, 12:00 PM
(Note: Special Date, Time, and Location)

1. Call to Order/Determination of Quorum
2. Public Hearings (None at This Time)
3. Consideration of Minutes (January 9, 2021)
4. Communications
 - Press Release, Lincoln Park Concept Plan Public Meeting, Taking Public Comments Until February 12
More info: <https://duluthmn.gov/parks/parks-planning/st-louis-river-corridor/lincoln-park/>
 - Information Meeting, Minnesota Duluth Loop Reliability Project (1-18-21 to 2-5-21)
5. Report of Final Disposition of Matters Previously Before the Commission (None at This Time)
6. Reports of Officers, Staff and Committees
 - Planning Commission Items of Note
7. Consideration of Matters Regarding Commission Action
 - Presentation and Discussion for Redevelopment of Historic Old Central High School
 - Note on Final Draft EAW, 319 - 333 E Superior Street Redevelopment
 - Discussion on Preservation Plan
8. Other Business
9. Adjournment (Next Scheduled Meeting, Monday, March 8, 2021)

NOTICE: The Heritage Preservation Commission will be holding its February 8, 2021 Special Meeting by other electronic means pursuant to Minnesota Statutes Section 13D.021 in response to the COVID-19 emergency. Some members of the Board will be participating through video conference. Due to the COVID-19 emergency and the closure of City facilities, public comment will not be taken in person. However, members of the public can monitor the meeting and provide public comment on agenda items through WebEx Events. Visit <https://duluthmn.gov/live-meeting> to access the meeting. The public is also encouraged to submit written comment to planning@duluthmn.gov prior to the meeting. Please include "HPC Agenda" in the subject line, and include your name and address and the agenda item you are speaking to. Please note that all public comment is considered Public Data.

Heritage Preservation Commission
January 11, 2021 Meeting Minutes
Web-Ex Meeting Format

Due to the COVID-19 emergency, the HPC members participated through video conference from home. The meeting was held as a Special Meeting pursuant to Minnesota Statute 13D.021 in response to the Covid-19 emergency.

1. Call to Order and Roll Call

Acting President Stacey DeRoche called to order the meeting of the Heritage Preservation Commission (HPC) at 12:02 p.m. on Monday, January 11, 2021.

Attendance: (Via WebEx video conferencing – all votes conducted via roll call)

Attending: Ken Buehler, Stacey DeRoche, Brandon Hartung, Mike Poupore, and Sarah Wisdorf

Absent: Jessica Fortney

Staff Present: Steven Robertson and Cindy Stafford

2. Public Hearings

None at this time

3. Consideration of Minutes

December 14, 2020

MOTION/Second: Buehler/Hartung approve the minutes

VOTE: (5-0)

4. Communications

-Training Opportunity (Email 1-6-2021) – Steven Robertson noted there is limited funding available for training reimbursement if the commissioners are interested, and to contact him if interested.

-Minnesota's Historic Structure Rehabilitation State Tax Credit Ending in 2021 (Email 1-5-2021) Robertson will forward the list to the commissioners, and if they have ideas for other similar projects to that could benefit for the state tax credit, please feel free to add them.

5. Report of Final Disposition of Matters Previously Before the Commission

-Marten Trail Plan, Informational Meeting – Cliff Knettel, Senior Parks Planner, gave an overview. More details here: <https://duluthmn.gov/parks/parks-planning/progress-in-the-park/waabizheshikana-heritage-trail-interpretive-plan/>.

Informational sessions were held in mid-December. The interpretative plan originated from the mini-master plan from 2019. A consultant was hired, and a steering committee was created, and there will be different themes and stories along the trail. They plan to proceed with implementation as funding allows, which won't necessarily be in a contiguous manner. There will be a public workshop on 2/2/2021. A final draft will be created, which will be followed by a two-week comment period. The parks and recreation commission will discuss at their March meeting. The trail plan includes different themes throughout and will include nine story poles. Topics will include: the natural estuary, great migrations, and global connections. In focus will be plants and animals along with people, places and life ways (fishing, fur-trading, timber industry). Their overall goal is to identify and respect different layers and to build respect, awareness and reciprocity with the natural world. Trailheads will be identified for access points. Cairns – another trail – side excursions off of the main trail that might interest visitors. Knettel welcomed any HPC feedback. Mike Poupore noted they have done a great job with implementation. He asked about the railroad demarcation. Was the Lake Superior and Mississippi Railroad included in the planning? Knettel said they have reached out to the railroad.

He will speak with the consultant to make sure the railroad path is noted on all maps. Ken Buehler noted using the right-of-way for the railroads, and wanted to make sure there is safe separation, fencing, etc. Knettel noted they are focusing on the interpretation element and not trail development specifics. Chair DeRoche likes the look of the plan. She noted the attractive artwork. She looks forward to using the trail, and thanks Knettel for his presentation. Knettel will share the HPC's comments and provide them with a link to the plan draft.

6. Reports of Officers, Staff and Committees

Commissioner Sarah Wisdorf gave an overview. There is nothing pertaining to the HPC in this month's planning commission meeting. Robertson noted there is an increased conversation on the need to reuse empty big box retail businesses, and they city may want to consider being more flexible with land uses in downtown historic buildings in order to promote active use of the structures.

Chair DeRoche noted the League of Women Voters are putting together an overview of the Marten Trail, and they are concerned about the pollution control aspect. Robertson will share details with the commissioners.

7. Consideration of Matters Regarding Commission Action

-Preservation Plan, Duluth Public Library (Carnegie Building), 1-22-92 – Robertson suggested going through old preservation plans to see if they still make sense. Buehler looked it over, and noted it is not a quick read. Changes were made to the building, and he feels they adhered to the preservation plan. Chair DeRoche asked the commissioners if they would like to discuss the topic today, or defer until their next meeting. Poupore thought they could defer to next meeting. Poupore asked if they were looking to repair their ceilings. Per Robertson, they have not had contact with the owner for a year or two and is not aware of any building permits applied for to repair the ceilings, but he will double-check. Chair DeRoche asked the commissioners for their thoughts on reaching out to the owner. They want to be transparent, and convey it's not a scary thing. The owner is welcomed to attend the HPC meeting if they wish. Robertson will try to contact the owner to discuss their attendance at the February or March meeting.

8. Other Business

-Note on pending EAW, 319-333 E Superior Street Redevelopment – Working on draft for buildings near the Voyageur Hotel. Would the commissioners like to hold a special meeting to discuss? Chair DeRoche suggested they look over the document first to make a decision if a special meeting is warranted.

Brandon Hartung asked about the status of the Lincoln Park (park) renovation. Is funding questionable? Robertson noted about nine months ago, the process was pulled back, and the funding was at risk. He has no updated information. Chair DeRoche thought there were modifications made to the walking plan. Robertson will ask his supervisor for more details to share with the HPC.

9. Adjournment

Adjournment at 12:51 p.m. (Next meeting scheduled for Monday, 2/08/2021.) Respectfully,

Adam Fulton – Deputy Director, Department of Planning and Economic Development

January 14, 2021

Ms. Sarah J. Beimers
State Historic Preservation Office
MN Department of Administration
50 Sherburne Avenue
St. Paul, MN 55155

RE: LW27-00129 City of Duluth's Lincoln Park

Dear Ms. Beimers:

On June 15, 2020, I informed you that LW27-01416 City of Duluth's Lincoln Park project was put on hold until further notice. Thank you for patience while the National Park Service (NPS), the Minnesota Department of Natural Resources (DNR) and the City of Duluth (City) worked to adjust the project to align with the Outdoor Recreation Legacy Partnership Program (ORLP) and the City's priorities. We are now ready to re-engage in the Section 106 review process with the final ORLP grant project details.

The final ORLP grant project includes many components confined to either the Upper Terrace or the Lower Terrace surrounding Miller Creek. The Upper Terrace area improvements include a multi-use play field, basketball court, nature playscape with picnic pavilion, parking area and repairs to an existing retaining wall behind these facilities.

The improvements to the Lower Terrace surrounding Miller Creek include an overlook, a parking area, new structured playground with lighting, refurbished picnic shelter, and Works Progress Administration (WPA) Pavilion restoration to the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. It also includes the repaving of part of Lincoln Drive.

Other items include making ADA trail connections; adding park entrance gates; improving signage and wayfinding, and installing picnic tables, bike racks, and trashcans. Attached please find the final ORLP concept plan and project narrative. They outline the proposed improvements to Lincoln Park, including modifications to Lincoln Park Drive (Project).

Differences between Previous Draft and This Final Project

Here is a quick outline of the differences between the previous draft and this final project:

- The nature playscape was moved to the Upper Terrace.
- The second picnic shelter was also moved to the Upper Terrace adjacent to nature playscape.
- The existing picnic shelter will be refurbished instead of being removed (adjacent to the new structured playground).

- Lincoln Park Drive is now being retained along with the existing park entrance. The plan to remove the lower portion of Lincoln Park Drive and create a new park entrance would have caused an adverse effect.
- The walkway leading to the overlook will be finished with concrete instead of the proposed boardwalk (near Miller Creek off of the 3rd Street main park entrance).
- The existing natural stone retaining wall in Upper Terrace (above proposed basketball court, play field, and natural playscape) will be repaired instead of removed.
- The basketball court will be a separable full-court basketball court instead of two half-courts.
- The lower parking lots were consolidated into one.

Identification of Historic Properties

The City, DNR, and NPS have identified the following historic properties in the project's Area of Potential Effect (APE):

- Lincoln Park was originally established in 1889 as one of the first segments in Duluth's nationally known park and parkway system and is eligible for listing in the National Register of Historic Places. Park planning and development increased dramatically in the mid-1920s with the construction of several buildings, and again in the 1930s under the auspices of various Federal Relief work programs. The park retains integrity of design, feeling, materials, setting, association, workmanship and location.
- Lincoln Park Bridge
- Lincoln Park Drive is a historic property eligible for listing in the National Register of Historic Places because it bisects the park longitudinally making it one of the most character defining features of the landscape. One of the proposed plans would have removed Lincoln Park Drive and changed the park entrance thus causing an adverse effect. During the project review, adverse effects were avoided by retaining Lincoln Park Drive and the original park entrance in its current location.
- Lincoln Park Work Projects Administration (WPA) Pavilion was one of the buildings constructed in 1933 and served as a focal point for activities in the park. It formerly had a stage set above ground level, with ascending steps but the ground level was brought up to stage height in the past. It is National Register-eligible.
- Retaining wall between the play field and Lincoln Park Drive. This wall is cost prohibitive to repair. With consulting parties, we will identify and acknowledge the removed structure using interpretive elements.
- Zion Lutheran Church was historically associated with a congregation of Norwegian heritage who traced its roots to the late nineteenth century. The church was designed by J. V. Vanderbilt.

Please let us know if any other historic properties are within the APE that were not identified above.

Assessment of Adverse Effects

The City and the DNR have worked to avoid or minimize impacts to the historic properties in and near the site. From the identified historic properties, the City, the DNR, and the NPS have determined that the final ORLP project has the potential for an adverse effect on the retaining wall between the play field and Lincoln Park Drive. The City will remove the wall, as it is cost prohibitive to repair. The City will account for the change in elevation through grading. It does require further consultation with consulting parties to resolve this potential adverse effect. While this part of the Project is not matched to NPS dollars, we understand that it is part of the undertaking for Section 106.

Public Meeting for Lincoln Park

The City, the DNR, and the NPS will be hosting a public meeting on Lincoln Park on Tuesday, January 28, 2021 at 4:30 PM. At this public meeting, the public will have an opportunity to comment on the final ORLP project for Lincoln Park. Meeting invitations will be forthcoming.

The City is taking public comments from January 14, 2021 until February 12. Please visit <https://duluthmn.gov/parks/parks-planning/st-louis-river-corridor/lincoln-park/> for more information on how to submit public comments.

To continue the Section 106 process, we would like to convene a consulting parties meeting the week of February 15, 2021. We will reach out to all consulting parties to determine the best day and time within that week for our meeting.

If you have any questions or concerns regarding the content of this letter, please contact me at Mai.N.Moua@state.mn.us or 651-259-5638.

Best,

Mai Neng Moua
Grants Specialist Coordinator

CC:

Roger Knowlton, National Park Service via email
Jessica Peterson, City of Duluth via email
Jim Filby Williams, City of Duluth via email
Cliff Knettel, City of Duluth via email
Fond du Lac Band of Lake Superior Chippewa via email
Duluth Heritage Preservation Commission via email
Scott Marek via email

FOR IMMEDIATE RELEASE



City of Duluth - Parks and Recreation

411 West First Street • Duluth, Minnesota 55802
218-730-4309 • www.duluthmn.gov

*For more information contact Kate Van Daele,
Public Information Officer at 218-730-5309*

DATE: 1/19/2021

SUBJECT: Parks and Rec to host Lincoln Park Concept Plan Public Meeting on January 28

BY: Kate Van Daele, Public Information Officer

Parks and Rec to host Lincoln Park Concept Plan Public Meeting on January 28

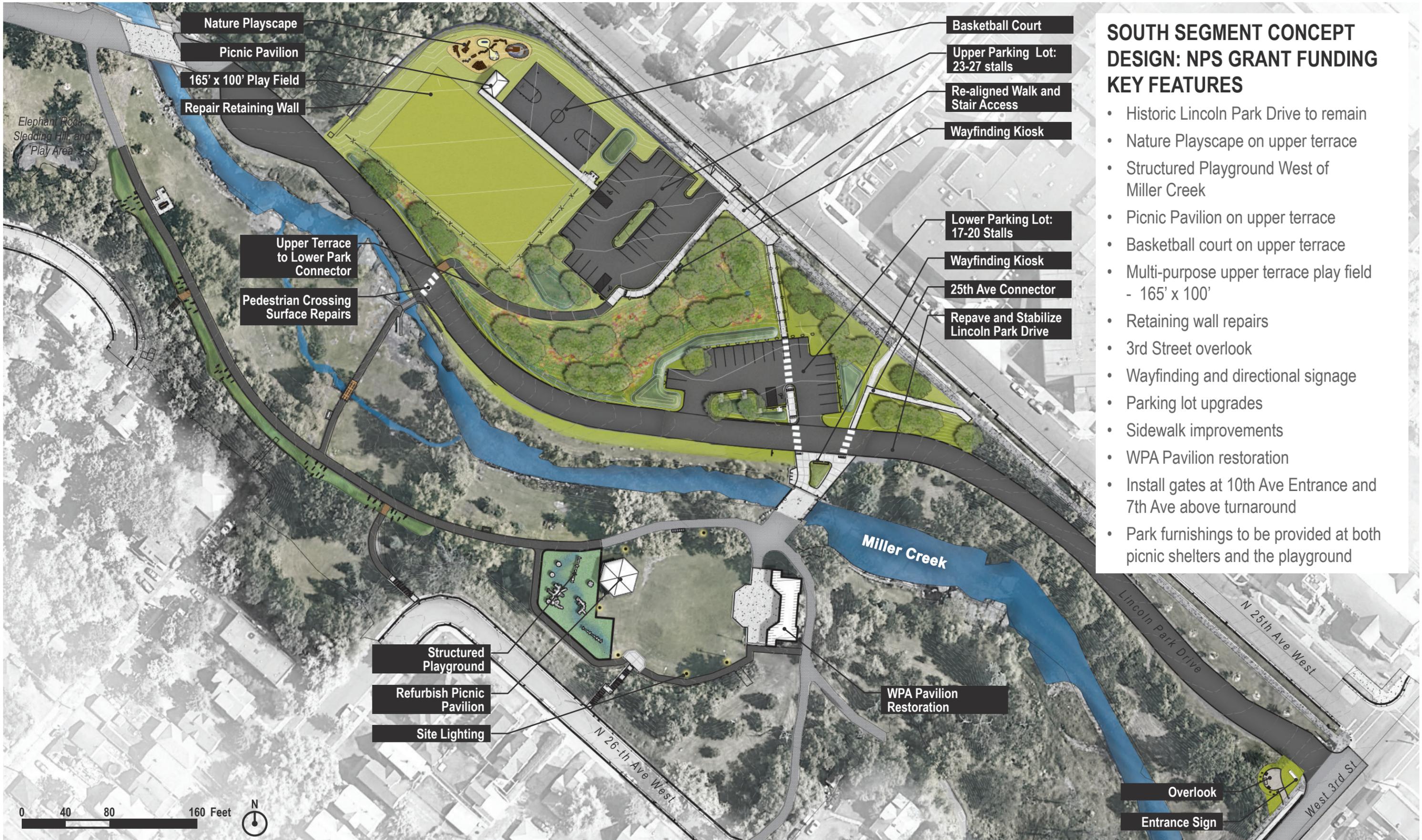
[Duluth, MN] The public is invited to a virtual public meeting on Thursday, January 28 at 4:30 p.m. to revisions made to the Lincoln Park concept plan and budget.

The Parks and Recreation division will host the meeting. Representatives from the Minnesota Department of Natural Resources (DNR), National Parks Service (NPS), and the Minnesota State Historic Preservation Office (SHPO). City staff will review the revised project design, historic properties, and impacts from the project, and in addition to taking public comment and answering questions.

The City and the DNR have worked to avoid or minimize impacts to the historic properties in and near the Park. From the identified historic properties, the City, DNR, and NPS have determined that the final project can have an adverse effect on the proposed removal of the retaining wall between the playing field and Lincoln Park Drive.

To join the meeting please visit <https://www.duluthmn.gov/live-meeting/> and select, "Parks & Recreation Public Meetings".

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SOUTH SEGMENT CONCEPT DESIGN: NPS GRANT FUNDING KEY FEATURES

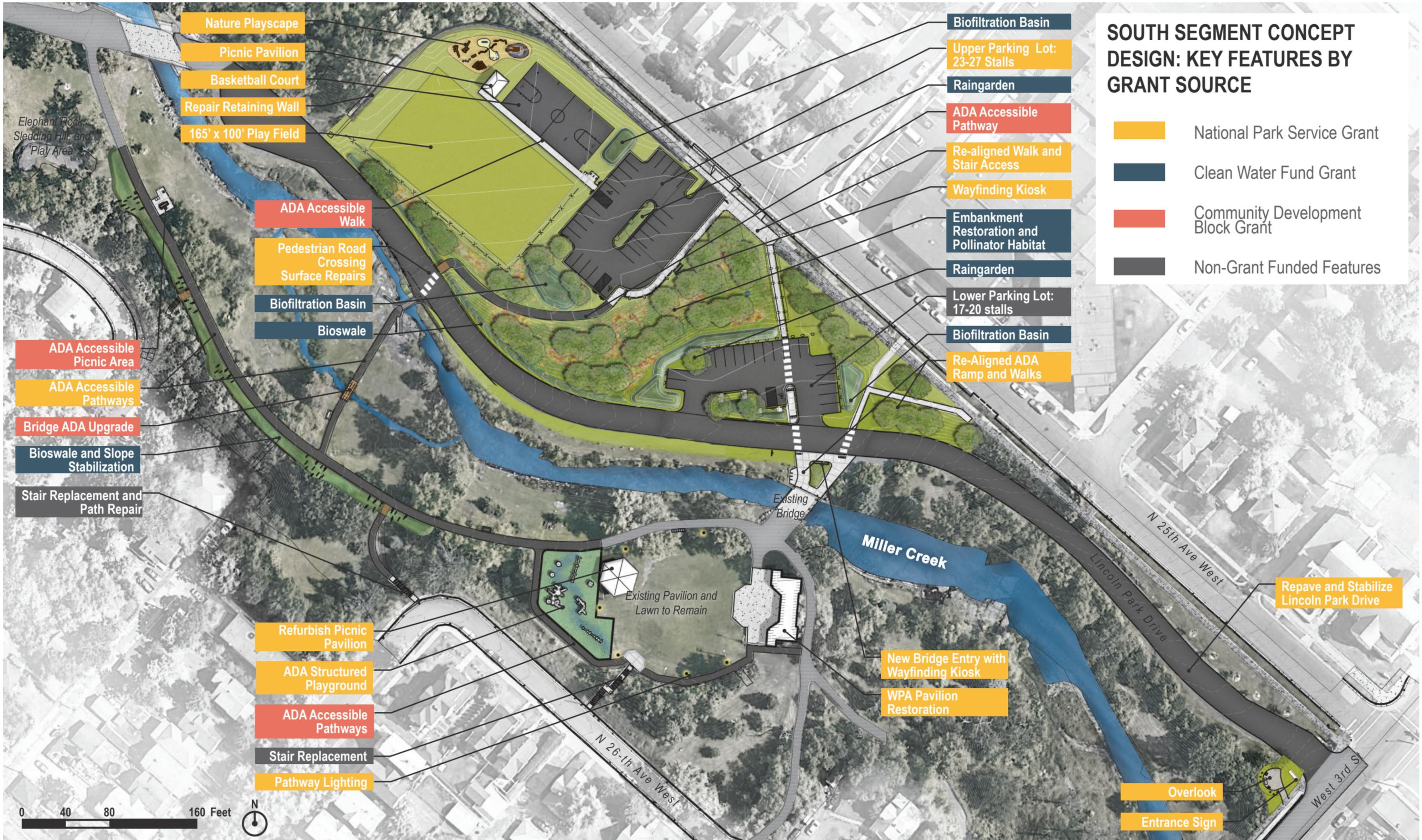
- Historic Lincoln Park Drive to remain
- Nature Playscape on upper terrace
- Structured Playground West of Miller Creek
- Picnic Pavilion on upper terrace
- Basketball court on upper terrace
- Multi-purpose upper terrace play field - 165' x 100'
- Retaining wall repairs
- 3rd Street overlook
- Wayfinding and directional signage
- Parking lot upgrades
- Sidewalk improvements
- WPA Pavilion restoration
- Install gates at 10th Ave Entrance and 7th Ave above turnaround
- Park furnishings to be provided at both picnic shelters and the playground

SOUTH SEGMENT CONCEPT

170032 | Lincoln Park Site Improvements

August 27, 2020





SOUTH SEGMENT CONCEPT

170032 | Lincoln Park Site Improvements

August 27, 2020





Lincoln Park Improvements

Project Updates
January 28, 2021

Cliff Knettel, Senior Parks Planner





Meeting Participation

Instructions for Attendees:

- Q&A after Presentation
- Others cannot see you
- Use raised hand icon to speak
- Host will call on you in turns
- State your name and address
- Observe the 3 minute rule



Purpose of Meeting

- Introductions
- Community update on project changes
- Next steps
- Community input



Project Overview

- Lincoln Park Mini-Master Plan - February 2016
- Federal, State and Local funding secured - 2016

Primary funding source: Minnesota Department of Natural Resources (DNR) Outdoor Recreation Legacy Partnership Program (ORLP) Grant

- Funds originate from National Park Service (NPS) Land and Water Conservation Fund (LWCF)
- Serve populations of 50,000 or more
- Designated as “Urbanized Areas” by Census Bureau
- Located in “Underserved Communities” defined as either
 - No parks
 - Not enough parks to serve population
 - Some parks but deteriorated
- Requires park to be preserved in perpetuity



Potential Project Timeline

- Mini Master Plan - 2016
- Funding Applications and Awards - 2016
- Project scope changes - 2018
- Additional Scope Changes - 2020
- Reinitiate and Complete Section 106 Historic Review - Winter/Spring 2021
- Complete Environmental Assessment (EA) – Spring 2021
- Groundbreaking - Summer 2021



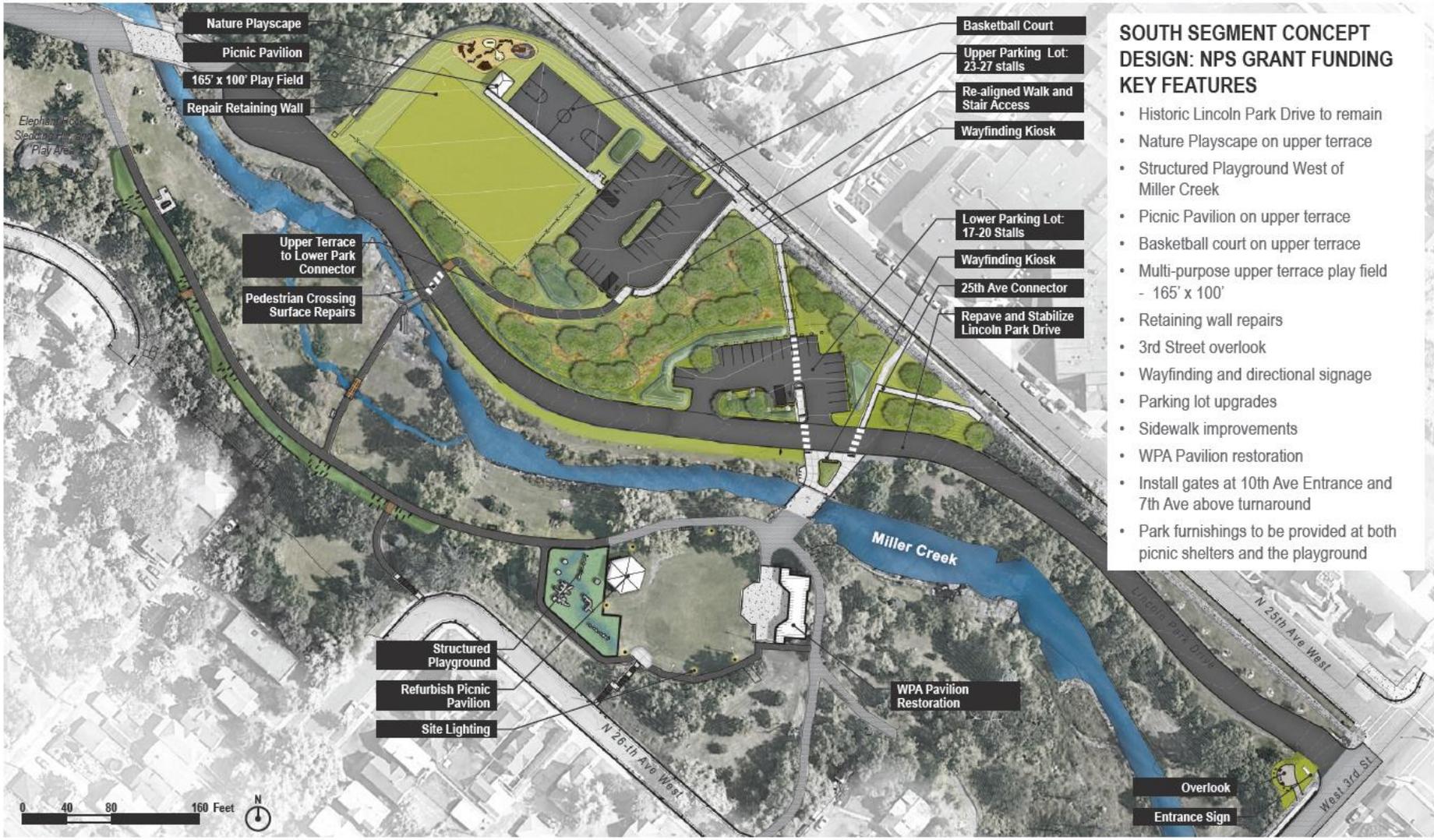
Historic Features

- Lincoln Park
- Stone pavilion
- Lincoln Park Drive
- Lincoln Park bridge
- Park retaining walls and Miller Creek bank walls

Nearby:

- Zion Lutheran Church

Site Design



Site Design





Highlighted Changes

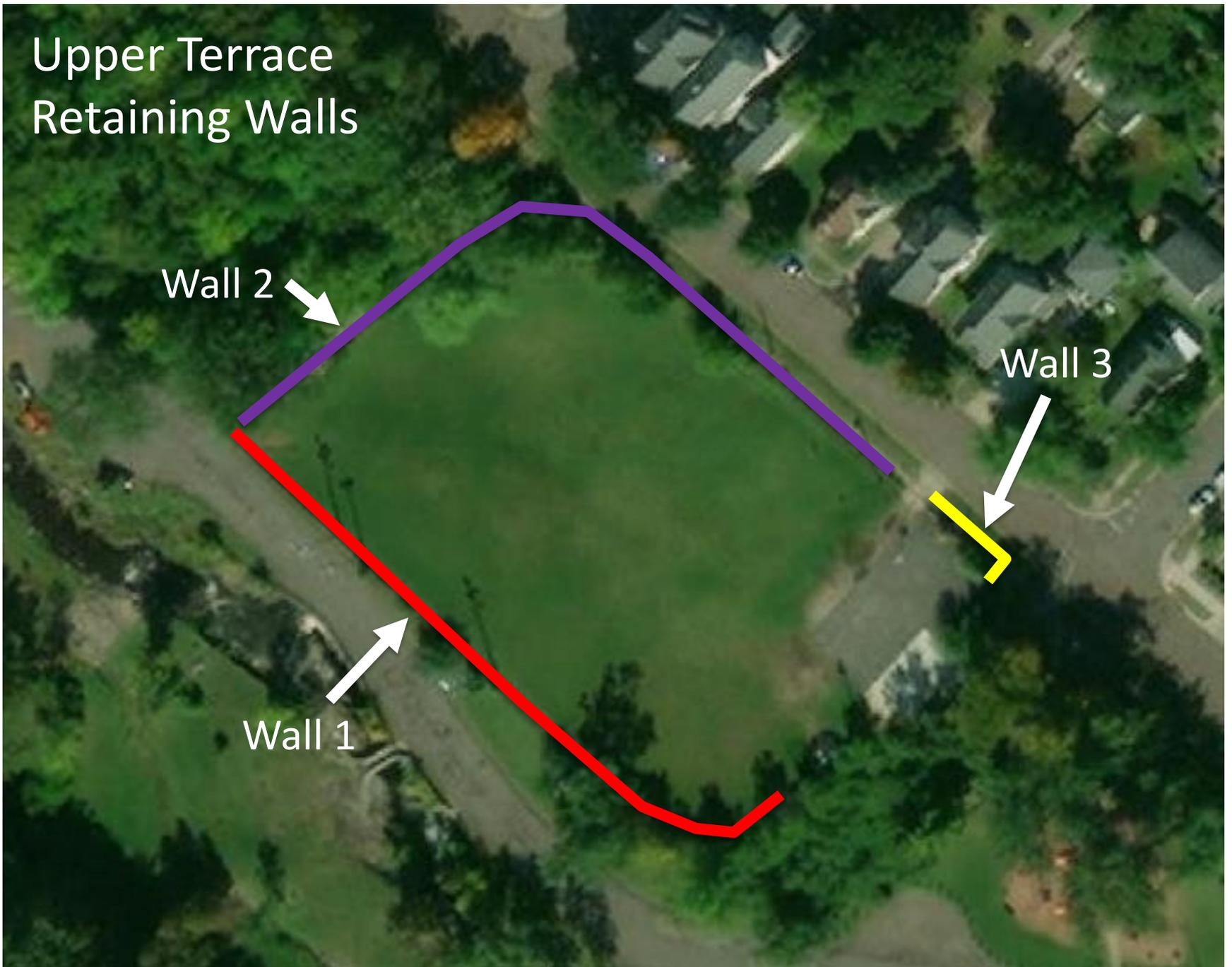
- Three gates for temporary road closures for events
- Existing picnic pavilion refurbished instead of rebuilt
- Overlook near main park entrance modified
- Additional work on stone pavilion: ADA restrooms, repair fire damage
- Lower terrace parking lots combined into one
- Lincoln Park Drive/Main entrance to remain in current location, repaved
- Retaining wall 1 and 3 removed and graded to 3:1 slope

Upper Terrace Retaining Walls

Wall 2

Wall 3

Wall 1



Existing Conditions: Walls 1 and 3



Wall 1, Photo 2: Failed Existing Retaining Wall, Southerly Region



Wall 3, Photo 1: Wall 3 – Looking North



Wall 1, Photo 3: Deteriorated Concrete Cap with Vegetation



Wall vs. Landscaped Slope Considerations

Cost:

- Construction to modern standards
- Repair/reconstruction with long-term preservation
- Full replacement of walls 1 and 3 = \$800,000-\$900,000
- Partial repair/partial replacement of walls 1 and 3 = \$355,000
- Removal and landscaping = \$46,000

Pedestrian Access:

- Wall with fence is currently a barrier from upper to lower terrace, hinders accessibility and neighborhood connectivity

Environment:

- Vegetative slope will help improve water quality of Miller Creek



View of New Trail from Upper Pedestrian Bridge
Lincoln Park Redesign | May 30, 2018 | January 28, 2021





Next Steps

- Meet with consulting parties to review concept design changes
- Complete Section 106 process
- Complete Environmental Assessment (EA) process



Meeting Participation

Instructions for Attendees:

- Q&A after presentation
- Others cannot see you
- Use raised hand icon to speak
- Host will call on you in turns
- State your name and address
- Observe the 3 minute rule



Questions/Discussion



CONTACT INFORMATION:

Cliff Knettel

Senior Park Planner

Parks & Recreation

(218)-730-4312

cknettel@duluthmn.gov

Project Website: <https://duluthmn.gov/parks/parks-planning/st-louis-river-corridor/lincoln-park/>

January 20, 2021

BEN VANTASSEL
DULUTH HERITAGE PRESERVATION COMMISSION
411 WEST FIRST ST. ROOM 407
DULUTH, MN 55802

RE: The Duluth Loop Reliability Project Engagement Opportunities

Dear Ben VanTassel,

As a valued community member and customer – you may already be aware of Minnesota Power’s commitment to delivering reliable, affordable and cleaner energy to our customers. We have made significant changes to our generation mix, including the retirement of several small coal units, and now half of the energy we deliver comes from renewable sources. In order to maintain a continuous supply of safe and reliable electricity, we are investing in our transmission infrastructure to enhance the stability of our electric system in the communities we serve.

The Duluth Loop Reliability Project will enhance reliability by building an additional transmission source to serve communities in and around Duluth and along the North Shore. The attached overview handout outlines the three project components and includes a map of the Study Corridors within the Study Area.

Continued coordination and collaboration with federal, state and local agencies, local leaders, community organizations, and the public is critical to sharing data and gathering input to define routing opportunities and sensitivities within the Study Corridors and Study Area. Starting January 18, our project team will begin an inclusive public engagement process reaching people working and living within the Study Area by providing virtual and safe no-contact opportunities to learn about the project, talk with project team members, review maps and share input. We hope you will participate and encourage others to be part of the routing process.

Engagement opportunities available January 18 through February 5:

- **Visit the Virtual Open House** available through our website at duluthloop.com. Visit the open house webpage on your own time to learn full details about the project and submit your feedback. Project staff will be available for live 1:1 chats through the Virtual Open House during the following times:
 - Tuesday, January 26th from 12:00pm – 1:00pm
 - Wednesday, January 27th from 4:30pm – 6:00pm
 - Friday, January 29th from 7:30am – 9:00am

(Over)

- **Receive an Information Packet**
 - Call our information line at 218-755-5512 to request mailed project information or email this request to connect@duluthloop.com.
 - A digital version of the packet is available at duluthloop.com.
- **Schedule a call with the project team** to discuss the project and your interests. To schedule a meeting call 218-755-5512, email us at connect@duluthloop.com.

Mark Your Calendars for a Virtual Community Meeting on Thursday, January 28

- Join us virtually for a presentation and Q&A session. The same presentation is being offered at two times – 12:00pm and 7:00pm CST – to accommodate your schedule.
- Visit the project website for meeting details and registration. Registration is required.

Please visit the project website at duluthloop.com to learn more about these engagement opportunities, register for the virtual community meeting, and stay up to date on project developments.

Collaboration remains a top priority for Minnesota Power and we appreciate your participation. Thank you for your time and feedback as we develop this important energy project that will improve energy reliability for the Duluth area.

Sincerely,



Jim Atkinson
Environmental and Real Estate Manager
Minnesota Power
jbtkinson@allete.com

Duluth Loop RELIABILITY PROJECT

December 2020

Our Commitment to Reliable Energy

Under our EnergyForward strategy, we are committed to delivering reliable, affordable and cleaner energy to our customers. We have made significant changes to our generation mix, including the retirement of several small coal units, and now half of the energy we deliver comes from renewable sources. In order to maintain a continuous supply of safe and reliable electricity, we are investing in our transmission infrastructure to enhance the stability of our electric system in the communities we serve.

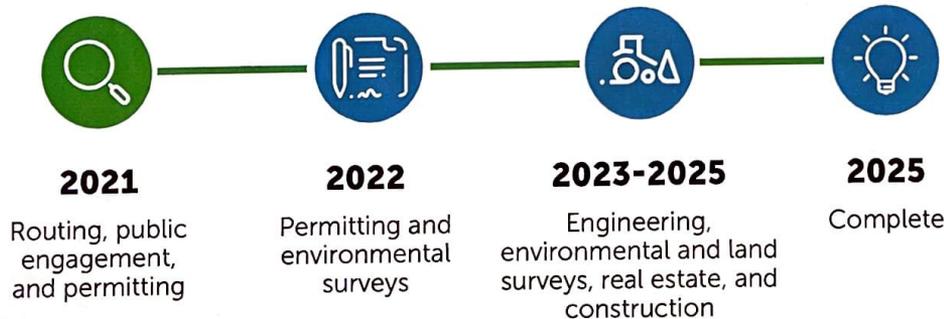
Project Overview

This project will **enhance reliability** by building an additional transmission source to communities in and around Duluth and along the North Shore.

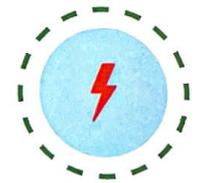
The **Duluth Loop Reliability Project** includes three components:

- construction of a new 115 kilovolt (kV) transmission line between the Ridgeview and Hilltop substations,
- construction of approximately one-mile extension of an existing 230kV transmission line, connecting to the Arrowhead Substation,
- and upgrades to the Ridgeview, Hilltop, and Arrowhead substations.

Schedule

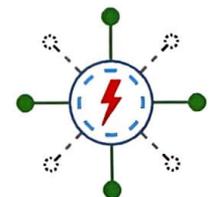


Benefits



ENHANCE ENERGY RELIABILITY

for communities in Duluth and the North Shore by adding transmission in the area.

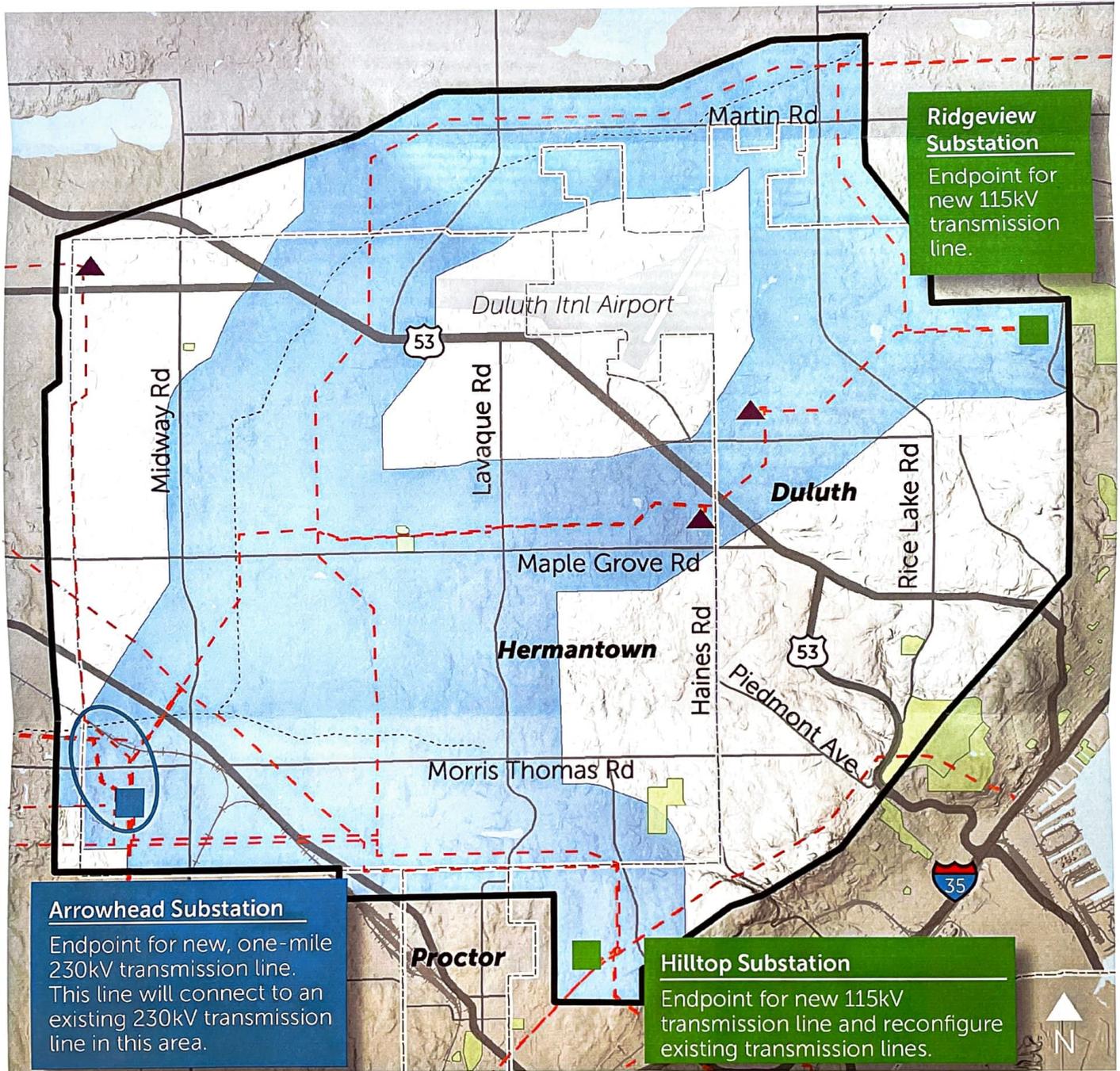


REPLACE GRID STRENGTH AND STABILITY

that was once provided by local coal-fired generation.

Study Area & Study Corridors

Minnesota Power developed the Study Area and Study Corridors to meet the needs of the Project. The Study Area was delineated to include the project endpoints (project substations) and routing opportunity features found between the endpoints, such as existing transmission lines and other linear infrastructure. These existing features have been highlighted as Study Corridors. In March 2021, Route Alternatives will be developed within this Study Area and along the Study Corridors.



Ridgeview Substation
Endpoint for new 115kV transmission line.

Arrowhead Substation
Endpoint for new, one-mile 230kV transmission line. This line will connect to an existing 230kV transmission line in this area.

Hilltop Substation
Endpoint for new 115kV transmission line and reconfigure existing transmission lines.

- Study Area
- Study Corridors
- Project Endpoints
- Existing Transmission Lines
- Pipelines
- Substations
- Roads



Planning & Development Division
Planning & Economic Development Department

Room 160
411 West First Street
Duluth, Minnesota 55802

218-730-5580
planning@duluthmn.gov

MEMORANDUM

DATE: February 2, 2021 (Groundhog Day)
TO: Planning Commission
FROM: Steven Robertson, Senior Planner
RE: Review of Environmental Assessment Worksheet for 319-333 East Superior Street (PL 20-008)

The purpose of this memo is to introduce the project and explain the process for review of the 319-333 East Superior Street Project Environmental Assessment Worksheet (EAW). The draft EAW has been placed on the City's web page. Additional paper copies are available to review; if interested please contact Cindy Stafford at 218-730-5580 or planning@duluthmn.gov.

What is the project for which this environmental review is being conducted?

The project involves the demolition of three buildings in downtown Duluth at the southwest corner of Superior St E and N 4th Ave E that will be replaced by a 15-story mixed-use complex. The complex will house retail space on the first and second floors and 200 apartments including three townhome units. The new facility will provide parking for the three townhome units and a loading zone. The site is within the Duluth Commercial Historic District and two of the buildings are contributing structures in the district.

What is the purpose of the environmental review process?

The Minnesota Environmental Policy Act of 1973 established a formal process for reviewing the environmental impacts of major development projects. The purpose of the review is to provide information to units of government on the environmental impacts of a project before approvals or necessary permits are issued. After projects are completed, unanticipated environmental consequences can be very costly to undo, and environmentally sensitive areas can be impossible to restore. Environmental review creates the opportunity to anticipate and correct these problems before projects are built. The process operates according to rules (legally binding regulations) adopted by the EQB,¹ but it is carried out by a local governmental unit or state agency (which is termed the RGU, for Responsible Governmental Unit). The Duluth City Planning Commission is the RGU for the City of Duluth. The primary role of the EQB is to advise local units and state agencies on the proper procedures for environmental review.

What is an Environmental Assessment Worksheet (EAW)?

An EAW is a document designed to provide a brief analysis and overview of the potential environmental impacts for a specific project and to help the RGU determine whether an Environmental Impact Statement (EIS) is necessary. The EAW consists of a standard list of 31 questions and is meant to set out the basic facts of the project's environmental impacts. The EAW is not meant to approve or disapprove a project, but is simply a source of information to guide other approvals and permitting decisions. The

¹ EQB rule provisions can be found in Chapter 4410, Environmental Review, parts 4410.1000 to 4410.1700.

information in the EAW process has two functions: to determine whether an EIS is needed, and to indicate how the project can be modified to lessen its environmental impacts; such modifications may be imposed as permit conditions by regulatory agencies.

What is an Environmental Impact Statement (EIS)?

An EIS is a more detailed analysis of environmental effects. It can frequently take as long as one year for a project to complete the entire EIS process. Unlike the EAW, the EIS does not have a questionnaire type format. Instead, the focus is on the key environmental, social and economic issues that are likely to result from the project, and a detailed analysis of those issues. The EIS also examines whether there are alternative project designs or locations that would result in fewer environmental impacts.

What action is the Planning Commission being asked to take at the February 9 Planning Commission meeting?

The commission needs to consider whether or not the EAW document adequately addresses the questions and is ready for distribution to the public and the EQB official list. This is an important consideration because the EAW document contains the information the commission will need to make its decision on the need for an EIS at the end of the 30-day comment period. Note that the Heritage Preservation Commission has also received this information, and has been asked to comment at their February 8, 2021, meeting.

What is the timeline for review of this EAW?

February 9, 2021	Planning Commission review of EAW for completeness
February 16, 2021	EAW distributed to EQB's official list; press release issued
February 23, 2021	Notice published in the EQB Monitor; 30-day comment period starts
March 9, 2021	Planning Commission meeting – opportunity for oral comments
March 25, 2021	30-day comment period ends
April 13, 2021	Planning Commission meeting – review responses to comments and make a decision on the need for an EIS (Note April 13, 2021 is the regular Planning Commission meeting for April, but the Planning Commission could choose to hold a special meeting earlier in April)

Anyone who wishes may review and comment on the EAW during the comment period. Oral comments from the public may be provided at the March 9, 2021 Planning Commission meeting; all other comments must be submitted in writing within the 30 days ending 4:30 p.m., March 25, 2021. The rules suggest that comments address: the accuracy and completeness of the information, potential impacts that may warrant further investigation before the project is commenced and the need for an EIS on the project. All substantive comments received during the comment period must be given a written response by the RGU. At the close of the comment period, the RGU must make a decision on the need for an EIS between three working days and 30 days after the comment period ends.

What information does the RGU need to take into account when reviewing the EAW and making a decision on the need for an EIS?

The purpose of the EAW, comments and comment responses is to provide the record on which the RGU can base a decision about whether an EIS needs to be prepared for a project. EIS need is described in the rules: "An EIS shall be ordered for projects that have the potential for significant environmental effects" (part 4410.1700, subpart 1). In deciding whether a project has the potential for significant environmental effects, the RGU "shall compare the impacts that may reasonably be expected to occur from the project with the criteria in this rule," considering the following factors (part 4410.1700, subparts 6 and 7):

- A. Type, extent, and reversibility of environmental effects;
- B. Cumulative potential effects of related or anticipated future projects;
- C. The extent to which environmental effects are subject to mitigation by ongoing public regulatory authority; and
- D. The extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other Environmental Impact Statements.

The RGU is obligated to examine the facts, consider the criteria and draw its own conclusions about the significance of potential environmental effects, and it is the purpose of the record of decision to document that the RGU fulfilled this obligation. Among the four criteria, the first and third are usually the most relevant. The first deals with the nature and significance of the environmental effects that will or could result from the project. It relies directly on the EAW information and may be augmented by information from the comments and responses. The third criterion is frequently the main justification for why an EIS is not required. Projects often have impacts that could be significant if not for permit conditions and other aspects of public regulatory authority. However, the RGU must be careful to rely on ongoing public regulatory authority to prevent environmental impacts only where it is reasonable to conclude that such authority will adequately handle the potential problem.

Can the RGU's decision be appealed?

The decision of the RGU to prepare or not prepare an EIS can be appealed in the county district court where the project would take place. The appeal must be filed within 30 days of the date on which the RGU makes its decision. There is no administrative appeal of an RGU; the EQB has no jurisdiction to review an RGU's decision.



ENVIRONMENTAL ASSESSMENT WORKSHEET

319-333 E Superior St, Duluth MN

Duluth, MN 55060

February 1, 2021

Proposer:
Northstar Development Interests, LLC
Gregg Johnson

RGU:
City of Duluth
411 W 1st St
Duluth, MN 55802

WSB PROJECT NO. 017127-000



ENVIRONMENTAL ASSESSMENT WORKSHEET

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

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

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

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

1. **Project title:** 319 - 333 E Superior St, Duluth MN

2. **Proposer:** Northstar Development Interests, LLC

Contact person: Gregg Johnson

Title: Project Developer

Address:

City, State, ZIP:

Phone:

Fax:

Email: johnsong@landmarkcompany.com

3. **RGU:** City of Duluth

Contact person: Adam Fulton

Title: Deputy Director

Address: 411 W 1st St

City, State, ZIP: Duluth, MN 55802

Phone: 218-730-5580

Fax:

Email: planning@duluthmn.gov

4. **Reason for EAW Preparation:** (check one)

Required:

EIS Scoping

Mandatory EAW

Discretionary:

Citizen petition

RGU discretion

Proposer initiated

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

4410.4300 Mandatory EAW Category, Subpart 31: Historical Places

5. **Project Location**

County: St. Louis

City/Township: Duluth

PLS Location (1/4, 1/4, Section, Township, Range): S27 T50 R14

Watershed (81 major watershed scale): Lake Superior - South

GPS Coordinates: 46.79085, -92.09384

Tax Parcel Numbers: 010-3830-00170, 010-3830-00180, 010-3830-00190, 010-3830-00200

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.

Figures – Appendix A:

Figure 1: Project location

Figure 2: Site topography

Figure 3: Existing conditions

Figure 4: Proposed conditions

Figure 5: Cover types

Figure 6: Land Use

Figure 7: Current zoning

Figure 8: Surface geology

Figure 9: Bedrock geology

Figure 10: Soils

Figure 11: Surface waters

Figure 12: Wells

Figure 13: Environmental hazards

6. Project Description:

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

The project involves the demolition of three buildings in downtown Duluth at the southwest corner of Superior St E and N 4th Ave E that will be replaced by a 15-story mixed-use complex. The complex will house retail space on the first and second floors and 200 apartments including three townhome units. The new facility will provide parking for the three townhome units and a loading zone. Additional parking spaces have been secured in a parking ramp on an adjoining property.

- 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.**

Northstar Development Interests, LLC proposes to construct a 15-story mixed use building in a highly urbanized area of downtown Duluth (**Figure 1**). The proposed building will be a mix of retail and residential housing that includes 200 apartment units and 20,000 square feet of commercial space (**Appendix B**). The first and second floor of the building will house retail space while the second floor will also contain an open-air common area for the building residents. Three of the units will be townhomes and have associated parking spaces attached on the northwest side of the building facing the alleyway and additional spaces have been secured in a parking ramp on an adjoining property. A loading facility is also included in the plans on the northwest side of the building. The project will connect to the existing city sewer and water system that serves the current site.

The project involves the demolition of three buildings at the southwest corner of Superior St E and N 4th Ave E that will be replaced by the mixed-use complex (**Figure 4**). Currently, the site consists of a hotel and two buildings historically used for retail space. Of the three structures on site, two buildings are currently vacant and have some fire damage due to unauthorized use while the third building is a 42 unit and three-story hotel, currently in operation. The fourth parcel is an empty lot that historically housed a small commercial building. These buildings will be demolished, and waste will be produced that is taken off site and disposed of following all laws and regulations.

The site is within the Duluth Commercial Historic District and two of the buildings are contributing structures in the district. These buildings are currently vacant and have been impacted by vandalism in recent years. Incorporation or reuse of the existing structures is not practical. The demolition of these buildings may be accompanied by mitigation measures such as recordation following the Minnesota Historic Property Record (MHPR) guidelines for Level II documentation, interpretive signage acknowledging the non-extant properties, and/or salvage of historic components prior to or during demolition.

The Voyager Inn property is listed on the Minnesota Pollution Control Agency’s “What’s in My Neighborhood” Petroleum remediation, leak site; Underground tanks. The excavated material has the potential to contain hazardous material due to this historic leak site on the property. A Response Action Plan (RAP) and/or Construction Contingency Plan (CCP) will be developed for the proper management of contamination and/or regulated materials encountered during reconstruction. If contaminated materials are encountered during excavation, construction activities will cease and the CCP must be implemented.

An asbestos survey has been completed on all three buildings and has found that asbestos containing material is present on-site. This finding requires a Response Action Plan (RAP) that will be followed for the proper management of this material upon demolition and disposal. After demolition, the existing footprint will require minor excavation to prepare the site for the construction of the 15-story building.

The demolition, site preparation, and construction are anticipated to start in the fall of 2021, after all approvals are in place.

c. Project magnitude:

Table 1: Project Magnitude.

Total Project Acreage	0.5 acres
Linear project length	NA
Number and type of residential units	200 unit - apartments
Commercial building area (in square feet)	20,000
Industrial building area (in square feet)	NA
Institutional building area (in square feet)	NA
Other uses – specify (in square feet)	NA
Structure height(s)	15 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 this proposed development by Northstar Development Interests, LLC is to provide additional housing and retail options in downtown Duluth, MN.

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

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

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

Table 2: Cover Types.

Cover Type	Before	After	Cover Type	Before	After
Wetlands	0	0	Lawn/landscaping	0.08	0
Deep water/streams	0	0	Impervious surface	0.42	0.40
Wooded/forest	0	0	Stormwater Pond	0	0
Brush/Grassland	0	0	Other (describe)	0	0.10
Cropland	0	0			
			TOTAL	0.50	0.50

Current conditions cover type on site is mostly impervious with one lot of lawn/landscaping (**Figure 5**). The entire site will be developed into a single building footprint with an open-air common space in the center of the building on second floor. This open space will contain an atrium including few trees and is listed as “Other” cover type. The location of the open-air landscaped area makes it inaccessible to the public and drainage will be directed to city sewer similarly to a rooftop.

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

Table 3: Permits and Approvals Required.

Unit of Government	Type of Application	Status
State		
Pollution Control Agency	NPDES/SDS Construction Stormwater Permit	To be obtained
	Section 401 Certification	To be obtained, if needed
	Pre-demolition checklist and notification	To be completed
	Response Action Plan	To be obtained
	Sanitary Sewer Extension	To be obtained, if needed
Department of Health	Watermain Extension Plan Review	To be obtained, if needed
Local		
City of Duluth	Right of way permit	To be obtained
	Zoning approvals	To be obtained
	NPDES Excavation/sewer/backfill/utility connection permit	To be obtained
	Building Permit	To be obtained

Unit of Government	Type of Application	Status
	Demolition Permit	To be obtained
	Erosion and sediment control permit (ESCP)	To be obtained
	Shoreland Permit	To be obtained

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

9. Land use:

a. Describe:

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

Existing land use on and near the site is highly developed with commercial and residential properties in downtown Duluth (**Figure 6**). The project site is mostly impervious as it is developed with buildings and parking lot. The unoccupied lot was previously developed, and compacted fill material does not provide infiltration on-site. Few scrub trees and manicured lawn are present on-site but do not provide natural habitat. The proposed project will not change the land use of the site in regard to impervious surface or natural habitat.

The properties adjacent to the northeast and northwest of the project site are developed into a hospital and a parking lot. The properties to the southeast and southwest are developed into hotel and commercial and retail space. The hotel directly adjacent to the site to the southwest is the same building type as the proposed mixed-use complex. Interstate 35W is southeast of the project site followed by the Lakewalk Trail and Lake Superior. Lake Superior is less than 1,000 feet from the project site.

The property to be redeveloped is in the Duluth Commercial Historic District according to the national registrar. Two of the buildings currently on-site, the Hacienda del Sol, and Duluth Oriental Grocery are contributing features to the historic district. The third building onsite, The Voyager Inn, was built in 1959 and is not included as a contributing structure as its date of construction falls outside the period of significance. Surrounding properties are a mix of new and old construction including the site adjoining the property to the southwest being an 11-story hotel and condominium complex that was built in 2006 (**Figure 3**).

Cascade Park, and Lilliput Park are City parks less than 0.5 miles from the project site and access to the Lakewalk Trail is one block to the northeast. There are no prime or unique farmlands adjacent to or near the project site. The project is not expected to impact these nearby features.

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

The City of Duluth made updates to its Comprehensive Plan in 2018. This document, *Imagine Duluth 2035*, details a vision for growth and development over the next 20 years.

The project site is located in the Central Business District in Duluth. The area is defined in the City's Comprehensive Plan current and future land use as encompassing a broad range of uses and intensities including governmental campus, significant retail, entertainment and lodging, opportunities for high-density housing, central plaza, public/open space, and public parking facilities. The proposed building provides for both retail and high-density housing in an already urbanized area of downtown Duluth.

The site itself is in the Duluth Commercial Historic District and two of the buildings on-site are contributing structures. The plan addresses reuse of previously developed lands under its governing principal #1 stating: "reuse of previously developed lands, including adaptive reuse of existing building stock and historic resources, directs new investment to sites which have the potential to perform at a higher level than their current state." The two buildings on-site have historical significance; however, they are vacant and in a current state of dis-repair. The buildings currently pose a safety risk for the community and surrounding occupied buildings.

The Housing section of this document describes the City's policy to improve the quality of the City's housing stock and neighborhoods by encouraging healthy and safe housing options. The proposed building replaces two vacant structures in downtown Duluth to provide for high-density housing in its place. The project site is in an area that provides access to health, social services, other goods and services, public transportation, and employment opportunities. The proximity to these opportunities helps to meet housing strategies outlined in the plan.

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

The project site is located in the Form District 8 (F-8) -- downtown mix and is adjacent to Mixed Use Institutional (MU-I) district (**Figure 7**). The F-8 district permits both Main Street Building III and Corridor Building III for commercial and residential uses. These building types have maximum height requirements of 15 stories. The Main street building III type should include retail or service uses on the ground floor whenever possible. The proposed building is consistent with the current and proposed uses for the district. Re-zoning will not be necessary to accommodate the proposed project.

The project site is also located within the Natural Resources Overlay (NR-O) District since it is located within 1,000 feet of Lake Superior. The proximity to a MN DNR Public Waters subjects the site to regulations of the Minnesota Wetland Conservation Act (WCA), Federal Emergency Management Agency (FEMA), and the Minnesota Department of Natural Resources (MNDNR) shoreland and floodplain rules. Development of the site will require a shoreland permit that includes stormwater management and erosion control plans.

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

The project is compatible with nearby land uses, zoning, and plans outlined in Duluth’s Comprehensive Land Use Plan. The proposed building would be considered a Corridor Building III and will help to create a vibrant commercial core for Downtown. The mixed-use building will provide opportunities for high-density housing and retail space which fits with the goals and policies expressed in the land use plan for districts zoned F-8. The plans express that redevelopment of existing properties is allowed in this form district. Additionally, the project location provides convenient access to public transit in a pedestrian friendly area of downtown Duluth.

There are two buildings on-site that are contributing structures to the Duluth Commercial Historic District. Redevelopment of this property directs new investment to this site that has potential to perform at a higher level than its current state.

The site is located within the NR-O district. Project activities will require erosion control and stormwater management plans to comply with an approved shoreland permit.

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

The project site is currently zoned as F-8 Downtown Mix and will remain this zoning classification according to the Imagine Duluth 2035 comprehensive plan. There is no need to amend current or planned land use or zoning for the project area. Project activities will comply with an approved shoreland permit to mitigate any potential effects to Lake Superior. Additionally, removal of existing vacant structures will help to revitalize the downtown area.

10. Geology, soils and topography/land forms:

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

The geology of the North Shore of Lake Superior consists of Precambrian basalt and gabbro bedrock that is overlain by glacial till soils and non-native fill soils in some areas (**Figure 8-9**). Bedrock is exposed in downtown Duluth and northeastward along the North Shore of Lake Superior. Depth to bedrock at the project site is estimated to be zero feet. Bedrock on the project site is currently overlain with pavement, buildings, and non-native fill soils.

Minor excavation of soils and bedrock material will occur. Weathered and/or fractured rock will be removed, and more extensive means may be used to excavate more competent bedrock. If clay seams are encountered, mitigation may be required to solidify the foundation of the building. Additionally, groundwater seepage occurs in cracks and fractures in the bedrock. If groundwater is encountered, it will need to be managed during construction and considered in the design of the foundation to prevent water infiltration.

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

The NCRS web soils survey maps Urban land, Mesaba, and rock outcrop with 1 to 18 percent slopes as soil units on-site (**Figure 10**). Urban land soils are fill material from surrounding uplands, gravel pits, and blasted bedrock. The Mesaba is a gravely sandy loam material that overlays the bedrock in some areas. And the rock-outcrop is the basalts and gabbro bedrock that underlays the area. The elevation on-site is from 646 to 666 feet above sea level (**Figure 2**).

The site is currently developed with buildings and impervious surface with one parcel of landscaped lawn. The area on-site that is not currently impervious is 3,500 square feet parcel located at 321 E Superior St. Demolition of existing development will disturb soils and bedrock. Erosion and sediment control BMPs would be implemented during demolition and construction as outline in the stormwater pollution prevention plan (SWPPP). BMPs may include but are not limited to erosion control blankets, silt fencing, and stormwater inlet control structures.

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

11. Water resources:

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

Lake Superior is approximately 550 feet to the south east of the project site (**Figure 11**). This Minnesota DNR Public Water (16-1P) is listed on the MPCA's 303d Draft 2020 Impaired Waters List due to mercury and PCBs in fish tissue affecting aquatic consumption. Lake Superior is also listed as a restricted outstanding resource value water under Minnesota Rules parts 7050.0250 to 7050.0335. The project proximity to Lake Superior subjects the site to additional construction requirements. An erosion control permit and NPDES Construction Stormwater permit will be acquired prior to demolition and construction of the proposed site to fulfill these requirements.

Clark House Creek (PWI: na), Chester Creek (PWI: S-003), and Brewers Creek (PWI: na) are located within one mile of the project site. Chester Creek is on the Impaired Waters List for E. coli affecting aquatic recreation. The project area does not drain to these nearby creeks and water quality impairments will not affect the project activities.

- 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.**

The Minnesota Well Index (MDI) was used to determine the location of wells on or nearby the project site (**Figure 12**). Zero wells are located on-site, and five wells are located within 500 feet of the project area **Table 4 (Appendix C)**. Nearby wells are 24 to 60 feet deep and depth to groundwater is at varying depths. Ground water in this area is found locally in faults and fractures in the granite bedrock. The project site is not within a Minnesota Department of Health (MDH) wellhead protection area. The nearest wellhead protection area is 14 miles to the south west in Esko, MN.

Table 4: Wells within 500 feet of the Project Area.

Well ID	Address	Approximate distance from site (ft)	Well use	Well depth (ft)
739032	302 1 st St E	200	elevator	54
739033	302 1 st St E	200	elevator	60
704151	402 1 st St E	500	elevator	24
704152	402 1 st St E	500	elevator	42
764826	222 Superior St E	300	elevator	34

Using the NEPAssist Tool, it has been determined that the project site is not located on a sole source aquifer. The nearest sole source aquifer is the Mille Lacs Sole Source Aquifer, over 60 miles away to the south west.

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

- 3) **If the wastewater discharge is to surface water, identify the wastewater treatment methods and identify discharge points and proposed effluent limitations to mitigate impacts. Discuss any effects to surface or groundwater from wastewater discharges.**

Wastewater generated within the proposed development will discharge to the Duluth sanitary sewer system via the existing 36-inch trunk sanitary sewer in E Superior St. The City sanitary sewer system has sufficient capacity for projected flows from the development.

Wastewater will be conveyed through the City sanitary sewer system to the Western Lake Superior Sanitary District (WLSSD) wastewater treatment plant (WWTP). The WLSSD WWTP has a treatment capacity of 49 million gallons per day (MGD). The WWTP currently treats approximately 40 MGD, so the plant has a residual capacity of 9 MGD. Below is an estimate of the wastewater flow from the proposed development (**Table 5**).

Table 5: Wastewater Flow Calculations.

Land Use	Units	Flow Assumption (gpd/unit)	Average Flow (gpd)	Peak Factor*	Peak Hourly Flow (gpd)
Apartments	200	180	36,000	4.0	144,000

gpd = gallons per day

**Peak factor based on average flow per standard Metropolitan Council values.*

The WLSSD WWTP has sufficient residual capacity to treat the projected 0.036 MGD of average wastewater flow that will be generated by the proposed development. The wastewater will be domestic in character and will not require specific pretreatment measures.

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

The existing site consists of primarily impervious surface. Stormwater runoff from the site leads to the municipal road storm sewer systems adjacent to the site, ultimately discharging to Lake Superior via City of Duluth storm sewer system.

A HydroCAD model was developed to show the existing and proposed stormwater runoff rates from the site. The site is proposed to replace all the existing impervious surface with reconstructed impervious surface; therefore, the runoff rates will not change for proposed conditions (**Table 6**). Additionally, there will be no changes to stormwater volume or water quality as a result of the proposed site because the impervious surface area and land use is not changing. There are no adverse impacts to total stormwater volume or pollutants, therefore there are no environmental effects from stormwater discharges anticipated with the proposed site.

Table 6: Existing and Proposed Stormwater Discharge Runoff.

Site Condition	2-Year Storm Event (cfs)	10-Year Storm Event (cfs)	100-Year Storm Event (cfs)
Existing	1.77	2.66	4.28
Proposed	1.77	2.66	4.28

The proposed site will disturb less than one acre of total area; therefore, there will be no stormwater quality requirements for the reconstructed impervious surface areas to meet the City’s MS4 Permit or National Pollution Discharge Elimination System (NPDES) requirements.

The proposed site will be a mix of redeveloping existing impervious area and new impervious area, so stormwater parameters for the site shall be weighted from the existing predevelopment/project site conditions to determine the allowable levels of discharge parameters leaving the proposed project site based on the City of Duluth’s Unified Development Code (UDC) requirements. These requirements shall be discussed at the preliminary design submittal meeting for the proposed site.

The final proposed site design shall show that they meet all standards in the City of Duluth’s (UDC) and MPCA NPDES Construction General Permit, including temporary and permanent erosion control and sedimentation control measures at the site. The NPDES Permit has more stringent erosion control requirements prior to discharge to Outstanding Resource Value Water (ORVW) that the site will be required to follow. These erosion control features may include but are not limited to storm drain inlet protection at adjacent municipal streets, dust control, frequent street sweeping, and stabilizing disturbed soils with mulch or other products to limit soil erosion when construction activity has permanently or temporarily ceased on any portion of the site. All temporary and permanent erosion control and sediment control measures must be included in the project’s stormwater management plan.

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

The site will connect to the City of Duluth water distribution system via the existing 16-inch trunk watermain in E Superior St and 8-inch watermain in N 4th Ave E. The City’s water supply system includes the Lakewood Water Treatment Plant (WTP), fifteen storage facilities, eleven pumping stations, and over four hundred miles of watermain. The City’s current DNR water appropriation permit allows for withdrawal of up to nine billion gallons per year, and the City has withdrawn approximately five billion gallons per year in recent years.

Below is an estimate of the water demands for the proposed development (**Table 7**). Based on the estimated annual demand of 16.4 million gallons per year, additional water appropriation will not be required.

Table 7: Water Demand Calculations.

Land Use	Units	Demand Assumption (gpd/unit)	Average Day Demand (gpd)	Max. Day Demand Factor*	Max. Day Demand (gpd)
Apartments	200	225	45,000	1.8	81,000

gpd = gallons per day

**Historical maximum day demand factor from 2017-2019.*

iv. **Surface Waters**

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

No wetlands are located within the project area or adjacent to the project site. Impacts to wetlands from this project are not anticipated.

- b) **Other surface waters- Describe any anticipated physical effects or alterations to surface water features (lakes, streams, ponds, intermittent channels, county/judicial ditches) such as draining, filling, permanent inundation, dredging, diking, stream diversion, impoundment, aquatic plant removal and riparian alteration. Discuss direct and indirect environmental effects from physical modification of water features. Identify measures to avoid, minimize, or mitigate environmental effects to surface water features, including in-water Best Management Practices that are proposed to avoid or minimize turbidity/sedimentation while physically altering the water features. Discuss how the project will change the number or type of watercraft on any water body, including current and projected watercraft usage.**

No surface water features are located within the project area or adjacent to the project site. Impacts to surface waters from this project are not anticipated.

12. Contamination/Hazardous Materials/Wastes:

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

Publicly available data from the Minnesota Pollution Control Agency (MPCA) and Minnesota Department of Agriculture (MDA) databases were reviewed to identify verified or potentially contaminated sites that may be encountered during the proposed development (**Figure 13**). The following database listings were reviewed:

- MPCA “What’s in My neighborhood?” website
- MPCA Petroleum Remediation Program Map Online website
- Minnesota Department of Agriculture (MDA) “What’s in My neighborhood?” website

MPCA “What’s in My Neighborhood?” website

Two listings were identified within the project area, and 43 listings were identified within 1,000 feet of the site (**Table 8, 9**).

The two listings that are identified within the project area include:

Table 8: WIMN Listings within the Project Area.

Map ID	Site Name	Site ID	Activity	Status
16	Voyager Motel/Lakewalk Inn	109460	Petroleum remediation, leak site; Underground tanks	Inactive
42	Hacienda Del Sol	215131	Brownfields, petroleum brownfield and voluntary investigation and cleanup	Inactive

The 43 listings that are correctly plotted within 1,000 feet of the project area include:

Table 9: WIMN Listings within 1,000 feet of the Project Area.

Map ID	Site Name	Site ID	Activity	Status
1	Rainbow Auto Body Inc	1998	Air Quality; Hazardous Waste	Inactive
2	Northland Chiropractic Center	16441	Hazardous Waste	Inactive

Map ID	Site Name	Site ID	Activity	Status
3	Paul Bunyan Press	16117	Hazardous Waste	Inactive
4	Miller Dwan Medical Center	24220	Hazardous Waste	Inactive
5	Greysolon Plaza Property	24721	Hazardous Waste; Underground Tanks	Active
6	A Quality Lube Center	23708	Aboveground Tanks; Hazardous Waste	Active
7	Joes Peerless Auto Body	23379	Hazardous Waste; Underground Tanks	Inactive
8	Saint Anns Home & Residence	24501	Hazardous Waste, Minimal quantity generator	Active
9	A1 Auto Body	23711	Hazardous Waste	Inactive
10	Lake Superior Cust Photolab Inc	23329	Hazardous Waste	Inactive
11	Tri Towers Beauty Shop	23191	Hazardous Waste	Inactive
12	Dunbar's Auto Body	27688	Hazardous Waste	Inactive
13	Clean As New Auto Cleaning	29292	Hazardous Waste	Inactive
14	Whirlwind Power Co	25868	Hazardous Waste	Inactive
15	Northern Access Transportation	56856	Hazardous Waste	Inactive
17	Miller Dwan Medical Center	109580	Aboveground Tanks	Active
18	Grandview Manor	112895	Underground Tanks	Inactive
19	E 1st St Medical Parking Facility	146463	Petroleum Remediation, Leak Site; Underground Tanks	Inactive
20	Sheraton Hotel/Condominium	186951	Brownfields, Voluntary Investigation and Cleanup	Active
21	Graysolon Plaza	192682	Petroleum Remediation, Leak Site	Active
22	Former Pickwick Restaurant	193582	Petroleum Remediation, Leak Site	Active
23	Essentia Health Duluth 1st Street Pharmacy	213953	Hazardous Waste, Minimal quantity generator	Active
24	Duluth Opera Block	222216	Brownfields, Voluntary Investigation and Cleanup	Active
25	Essentia Health - Duluth	1668	Air Quality; Hazardous Waste, Large quantity generator; Site Assessment	Active
26	Gene's Auto Body	2509	Air Quality; Hazardous Waste, Very small quantity generator	Active
27	Harbor Centers Inc	14444	Hazardous Waste	Inactive

Map ID	Site Name	Site ID	Activity	Status
28	ISD 709 Central Administration Building	12415	Hazardous Waste, Very small quantity generator	Active
29	Royal Garage	13510	Hazardous Waste	Inactive
30	Arrowhead Hearing Aid Center	24529	Hazardous Waste	Inactive
31	Tv Spotlight Inc	23341	Hazardous Waste	Inactive
32	Johnson's Auto Repair of Duluth	26558	Hazardous Waste	Inactive
33	State Farm Mutual Insurance	26385	Hazardous Waste	Inactive
34	Housing & Redevelopment Authority Duluth	26400	Hazardous Waste, Small quantity generator	Active
35	HealthEast Transportation	26455	Aboveground Tanks; Hazardous Waste	Active
36	Balcum Appliance Inc	28366	Hazardous Waste	Inactive
37	Aubol Keith	50155	Hazardous Waste	Inactive
38	SMDC	64827	Hazardous Waste	Inactive
39	King Manor	112193	Underground Tanks	Inactive
40	Fitger's on the Lake LLC	120783	Hazardous Waste, Minimal quantity generator	Active
41	Greysolon Plaza Parking Lot	193848	Brownfields, Voluntary Investigation and Cleanup	Active
43	Uncle Dunbar's Auto Body Inc	1318	Air Quality; Hazardous Waste, Very small quantity generator	Active
44	SMDC Campus Addition	191217	Brownfields, Voluntary Investigation and Cleanup	Inactive
45	Tri-towers	112192	Underground Tanks	Active

If any contaminated soil/groundwater or hazardous material is encountered during construction, necessary steps to remediate will need to be taken.

MPCA Petroleum Remediation Program Map Online website

Five listings were mapped within the project area or within 1,000 feet of the project area that were also listed on the MPCA “What’s in My Neighborhood?” website. These listings include Voyager Motel/Lakewalk Inn, Greysolon Plaza Parking Lot, Former Pickwick Restaurant. One listing was mapped within 1,000 feet of the project area on the MPCA Petroleum Remediation Program Map Online that was not listed previously (**Table 10**).

Table 10: MPCA Petroleum Remediation Program Map Online listings within 1,000 feet of the Project Area.

Map ID	Site Name	Site ID	Activity	Status
na	Saint Marys Medical Center	LS0008875	Leak Site	Inactive

MDA “What’s in My Neighborhood?” website

No listings were mapped within the project area or within 1,000 feet of the project area.

Listings with potential environmental effects

Based on review of the identified MPCA listings, the potential to encounter contaminated soil, groundwater, and/or soil vapor at the proposed project area is high. Prior to project area redevelopment, the following MPCA regulatory file reviews should be reviewed and/or investigated for environmental planning purposes:

- Site 16 (Leak Sites LS0016259)
- Site 19 (Leak Site LS0016350)
- Site 20 (Voluntary Investigation and Cleanup VP21540)
- Site 42 (Petroleum Brownfields and Voluntary Investigation and Cleanup (BF0000232))

A Response Action Plan (RAP) and/or Construction Contingency Plan (CCP) will be developed for the proper management of contamination and/or regulated materials encountered during reconstruction. If contaminated materials are encountered during excavation, construction activities will cease and the CCP must be implemented.

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

Prior to site redevelopment, the removal/demolition of site structures will occur. State and Federal law requires a pre-demolition inspection consisting of but not limited to, an asbestos survey, lead paint sampling, and a regulated materials inventory. Regulated materials will be handled appropriately and remaining general demolition debris will need to be hauled to a licensed demolition landfill. Beneficial reuse and recycling of materials should be considered to minimize demolition waste.

Project activities will generate wastes and debris typical of construction operations. All waste and unused materials will be properly contained and disposed of off-site in conformance with state and local standards.

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

Products, materials, or wastes typical of construction sites will be present during the construction of this project (e.g. gasoline, diesel fuel, oil, hydraulic fluid, portable toilets, etc.). To ensure compliance with the NPDES/SDS Construction Stormwater permit, products that have the potential to leach pollutants will be stored under cover; hazardous materials will be stored in sealed containers and will have secondary containment to prevent spills, solid wastes will be collected and disposed of properly, and vehicle and equipment washing will not be allowed on site.

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

The proposed project is not expected to generate any hazardous wastes during construction or operation. If hazardous wastes are generated by the contractor, it will be the responsibility of the contractor to recycle and/or dispose of the waste in accordance with local, State, and Federal regulations.

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

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

Habitat within the site is limited. Existing landcover within the project site is developed with mostly impervious surface. There are scrub trees present and one open lot with manicured lawn. Trees may provide for temporary resting place for birds and squirrels but do not provide critical habitat.

- b. Describe rare features such as state-listed (endangered, threatened or special concern) species, native plant communities, Minnesota County Biological Survey Sites of Biodiversity Significance, and other sensitive ecological resources on or within close proximity to the site. Provide the license agreement number (LA-1003) and/or correspondence number (ERDB - 20210177) from which the data were obtained and attach the Natural Heritage letter from the DNR. Indicate if any additional habitat or species survey work has been conducted within the site and describe the results.**

A MN DNR National Heritage Review was completed for the proposed project site to determine if any rare features or other significant natural features occur within an approximate 1-mile radius of the project site. This database review found three species within the search boundary including Peregrine falcon (*Falco peregrinus*) – State special concern species, Lake sturgeon (*Acipenser fulvescens*) –

Species in greatest conservation need, and Lake chub (*Couesius plumbeus*) – State special concern species.

According to the Fish and Wildlife Service’s Information for Planning and Consultation (IPaC) database, there are four threatened or endangered species listed in the vicinity of the project. The species list includes two mammals, the Canada Lynx (*Lynx canadensis*) - threatened, and Northern Long-eared Bat (*Myotis septentrionalis*) – threatened; and two bird species Piping Plover (*Chaqradrius melodus*) - endangered, and Red Knot (*Calidris canutus rufa*) – threatened. Critical habitat has been designated for the Canada Lynx and this habitat overlaps the project area. No other state or federally listed critical habitat overlaps the project area.

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

The site currently provides little to no wildlife habitat as the majority of the site is impervious surface in a highly developed urban area. Current and changed conditions at the site do not provide natural area that would support the threatened and endangered species listed in the area including the Canada Lynx, Long-eared Bat, and two shoreland bird species. The site is not within a township that contains any known roost trees or hibernaculum for the northern long-eared bat.

Nesting areas for the peregrine falcon include window ledges of multi-story complexes. A nest box on a nearby building has had nesting falcons for multiple years. It is unlikely that the construction activities will affect these birds. If the nesting Peregrine Falcons do exhibit unusual behaviors or signs of distress, especially during breeding season, the DNR Regional Nongame Specialist will be contacted. Nesting and fledging occur from April through July.

Fish species can be adversely impacted by changes in stream hydrology or decreased water quality caused by construction activities. The project vicinity to Lake Superior requires that a stormwater management plan be developed and followed to minimize these impacts.

There is little risk for the introduction and spread of invasive species from this project site since most of the site is developed impervious surface.

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

Minimal impacts to fish and wildlife are anticipated. During and immediately following construction, erosion control BMPs will be in place to prevent erosion from the site into Lake Superior per the NPDES/SDS requirements.

14. Historic properties:

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

operation. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to historic properties.

According to the Office of the State Archaeologist online portal, two archaeological sites are recorded within 400 to 800 feet of the project area. Both are submerged in Lake Superior and consist of a probable dock and the ruins of the 1870 Outer Harbor Breakwater. Neither site will be affected by the proposed project.

In 2005, A National Register of Historic Places Multiple Property Documentation Form (MPDF) was completed for the “Historic Resources of Downtown Duluth, Minnesota, 1872-1933.” The multiple property group for Duluth includes two historic districts - the Duluth Commercial Historic District and the West Superior Street Historic District. At that time, the Duluth Commercial Historic District contained 114 buildings (87 contributing, 20 non-contributing) and seven non-contributing vacant lots. The district is located in the geographical heart of Duluth, east-west along Superior Street. Of the contributing buildings, only two will be directly impacted by the project. The Hacienda del Sol (formerly known as the Carlson Bakery) at 319 East Superior Street, and the Duluth Oriental Grocery (formerly known as the Parker Millinery) at 323 East Superior Street, are slated to be demolished to accommodate new project construction.

Building Location and Historic Context

Hacienda del Sol (formerly known as the Carlson Bakery)

The two-story variegated orange brick structure is located at 319 East Superior Street, near the center of the block between North 3rd Avenue East and North 4th Avenue East. The structure has a long, narrow rectangular footprint and common brick sidewalls. Additions and remodeling of the structure to accommodate recent use as a restaurant are visible.

The Hacienda del Sol is currently vacant and in a general state of disrepair. The City has requested the property be secured to prevent further damage from trespassers who have burnt holes in the floor. The property has, in the past, been considered to be a contributing resource to the Duluth Commercial Historic District. Contributing resources are defined as structures, buildings, and sites which add to the historical integrity or architectural qualities from which a historic district was designated. Non-contributing resources, a modern hotel for example, do not contribute. Over time, structures may change contributing status based on significant alterations or remodeling. Although remodeling and additions have changed the original structure, these changes were completed prior to the designation of the Hacienda del Sol as a contributing resource. The current vacancy of the building, if left alone, creates a safety risk for the community and potential hazard for the surrounding district. The building itself is neither a locally designated property nor a nationally registered property.

Duluth Oriental Grocery (formerly known as the Parker Millinery)

The two-story structure is located at 323 East Superior Street, on the northeast side of the Hacienda del Sol. The Duluth Oriental Grocery is currently vacant and in a general state of disrepair. As a vacant property, the building creates a safety risk to the community and potential fire hazard for the surrounding district. Listed as contributing to the Duluth Commercial Historic District, the building itself is neither a locally designated property nor a nationally registered property.

Background

Hacienda del Sol (formerly known as the Carlson Bakery)

The former Carlson Bakery (Hacienda del Sol) was designed by Anthony Puck and constructed in 1910. Born in Christiania, Norway, Puck came to Duluth in 1904. He was a prolific architect who also designed the Spina Building (2-8 West 1st Street) and the Pickwick Restaurant (508 East Superior Street). These still standing structures are typical examples of Puck's work.

The Hacienda del Sol has changed ownership and use over time, resulting in remodeling of the interior and exterior. In 1982, the facade and interior were remodeled as the building was converted to restaurant use. The building is further described in the MPDF as follows:

Two simple brick piers with red sandstone blocks frame a large new aluminum storefront assembly with false divided lights and transoms. The bulkhead appears to be new construction in a brick that roughly matches the original. New signage and wood paneled cornice with gooseneck lighting separate the rest and second floor. Three columns of large, tightly spaced brick quoins divide the second floor into two bays, with each bay holding a new pair of aluminum frame, single hung 1/1 windows with false divided light transoms. The windows rest off small, simple red sandstone sill, while the heads are formed from massive flat-faced red sandstone blocks. A series of two-brick steps are surmounted by a broad, flat brick fascia and dentil wooden projecting cornice. A low brick parapet is divided into two bays by projecting brick piers, and the whole is capped by a cast stone coping. A large two-story deck was added to the east facade in 2004, following the demolition of the adjacent historic building.

Duluth Oriental Grocery (formerly known as the Parker Millinery)

Designed by architect, F.L. Young, the Parker Millinery was constructed in 1900. Born in Ontario, Canada in 1858, Young arrived in Duluth in the 19th century and worked as a partner with several other Duluth architects. According to the MPDF, he worked with Austin Terryberry (1887-1888), Gearhard Tenbusch (1891-1897), and Carl Nystrom (1902-1905). Aside from the Parker Millinery, Young is known for his design of the Mutual Automobile Company Building (302 East Superior Street) and the Ely High School, in Ely, Minnesota.

Like the Hacienda del Sol, the Duluth Oriental Grocery has changed ownership and use over the last century. Limited remodeling and alterations have taken place. The structure is best described in the MPDF.

This is a two-story cream brick storefront with a rectangular plan and off-white terra cotta detailing. The first floor is largely intact and is composed of two flat brick piers with inset brick panels in a herringbone pattern, which frame a large storefront opening. Although the original windows have been replaced with new aluminum frame units and the bulkheads were covered in blue glazed certain tile, the original configuration remains, along with the two recessed single-light wood entry doors, the hexagonal tile pavement at the east entrance, and the pressed metal ceiling on the interior. The storefront is topped by a large expanse of Luxfer prisms, altered only by the installation of a ventilation fan.

A simple terra cotta molding demarcates the base of the second floor, which is more elaborately decorated than the storefront. Two pairs of 9/1 double hung windows pierce the facade at the second floor, altered only slightly by the addition of metal screens and storms. Each pair is framed by a large terra cotta surround with a garland molding and a simple terra cotta sill, while a terra cotta panel with a bead-and-reel molding surrounding an inset panel separates the two windows in each pair. A large, flat terra cotta string course cuts across the facade at the midpoint of the windows, and three decorative terra cotta plaques bearing a sculpted shield motif flank the window pairs. Two large terra cotta brackets covered with acanthus leaves support a projecting terra cotta cornice, all of which sites just below a low brick parapet capped by terra cotta coping tiles.

Current Setting

The Hacienda del Sol and Duluth Oriental Grocery buildings are located on the north side of northeast-southwest running East Superior Street. To the northeast, on the corner of North 4th Avenue East is the Voyageur Inn, a motel constructed in 1959.

According to a newspaper article in 2016, new ownership remodeled the 42-room motel. The Voyageur Inn has not been inventoried or evaluated for National Register eligibility, likely due to the date of construction missing the 50-year criteria at the time of previous surveys. The mid-century building is outside the period of significance for the Duluth Commercial District and is a general representation of circa 1950-1960 hotel complexes.

Located to the southwest of the Hacienda del Sol and Duluth Oriental Grocery buildings stands the Sheraton (Duluth Grand). Constructed in 2006, the 11 story, 147-room modern hotel shadows the historic district.

A vacant lot between the Hacienda del Sol and Duluth Oriental Grocery buildings once contained a small commercial building. The structure, recorded as a vacant lot in the 2005 MPDF, was located at 321 East Superior. The building was demolished in 2003. Additions to the Hacienda del Sol were completed after the demolition of this structure.

On the south side of East Superior Street, are six contributing structures (**Table 11**). Construction dates of these buildings range from 1881 to 1928. Remodeling and restoration of many of the buildings has taken place in the last few years and they retain historic integrity supporting their contributing status.

Table 11: Nearby Contributing Structures.

Property Address	Historic Name	Current Name	Date of Construction	Architect
320 East Superior Street	Buffalo Saloon	Lindor-Ward Pianos (2005)	1881	Unknown
318 East Superior Street	McNamara Automobiles	Duluth Vinyl Roofs (2005)	1913	Frederick German

Property Address	Historic Name	Current Name	Date of Construction	Architect
314 East Superior Street	Northwestern Cadillac Company	Bisys Insurance/Superior USA	1920	Unknown
310 - 312 East Superior Street	Hotel Florham	Brigila Insurance, First Northern Consultants (2005)	1900	Unknown
308 East Superior Street	Burrell & Harmon Metal Work	Lester River Fly Shop (2005)/Carmody Irish Pub & Brewing (2020)	1905	Unknown
302 East Superior Street	Mutual Auto Co.	Charter Communications (2005)/Duluth Trading Company (2020)	1915	Frank Young

Project Impacts and Mitigation

Demolition of the Hacienda del Sol and Duluth Oriental Grocery would remove two contributing resources from the Duluth Commercial Historic District. However, setting and feeling of the district has been compromised with the 2006 construction of the adjacent 11-story Sheraton Hotel. The current vacancy of the Hacienda del Sol and Duluth Oriental Grocery place safety risks on the landowners and city and create a potential fire hazard for the historic district. Incorporation or reuse of the existing structures is not practical. The creation of a mixed-use complex will open access to the downtown historic district, create much needed housing and commercial space and promote the cultural opportunities within the existing district.

The project has the potential to affect the adjacent and nearby contributing resources. Protective measures could be implemented to provide adequate protection to adjacent historic buildings. Additional mitigation measures may include:

- Recordation of the Hacienda del Sol and Duluth Oriental Grocery buildings following the Minnesota Historic Property Record (MHPR) guidelines for Level II Documentation
- Interpretation and signage acknowledging the non-extant properties
- Salvage opportunities for historic components prior to or during demolition.

15. Visual:

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

The project site is located three blocks from Lake Superior and the lake can be viewed from the site. The proposed 15-story building may obstruct views of the lake from further uphill despite significant elevation change. The neighboring property to the southwest of the project site is an 11-story hotel

and condominium complex that nearly matches the height of the proposed building. New construction of tall structures in this general area will naturally obstruct some views of the lake.

The City of Duluth has described a viewshed planning process in the 2006 Comprehensive Land Use Plan. An updated process for evaluating important views would support the establishment of parameters regulating the development types and heights across Duluth (*Imagine Duluth 2035*). Official viewsheds, evaluation, and implementation actions have not been created, however, important vistas have been identified, including views from Skyline Parkway. The nearest section of Skyline Parkway is located approximately 0.7 miles to the north and northwest of the project site and views are not expected to be impacted by the project development. Elevation at the project site is approximately 660 feet above sea level (ASL) and Skyline Parkway is over 1000 feet ASL.

16. Air:

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

The proposed project does not include heavy industrial facilities, but the project will still involve some stationary source air emissions. The complex will include heating and cooling systems operated by natural gas and electricity and will include a boiler which will result in direct or indirect sources of stationary greenhouse gas (GHG) emissions. Emissions from the project are expected to be similar to other institutional facilities in the area. Exhaust plumes from the boiler are not expected to be visible.

Although the project is not expected to have significant GHG impacts, several opportunities for climate change and GHG mitigation and adaptation exist. Potential GHG and climate change mitigation measures that may be considered include:

- Use energy efficient building materials that reduce needs for home heating and cooling.
- Install energy star appliances and programable thermostats.
- Install smart irrigation, or no irrigation at all, to reduce outdoor water use.
- Install high-albedo (reflective) roofing materials that reflect solar energy and save energy.
- Install rooftop solar, electric vehicle charging stations, and/or battery power walls in new homes to make them more energy autonomous and EV-ready.
- Allocate part of the site to a community solar garden and create a solar-ready community with lower long-term electricity costs.
- Create a microgrid for efficient, automated distribution of energy among participants.

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

The EPA has identified a group of 93 compounds emitted from mobile sources that are listed in their Integrated Risk Information System (IRIS). In addition, the EPA identified seven compounds with significant contributions from mobile sources that are among the national and regional-scale cancer risk drivers. These are acrolein, benzene, 1, 3-butadiene, diesel particulate matter, plus diesel exhaust organic gases (diesel PM), formaldehyde, naphthalene, and polycyclic organic matter. While Federal Highway Administration (FHWA) considers these the priority mobile source air toxics, the list is subject to change and may be adjusted in consideration of future EPA rules. EPA rule requires controls that will dramatically decrease Mobile Source Air Toxin (MSAT) emissions through cleaner fuels and cleaner engines.

For this EAW, the amount of MSAT emitted would be proportional to the average daily traffic (ADT). The ADT estimated for the proposed site development is slightly higher than that for the no build condition, because the project involves an increase in residential housing that produces additional trips. This increase in ADT means MSAT under the build scenarios may be higher than the no build condition in the project area. There could also be localized differences in MSAT from indirect effects of the project such as associated access traffic, emissions of evaporative MSAT (e.g., benzene) from parked cars, and emissions of diesel particulate matter from delivery trucks. Travel to other destinations would be reduced with subsequent decreases in emissions at those locations.

It is expected there may be slightly higher MSAT emissions in the project area with the project relative to the no build condition due to increased ADT. There also could be increases in MSAT levels in a few localized areas where ADT increases. In general, the EPA's vehicle and fuel regulations will ensure lower MSAT levels in the future when compared to today.

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

During demolition and construction, particulate emissions will temporarily increase due to generation of fugitive dust. The nearest and most sensitive receptors to the construction activity are the business and residential properties that immediately surround the property. Construction dust control is required to be in conformance with City ordinances and the NPDES Construction Stormwater permit. The construction and operation of the proposed site development is not anticipated to involve processes that would generate odors.

Prior to demolition of the existing buildings a demolition inspection will occur. If asbestos or other potential contaminants are encountered, these materials will be properly stored and disposed of by following a Hazardous Waste Contingency Plan that is developed by the contractor.

17. Noise

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

Existing sources of noise include surrounding roadways. Interstate 35 is located approximately 200 feet east of the project and E Superior St is a main thoroughfare in downtown Duluth that is directly adjacent to the project site. Traffic volumes on the cross streets of E Superior St and N 4th Ave E are not expected to increase dramatically after the project is complete. An existing parking garage will be used for tenant and customer parking for the proposed building. This parking garage currently serves other local businesses, residential, and hospital visitors. Nearby sensitive receptors include existing housing directly adjacent to the site.

During construction, noise levels will temporarily increase and vary in intensity based on the types of construction equipment being used (**Table 12**). To minimize the effects of this noise, construction will be limited to daytime hours consistent with the City's construction and noise ordinances. In addition, construction equipment will be fitted with mufflers that would be maintained throughout the construction process.

Table 12: Typical Roadway Construction Equipment Noise Levels at 50 Feet.

Equipment Type	Manufacturers Sampled	Total Number of Models in Sample	Peak Noise Level	
			Range	Average
Backhoe	5	6	74-92	83
Front Loader	5	30	75-96	85
Dozer	8	41	65-95	85
Grader	3	15	72-92	84
Scraper	2	27	76-98	87
Pile Driver	N/A	N/A	95-105	101

Source: United States Environmental Protection Agency and Federal Highway Administration

Following construction, noise in the area will be typical of downtown urban area. Additional traffic added to surrounding roadways is not expected to generate noise to a degree with would exceed noise standards or diminish quality of life for people living or working nearby.

18. Transportation

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

The proposed development includes a 200-dwelling unit high-rise residential building with commercial space on the first and second floors, which replaces two underused buildings and a 42-room hotel. The proposed development will provide off-street parking spaces for only three of the units, as the site is in the Duluth central business district. The Skywalk, Lakefront Park and

access to retail, commercial, medical and recreational opportunities are nearby. Bus routes and a Duluth Transit facility are located on the same block as the proposed development. For the residents that own personal vehicles, several parking facilities are close including a large parking ramp adjacent to the site where parking spaces have been secured.

1. 24 existing off-street parking spaces that will be removed. Six off-street parking spaces are proposed with the development that will serve three units of townhouses.
2. The estimated total average daily traffic generated by the site is 2,270 trips. The existing hotel generates an estimated 351 trips per day.
3. The estimated a.m. peak hour (between 7:00 and 9:00 a.m.) traffic is 207 trips and the estimated p.m. peak hour (between 4:00 and 6:00 p.m.) traffic is 137 trips. The existing hotel generates an estimated 20 and 26 trips during the a.m. and p.m. peak hours respectively.
4. Trip generation rates are based on Trip Generation Manual, 10th Edition by the Institute of Transportation Engineers, September 2017. The primary data source was Land Use: 232, High Rise Residential with 1st Floor Commercial. Due to the fact that this is a relatively new land use in the manual and there are fewer data points, Land Use: 222, Multifamily Housing (High-Rise) was used to provide additional data and check the validity and realism of the estimates. The data stated that it was based on 98.4% dwelling unit occupancy, so to provide a conservative estimate, a 100% occupancy was used for the calculations. **Table 13** shows the trip generation estimates for the proposed development. **Table 14** shows the trip generation estimates for the existing use.
5. The site of the proposed development is six blocks from the Duluth Transit Center, next to the 3rd Avenue East Transit Stop which is located in the adjacent parking ramp and a block away from several transit stops serving most of Duluth Transit's bus routes. The site is within a block of the entrance to the Lakewalk system and a few blocks from 3.5 miles of Skywalk systems connecting pedestrians to commercial, residential, recreational, hospitality and medical facilities.

Table 13: Trip Generation from Proposed Development.

TRIP GENERATION										
Site	# of Units	Unit Type	ITE Code/Description	AM Trips			PM Trips			Weekday Trips
				In	Out	Total	In	Out	Total	
Northstar Development Superior Street Duluth, MN	200	Dwelling Units	232 - High Rise Residential with 1st Floor Commercial	50	157	207	83	54	137	2,270

Source: Institute of Transportation Engineers

Table 14: Trip generation from Existing Development.

TRIP GENERATION										
Site	# of Units	Unit Type	ITE Code/Description	AM Trips			PM Trips			Weekday Trips
				In	Out	Total	In	Out	Total	
Voyageur Lakefront Inn Duluth, MN	42	Hotel Rooms	310 - Hotel	12	8	20	13	13	26	351

- 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 proposed development will take advantage of its location in the Duluth downtown area. Being a mixed-use residential building, the proximity to public transit, many different land-uses (office, retail, recreational, medical, and institutional), the Duluth Lakewalk system and the climate-controlled Skywalk system, there are many transportation options other than a resident owned vehicle.

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

The proposed development removes a vehicle access onto Superior Street about 50 feet from the intersection with North 4th Avenue East. Six off-street parking spaces will be provided for townhomes via East 1st Alley, and most of the vehicle owners will utilize the secured spaces in an adjacent parking ramp or other nearby parking ramps. With the low number of on-site parking spaces provided and the development site located near attractions and transit routes, transportation impacts are expected to be manageable.

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

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

The proposed project will result in the construction of a 15-story mixed-use building and associated utilities in downtown Duluth. Impacts will result from construction of this building. Project-related impacts will include those associated with construction (e.g., soil disturbance, noise, dust, etc.) as well as those associated with the permanent conversion of the existing buildings on-site. These impacts will include visual impacts and increased traffic.

Construction of the mixed-use complex is anticipated to begin in fall 2021. Any impacts to the environment will be required to meet Federal, State, and Local regulation and will be mitigated as required; therefore, it is not anticipated that these impacts will combine to create a cumulative potential effect.

Adjacent to the project, Essentia Health is performing a redevelopment project for its downtown Duluth campus that will result in a replacement hospital bed tower, new surgical suites and outpatient space and renovations to the existing facilities. The proposed project includes a 920,000 square foot multi-story tower that will reduce Essentia Health's overall footprint. This

proposed redevelopment project is adjacent to the site to the northeast of N 4th Street East. Construction began in September 2019 and will be completed in the beginning of 2023.

The Essentia project is currently underway and these two projects have the potential to happen concurrently. These two projects may have temporary impacts to traffic with road and alley closures. Additionally, noise and dust generated by the construction activities at both sites will have a temporary cumulative potential effect.

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

There are no reasonably foreseeable future projects.

- 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.**

The cumulative potential effects are temporary in nature. Both traffic and noise/dust will be impacted during construction activities and be restored once construction is complete. Road and alleyway closures will be coordinated among the projects to limit impacts to traffic. Concurrent schedules will also limit the timeframe where noise and dust will be produced, limiting impacts to sensitive receptors.

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

No additional environmental effects have been identified.

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

I hereby certify that:

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

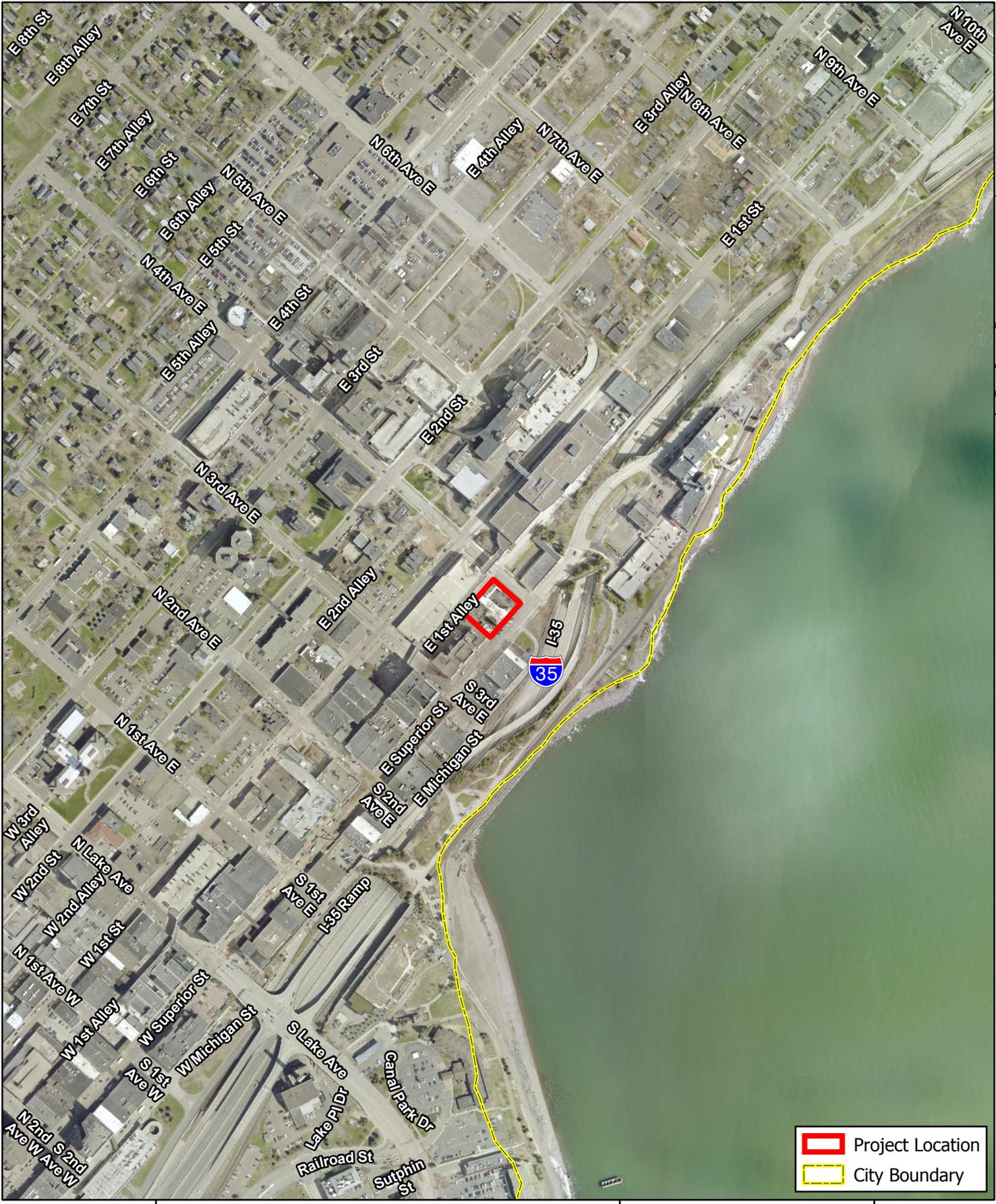
Signature _____

Date _____

Title _____

APPENDIX A

Figures



Project Location
 City Boundary



Figure 1 - Project Location
 Duluth EAW Project
 Duluth, MN

N

 0 500

 Feet
 1 inch = 500 feet





Figure 2 - USGS Topography

Duluth EAW Project
Duluth, MN



0 300
Feet
1 inch = 300 feet



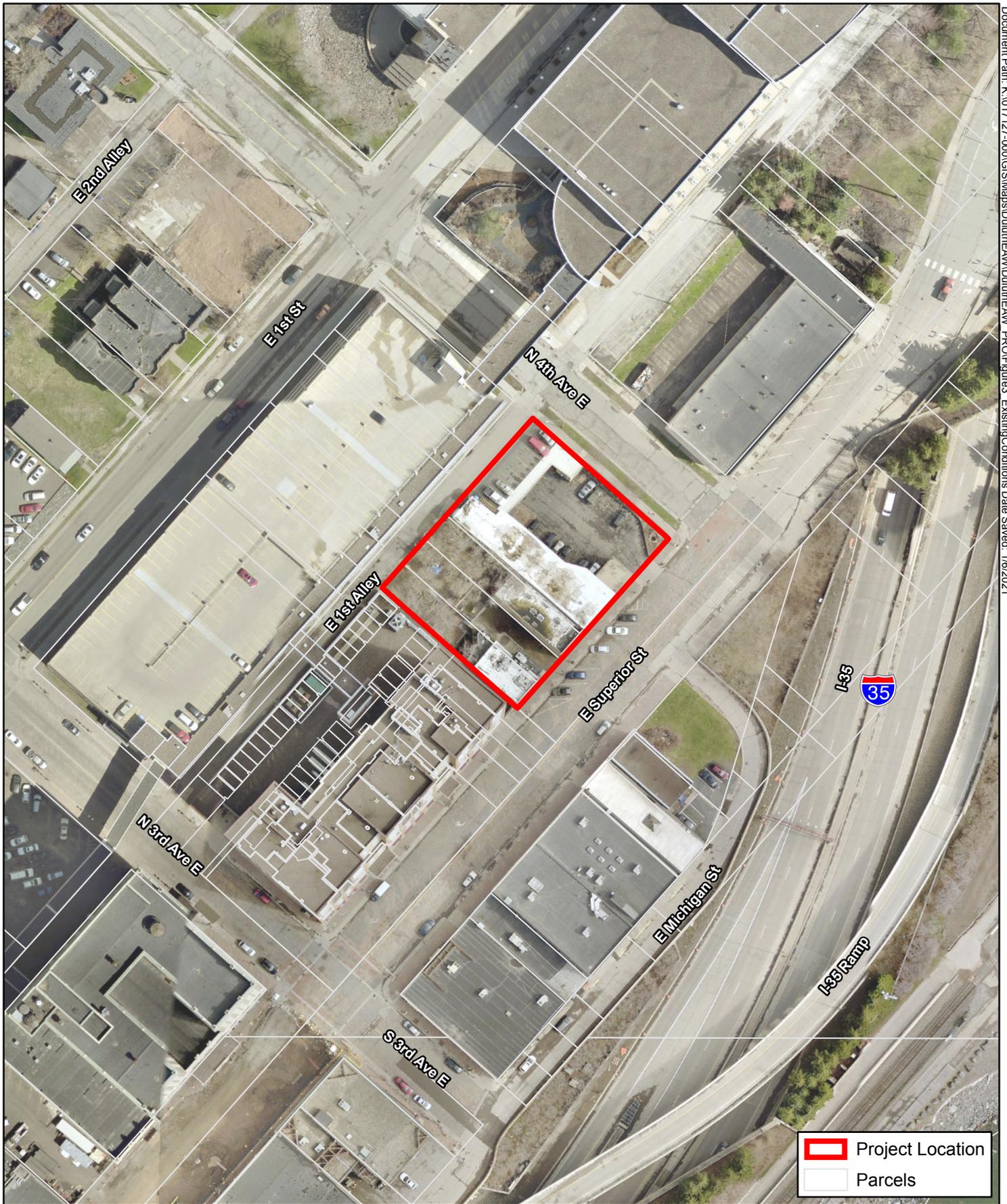


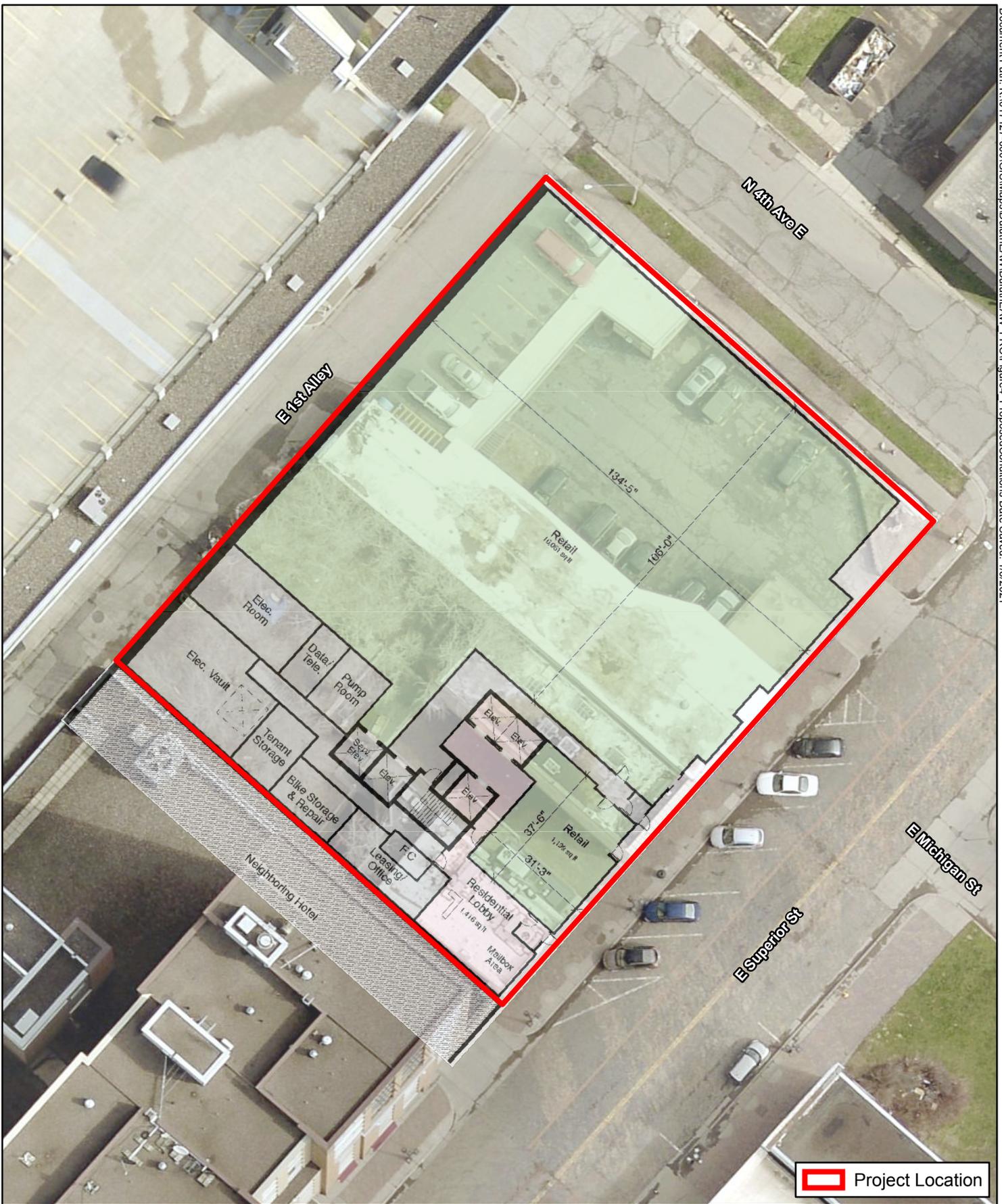
Figure 3 - Existing Site Conditions

Duluth EAW Project
Duluth, MN



0 100
Feet
1 inch = 100 feet





Project Location



Figure 4 - Proposed Site Conditions

Duluth EAW Project
Duluth, MN



0 35 Feet
1 inch = 35 feet



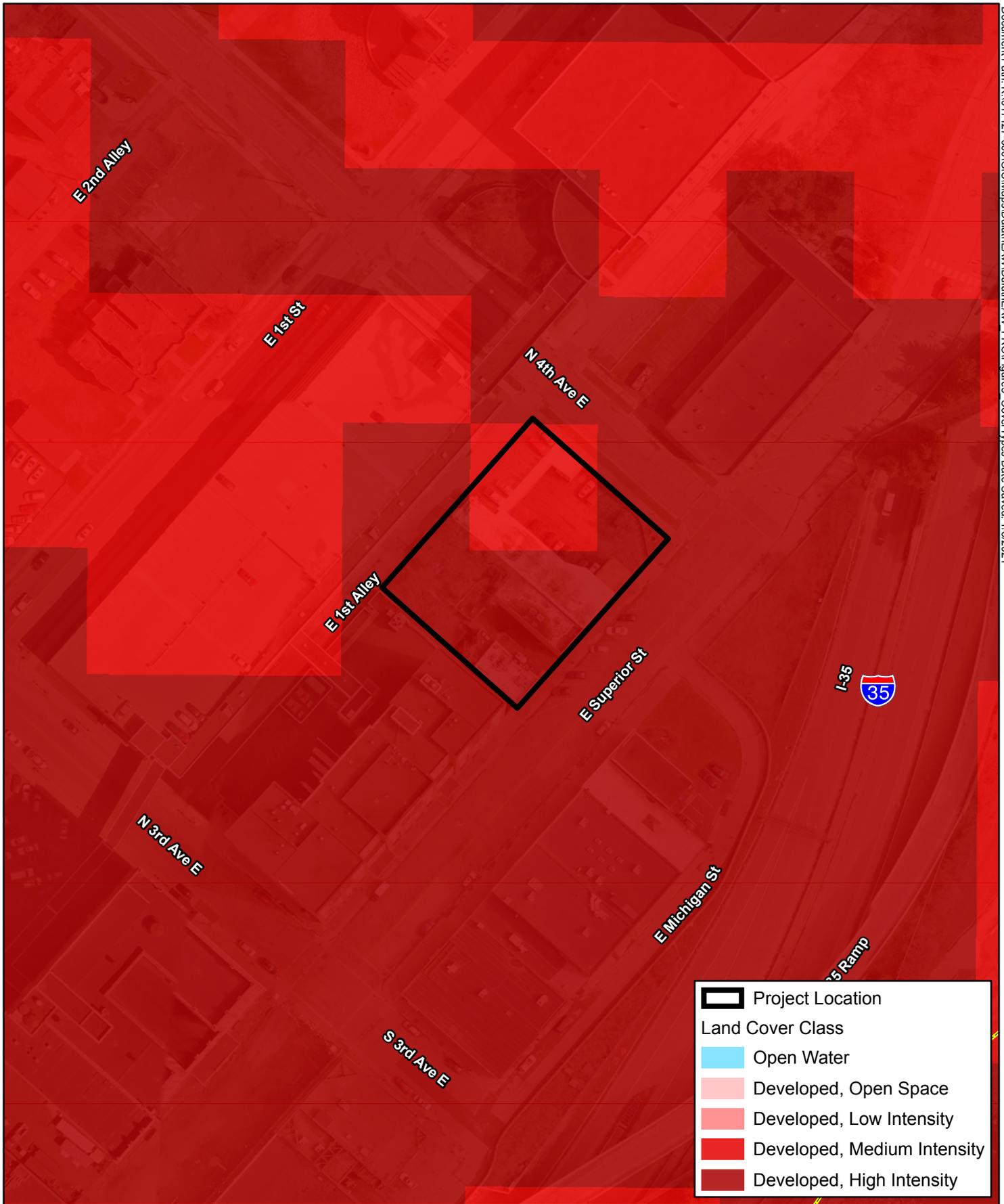


Figure 5 - Cover Types

Duluth EAW Project
Duluth, MN



0 100 Feet
1 inch = 100 feet



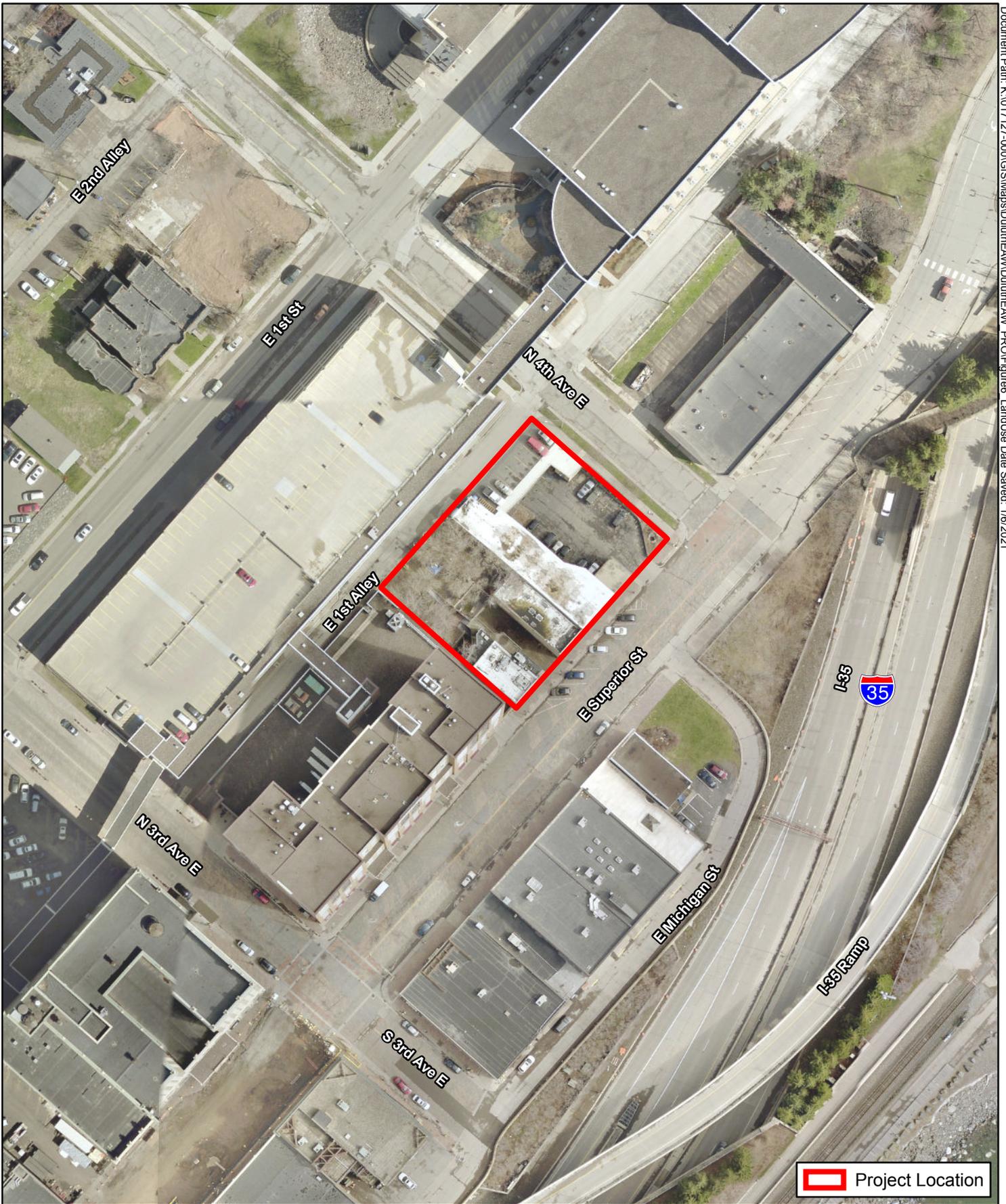


Figure 6 - Land Use

Duluth EAW Project
Duluth, MN



0 100
Feet
1 inch = 100 feet



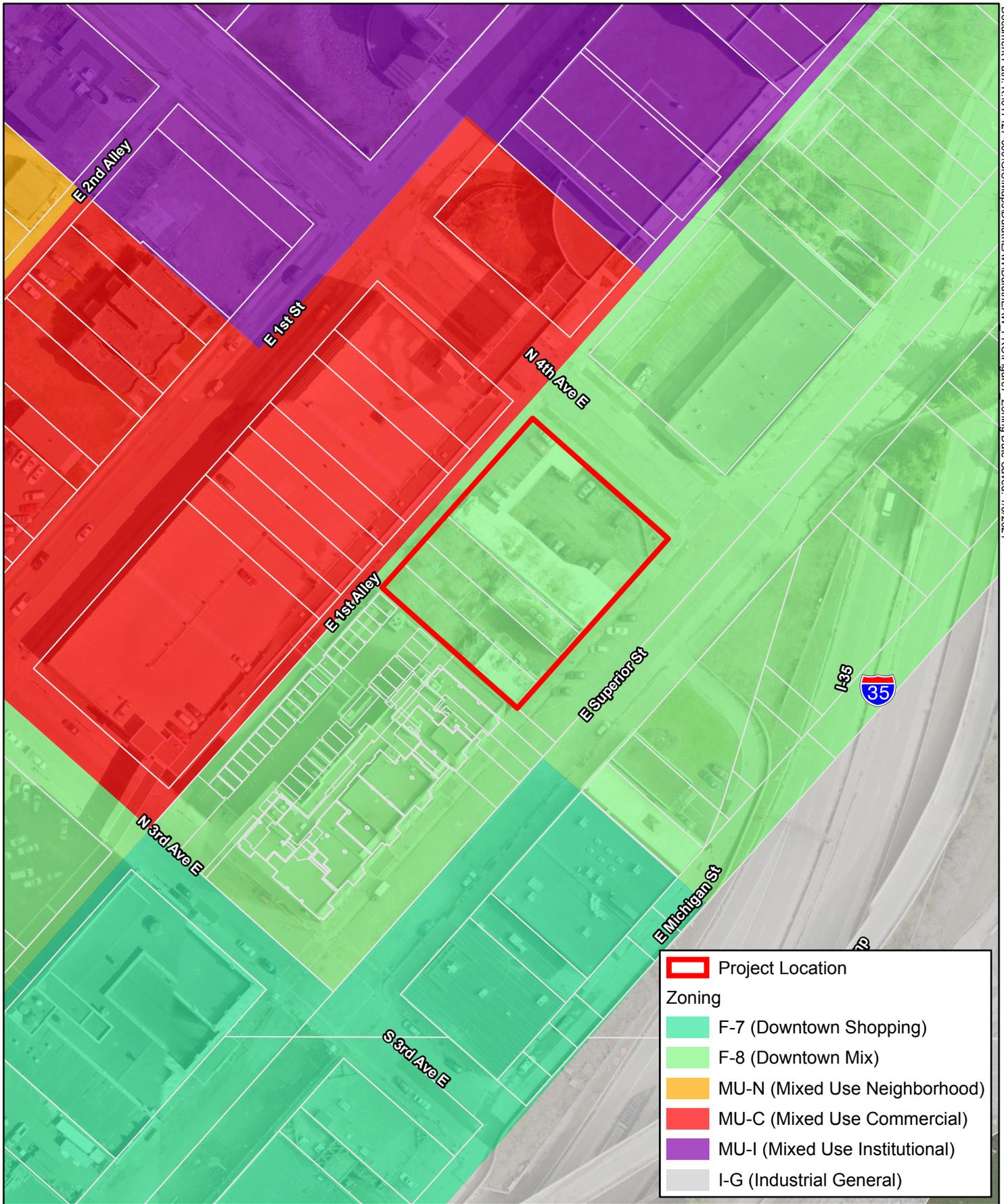


Figure 7 - Current Zoning

Duluth EAW Project
Duluth, MN



0 100
Feet
1 inch = 100 feet



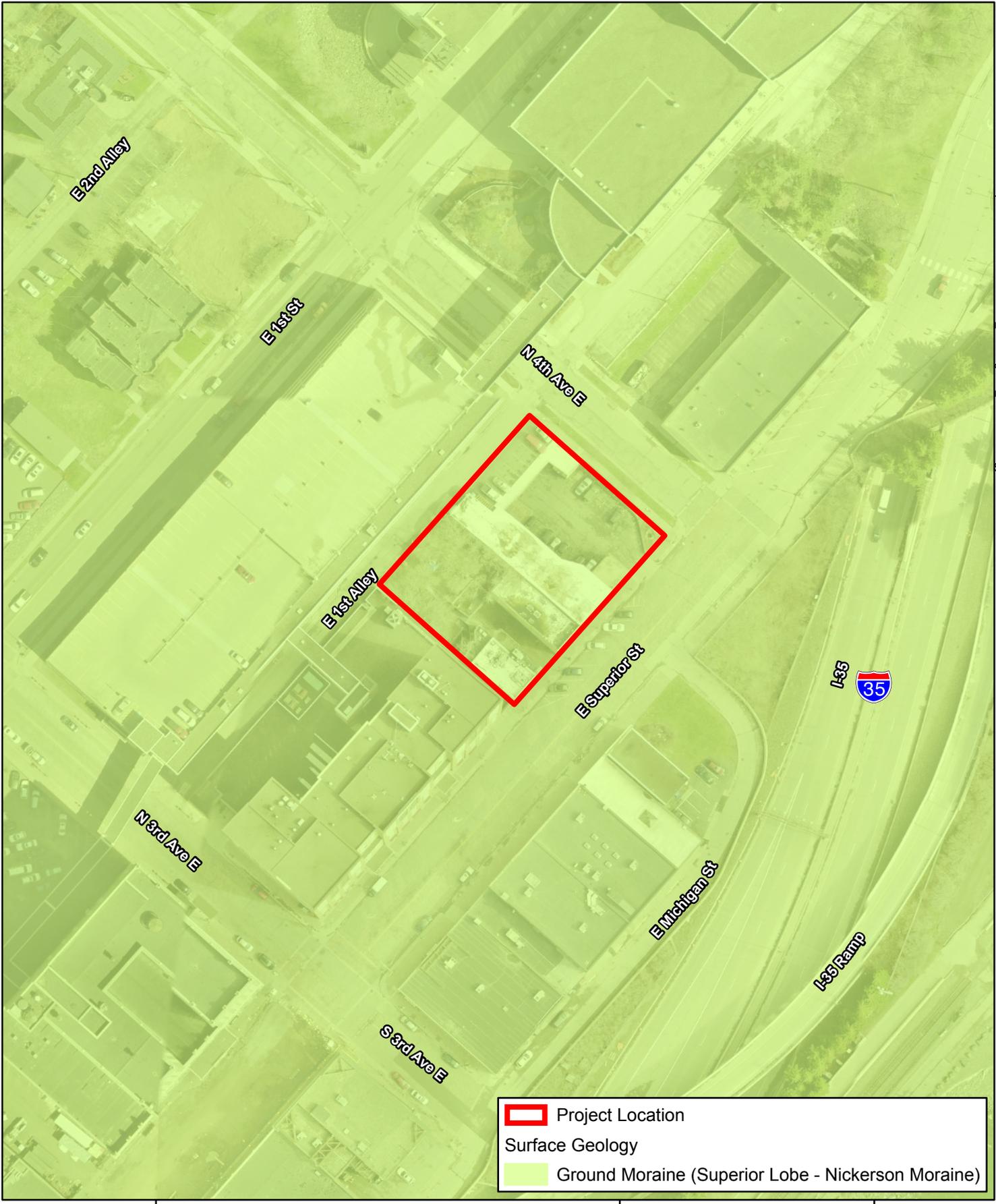
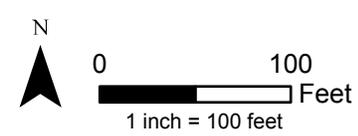


Figure 8 - Surface Geology
Duluth EAW Project
Duluth, MN



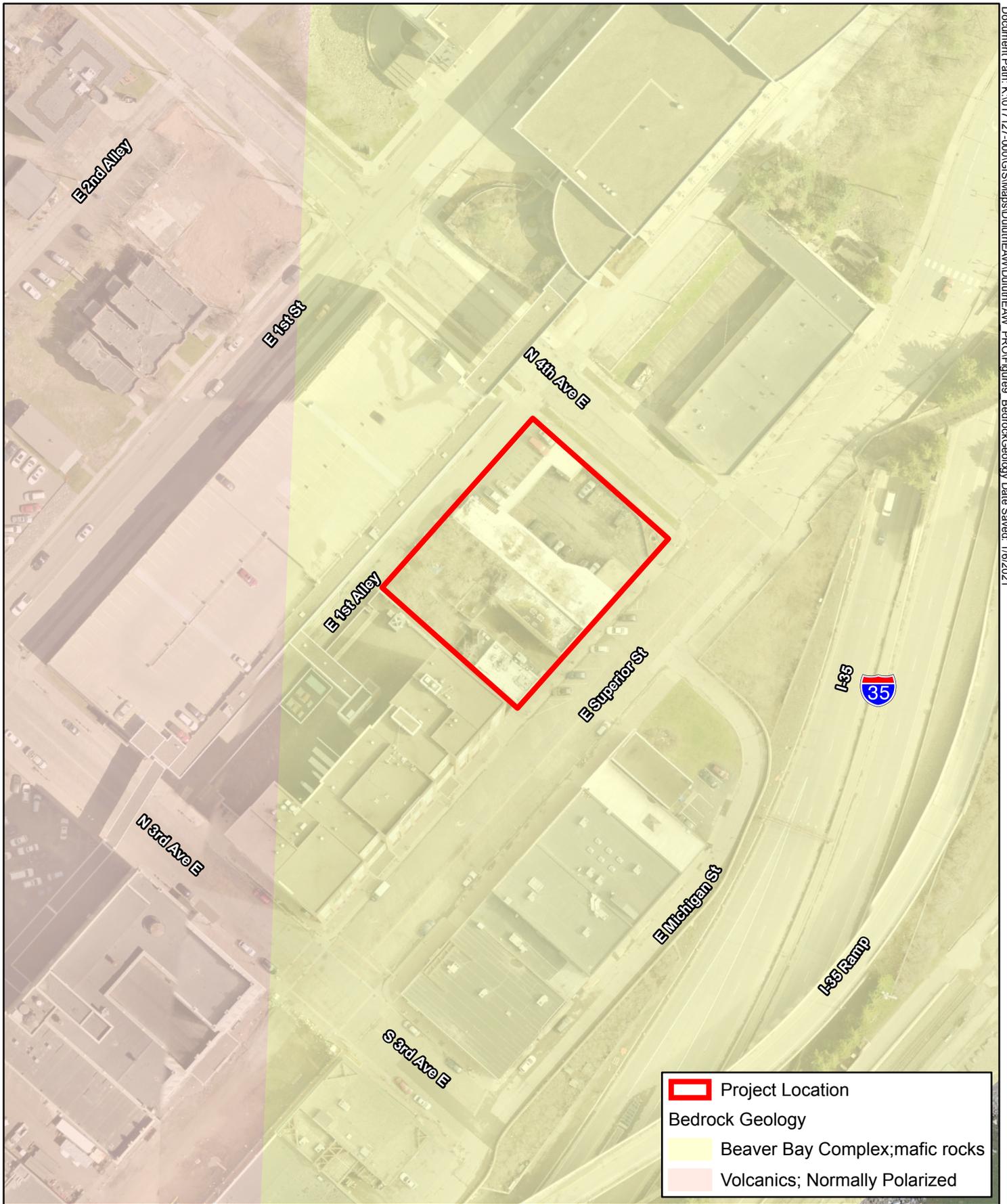


Figure 9 - Bedrock Geology

Duluth EAW Project
Duluth, MN



0 100 Feet
1 inch = 100 feet





Figure 10 - County Soils

Duluth EAW Project
Duluth, MN



0 100 Feet
1 inch = 100 feet



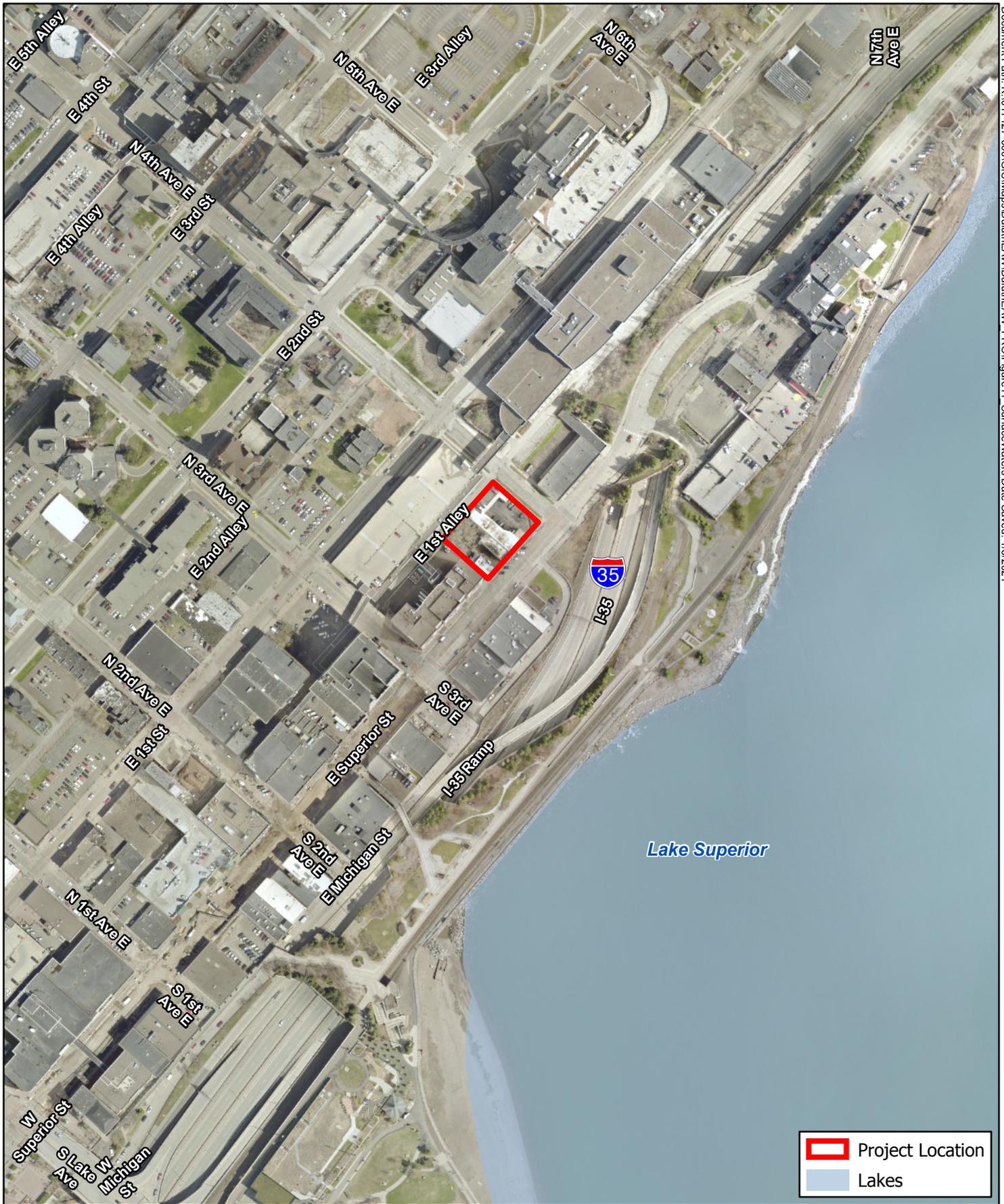


Figure 11 - Surface Waters

Duluth EAW Project
Duluth, MN



0 300
Feet
1 inch = 300 feet



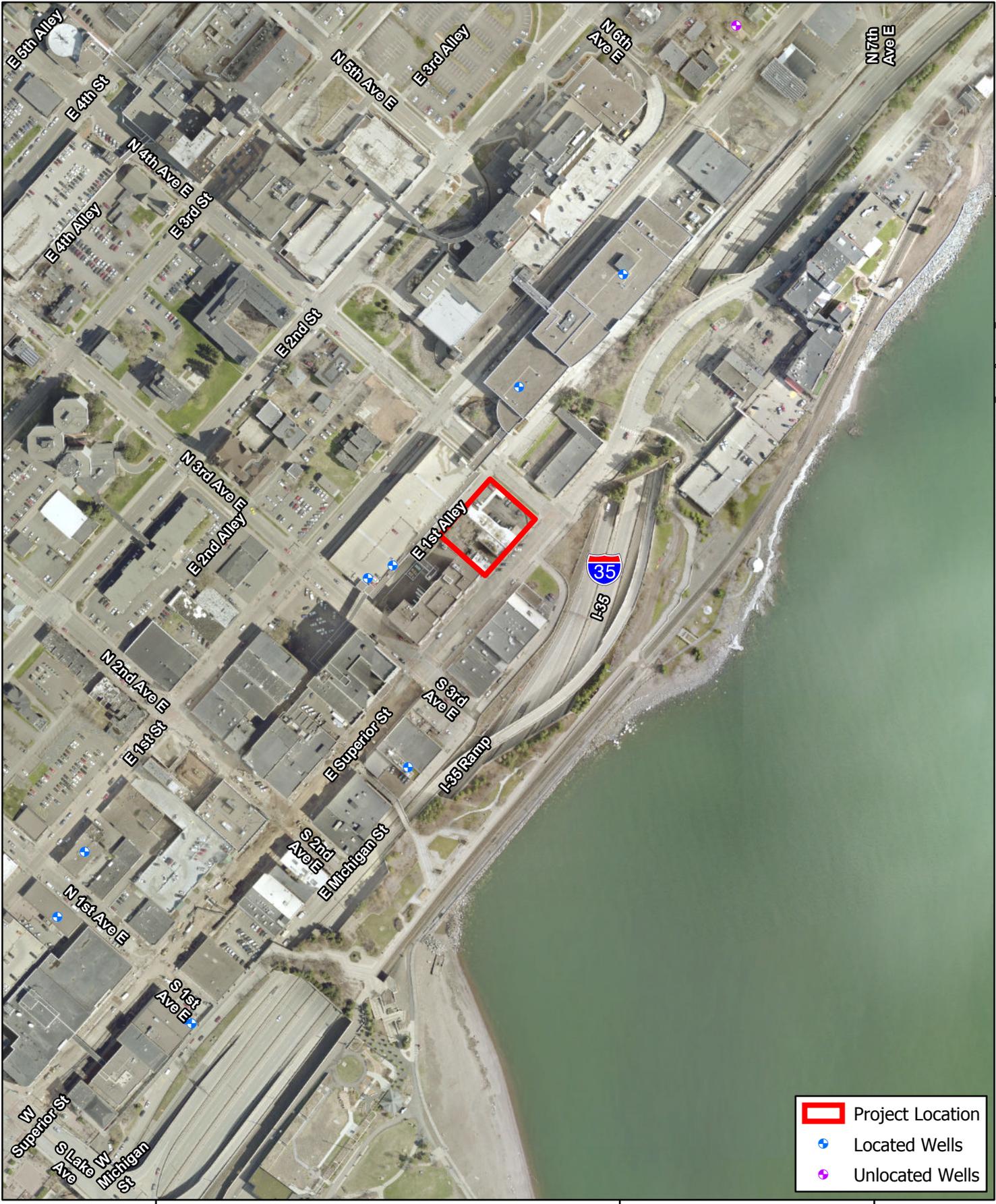
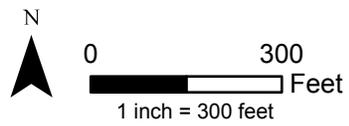


Figure 12 -Wells
Duluth EAW Project
Duluth, MN



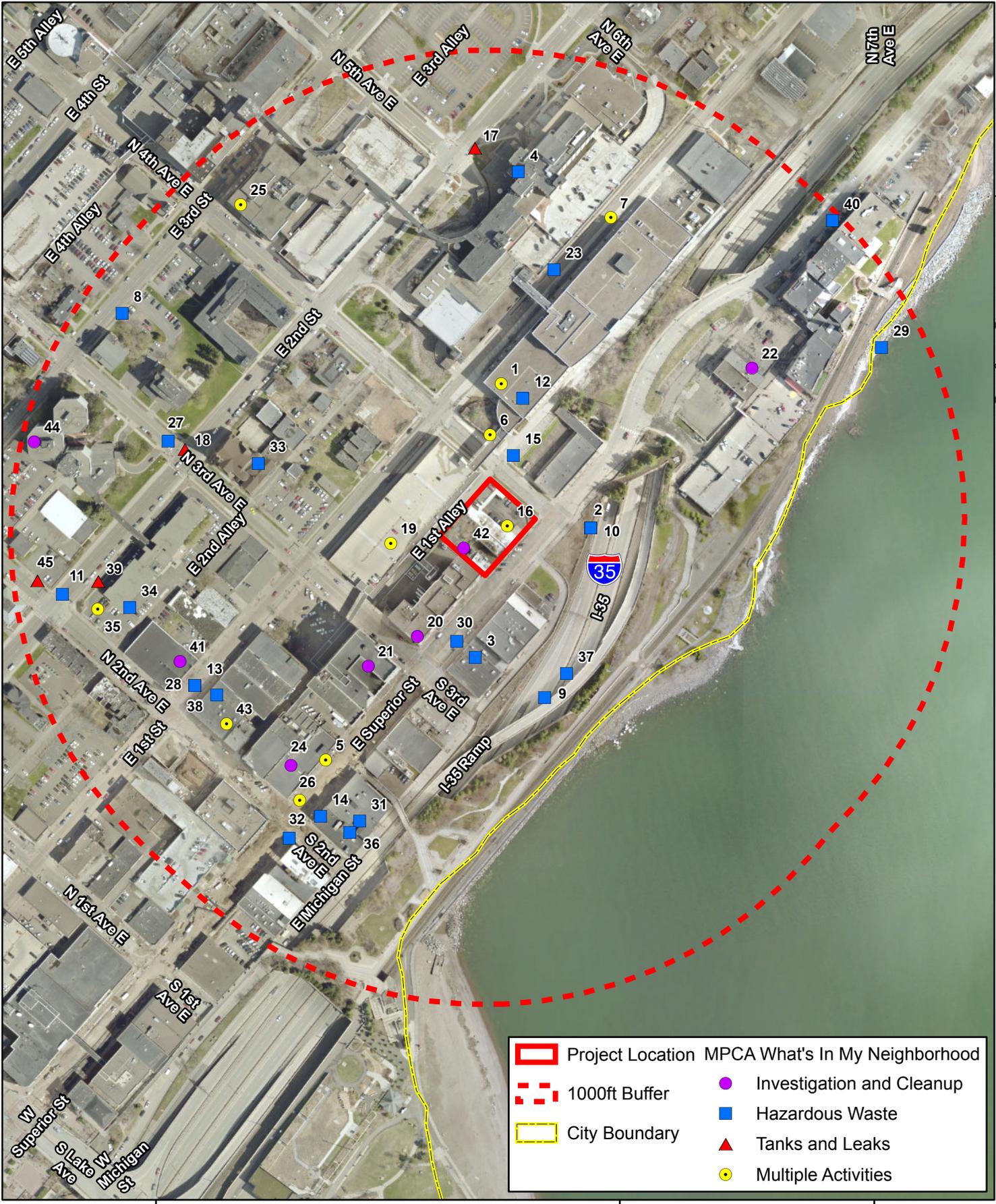
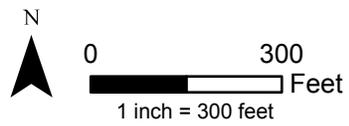


Figure 13 - Environmental Hazards
 Duluth EAW Project
 Duluth, MN

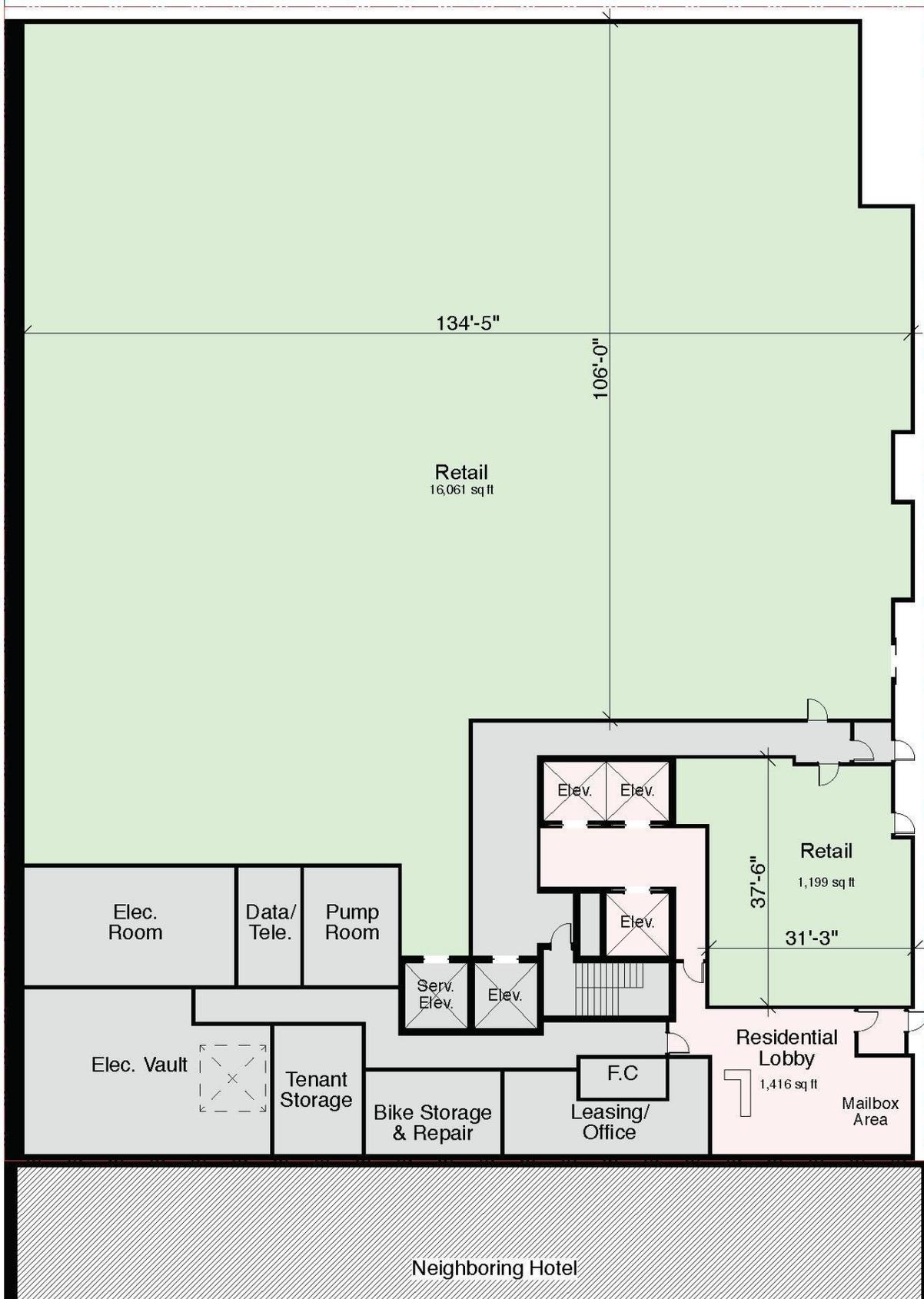


APPENDIX B
Preliminary Site Plans

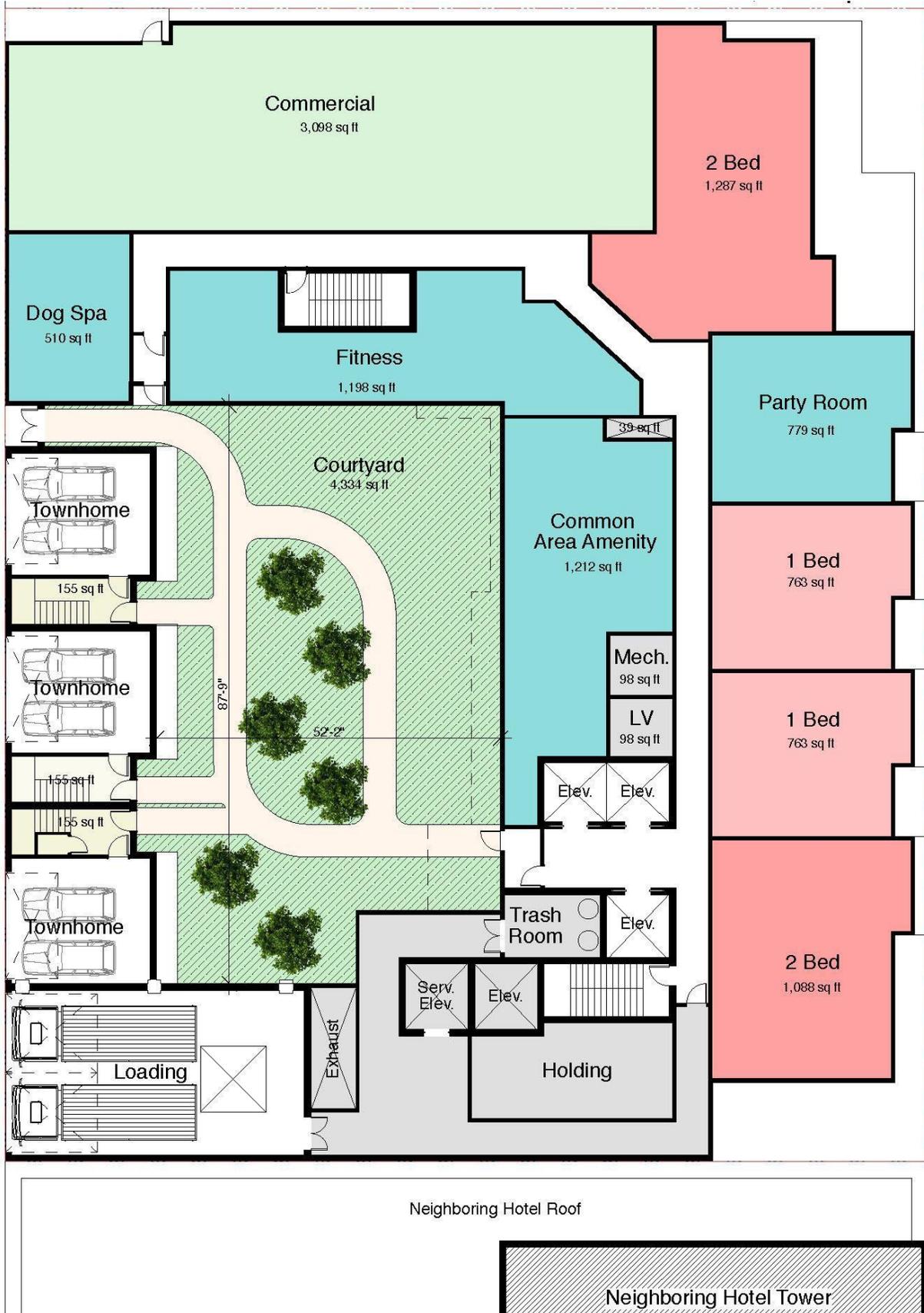
PRELIMINARY BUILDING MASSING DIAGRAM – PROJECT CONCEPT



PRELIMINARY FLOOR PLANS -1ST FLOOR



PRELIMINARY FLOOR PLANS -2ND FLOOR

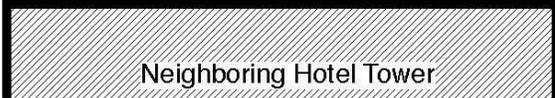


PRELIMINARY FLOOR PLANS -3RD & 4TH FLOOR



Neighboring Hotel Tower

PRELIMINARY FLOOR PLANS -5TH FLOOR



PRELIMINARY FLOOR PLANS -6TH FLOOR TO 15TH FLOOR (TYPICAL)



Neighboring Hotel Tower

APPENDIX C

Well Logs

704151

County St. Louis
 Quad Duluth
 Quad ID 244D

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

Entry Date
 Update Date 12/05/2019
 Received Date 12/07/2004

Well Name ST. MARY'S	Township 50	Range 14	Dir Section W 27	Subsection AABADD	Well Depth 24 ft.	Depth Completed 24 ft.	Date Well Completed 11/09/2004
Elevation 687 ft.	Elev. Method LiDAR 1m DEM (MNDNR)				Drill Method Non-specified Rotary	Drill Fluid	
Address Well 402 1ST ST E DULUTH MN 55802					Use elevator	Status Active	
Stratigraphy Information					Well Hydrofractured? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	From	To
Geological Material From To (ft.) Color Hardness GRANITE 0 24 GRAY V.HARD					Casing Type Step down	Joint Welded	
					Drive Shoe? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Above/Below	
					Casing Diameter	Weight	
					16 in. To 24 ft. 62.6 lbs./ft.		
					20 in. To 1 ft. 52.7 lbs./ft.		
					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
					neat cement	18 Sacks	ft. 24 ft.
					Nearest Known Source of Contamination		
					0 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 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	upper southwest volc	Aquifer
					Last Strat	upper southwest volc	Depth to Bedrock 0 ft
					Located by Minnesota Geological Survey		
					Locate Method Digitization (Screen) - Map (1:12,000) (>15 meters)		
					System	UTM - NAD83, Zone 15, Meters	X 569253 Y 5182485
					Unique Number Verification	Plat Book	Input Date 04/06/2018
					Angled Drill Hole		
					Well Contractor		
					United Drilling, Inc.	L0008	SCHERER, B.
					Licensee Business	Lic. or Reg. No.	Name of Driller

Remarks
 BROKEN ROCK FROM 19 TO 21 FT, BACK INTO SOLID.

704152

County St. Louis
 Quad Duluth
 Quad ID 244D

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

Entry Date
 Update Date 12/05/2019
 Received Date 12/07/2004

Well Name ST. MARY'S	Township 50	Range 14	Dir Section W 27	Subsection AABDCB	Well Depth 42 ft.	Depth Completed 42 ft.	Date Well Completed 11/10/2004
Elevation 684 ft.	Elev. Method LiDAR 1m DEM (MNDNR)	Drill Method Air Rotary		Drill Fluid	Use elevator Status Active		
Address Well 402 1ST ST E DULUTH MN 55802					Well Hydrofractured? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> From To		
Stratigraphy Information					Casing Type Step down Joint Welded		
Geological Material From To (ft.) Color Hardness					Drive Shoe? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Above/Below		
GRANITE 0 42 GRAY V.HARD					Casing Diameter Weight		
					16 in. To 42 ft. 62.6 lbs./ft.		
					20 in. To 1 ft. 52.7 lbs./ft.		
					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		
					neat cement 2 Sacks ft. 42 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 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 upper southwest volc Aquifer		
					Last Strat upper southwest volc Depth to Bedrock 0 ft		
					Located by Minnesota Geological Survey		
					Locate Method GPS SA Off (averaged) (15 meters)		
					System UTM - NAD83, Zone 15, Meters X 569180 Y 5182404		
					Unique Number Verification Plat Book Input Date 04/06/2018		
					Angled Drill Hole		
					Well Contractor		
					United Drilling, Inc. L0008 SCHERER, B.		
					Licensee Business Lic. or Reg. No. Name of Driller		

Remarks
 BROKEN ROCK FROM 19 TO 21 FT, BACK INTO SOLID.

739032County St. Louis
Quad Duluth
Quad ID 244DMINNESOTA DEPARTMENT OF HEALTH
WELL AND BORING REPORT
Minnesota Statutes Chapter 1031Entry Date
Update Date 12/05/2019
Received Date 04/11/2006

Well Name CITY OF	Township 50	Range 14	Dir Section W 27	Subsection AACBCD	Well Depth 54 ft.	Depth Completed 54 ft.	Date Well Completed 03/23/2006
Elevation 663 ft.	Elev. Method LiDAR 1m DEM (MNDNR)				Drill Method Non-specified Rotary	Drill Fluid	
Address Well 302 1ST ST E DULUTH MN 55805					Use elevator	Status Active	
Stratigraphy Information					Well Hydrofractured? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	From	To
Geological Material From To (ft.) Color Hardness GRANITE 0 54 RED/BLK HARD					Casing Type Single casing	Joint Welded	
					Drive Shoe? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Above/Below	
					Casing Diameter 18 in. To 54 ft.	Weight 70.6 lbs./ft.	Hole Diameter 24 in. To 54 ft.
					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
					neat cement	3 Cubic yards	ft. 54 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 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	upper southwest volc	Aquifer
					Last Strat	upper southwest volc	Depth to Bedrock 0 ft
					Located by Minnesota Geological Survey		
					Locate Method GPS SA Off (averaged) (15 meters)		
					System	UTM - NAD83, Zone 15, Meters	X 569073 Y 5182268
					Unique Number Verification	Address verification	Input Date 04/06/2018
					Angled Drill Hole		
					Well Contractor		
					United Drilling, Inc.	L0008	LANGSDORF, A.
					Licensee Business	Lic. or Reg. No.	Name of Driller
Remarks NO DRILL CASING.					Minnesota Well Index Report		
					739032		
					Printed on 12/01/2020 HE-01205-15		

739033County St. Louis
Quad Duluth
Quad ID 244DMINNESOTA DEPARTMENT OF HEALTH
WELL AND BORING REPORT
Minnesota Statutes Chapter 1031Entry Date 08/03/2006
Update Date 12/05/2019
Received Date 04/11/2006

Well Name CITY OF	Township 50	Range 14	Dir Section W 27	Subsection AACBDC	Well Depth 60 ft.	Depth Completed 60 ft.	Date Well Completed 03/23/2006
Elevation 662 ft.	Elev. Method LiDAR 1m DEM (MNDNR)				Drill Method Non-specified Rotary	Drill Fluid	
Address Well 302 1ST ST E DULUTH MN 55805					Use elevator	Status Active	
Stratigraphy Information					Well Hydrofractured? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	From	To
Geological Material From To (ft.) Color Hardness GRANITE 0 60 RED/BLK HARD					Casing Type Single casing	Joint Welded	
					Drive Shoe? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Above/Below	
					Casing Diameter 18 in. To 60 ft.	Weight 70.6 lbs./ft.	Hole Diameter 24 in. To 60 ft.
					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
					neat cement	3.25 Cubic yards	ft. 60 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 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	upper southwest volc	Aquifer
					Last Strat	upper southwest volc	Depth to Bedrock 0 ft
					Located by Minnesota Geological Survey		
					Locate Method GPS SA Off (averaged) (15 meters)		
					System	UTM - NAD83, Zone 15, Meters	X 569091 Y 5182277
					Unique Number Verification	Address verification	Input Date 04/06/2018
					Angled Drill Hole		
					Well Contractor		
					United Drilling, Inc.	L0008	LANGSDORF, A.
					Licensee Business	Lic. or Reg. No.	Name of Driller
Remarks NO DRILL CASING.							
Minnesota Well Index Report					739033		
					Printed on 12/01/2020 HE-01205-15		

764826

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 10/23/2009

Well Name HURLBUT-	Township 50	Range 14	Dir Section W 27	Subsection ADBBBA	Well Depth 34 ft.	Depth Completed 34 ft.	Date Well Completed 03/03/2009
Elevation 628 ft.	Elev. Method LiDAR 1m DEM (MNDNR)				Drill Method Non-specified Rotary	Drill Fluid	
Address C/W 222 SUPERIOR ST E DULUTH MN 55802					Use elevator	Status Active	
Stratigraphy Information					Well Hydrofractured? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	From	To
Geological Material	From	To (ft.)	Color	Hardness	Casing Type Step down	Joint Welded	
BROKEN GRANITE	0	5	BLACK	HARD	Drive Shoe? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Above/Below	
GRANITE	5	34	BLACK	HARD	Casing Diameter	Weight	Hole Diameter
					16 in. To 34 ft. 62.6 lbs./ft.	20 in. To 34 ft.	
					20 in. To 5 ft. 52.7 lbs./ft.		
					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
					neat cement	1.5 Cubic yards	ft. 34 ft.
					Nearest Known Source of Contamination		
					feet	Direction	Type
					Well disinfected upon completion? <input 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 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	upper southwest volc Aquifer	
					Last Strat	upper southwest volc	Depth to Bedrock 0 ft
					Located by Minnesota Geological Survey		
					Locate Method Digitization (Screen) - Map (1:12,000) (>15 meters)		
					System	UTM - NAD83, Zone 15, Meters	X 569103 Y 5182134
					Unique Number Verification	Address verification	Input Date 04/28/2016
					Angled Drill Hole		
					Well Contractor		
					United Drilling, Inc.	1832	LANGSDORF, A.
					Licensee Business	Lic. or Reg. No.	Name of Driller

ORDINANCE NO. _____

AN ORDINANCE DESIGNATING THE DULUTH PUBLIC LIBRARY
(CARNEGIE BUILDING) A HERITAGE PRESERVATION LANDMARK.

BY COUNCILOR JEWELL:

The City of Duluth does ordain:

Section 1. That the City of Duluth does designate, pursuant to Chapter 28A of the Duluth City Code, 1959, as amended, the Duluth Public Library (Carnegie Building) as a Duluth Heritage Preservation Landmark; said landmark is as located on Public Document No. _____ on file with the City Clerk, and is described as follows:

the exterior facades and grounds of the building on Lots 17, 19 and 21, Duluth Proper First Division, West Second Street, and those portions of the interior of the structure consisting of the Second Street entrance hall and stairwell and the first-floor rotunda.

Section 2. That this ordinance shall take effect and be in force thirty (30) days from and after its passage and publication.

Approved:

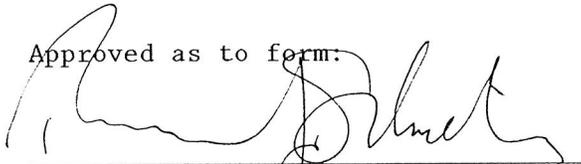


Department Director

Approved for presentation to Council:

Administrative Assistant

Approved as to form:



Assistant City Attorney

Approved:

City Auditor

STATEMENT OF PURPOSE:

At its August 22, 1990, meeting, the Duluth Heritage Preservation Commission, in honor of the Centennial Anniversary of the Duluth Public Library, reviewed the possible designation of the Duluth Public Library (Carnegie Building) as a Heritage Preservation Landmark. A public hearing was held at this meeting, at which the representative of the property owner testified that designation was acceptable to him.

Based upon the historic and architectural merit of the property, the HPC recommended that the Carnegie Building be designated a Heritage Preservation Landmark. The Minnesota State Historical Society concurred with this recommendation in their official comment on the nomination.

CITY OF DULUTH
HERITAGE PRESERVATION COMMISSION
STAFF REPORT ON A NOMINATION
FOR A HERITAGE PRESERVATION LANDMARK
August 22, 1990

I. Name of Property

- A. Historic: Carnegie Building
- B. Common: Duluth Public Library

II. Location

- A. Address: 101 West 2nd Street
- B. Legal Description: Lots 17, 19 and 21, Duluth Proper 1st Division West Second Street

III. Classification

- A. Type of Property (building, monument, park, etc.): building
- B. Current Use: office
- C. Current Zoning: C-4 Business Center Commercial District

IV. Current Owner

- A. Name: Christ's Household of Faith d/b/a North Star Services Realty
- B. Address: 355 Marshall Avenue, St. Paul, Minnesota 55102
- C. Telephone: (612)227-7061

V. Property Status

- A. Occupied/Vacant: occupied
- B. Assessed Value: \$300,000 for land and building in 1990
- C. Ownership History: The building was owned by the City of Duluth until 1981 when it was bought by Historical Development Properties. The property was subsequently sold to the present owner in 1989.
- D. Condition: Generally good but showing some signs of deterioration in the front left pediment area.
- E. Comments: The property has been successfully adapted for reuse and is unlikely to be altered within the foreseeable future.

VI. Historical Background

A. Year Built: 1902

B. Architect and/or Builder: Adolph F. Rudolph, Architect
Pearson & Fawcett, Builder

C. Original Site: yes

D. Altered/Unaltered: Early in the life of the building structural/design deficiencies necessitated the modification and sheathing of the low circular dome in copper. An addition to the rear of the building (northeast and northwest corners) was constructed in 1927 with sandstone face on the front side, and common brick on the rear. This addition carried out the classical design of the original building. Significant interior renovation was undertaken in 1981 of the wings off the central rotunda to allow these spaces to be leased out as private office areas. Two Tiffany windows designed by Duluth resident Anne Weston have been removed and are currently on display in the Duluth Heritage and Arts Center.

VII. Description of Property: The building is situated on a steeply sloping site at the northwest corner of the intersection of First Avenue West and Second Street, located on the fringe of Duluth's central business district. Constructed in 1902 according to the design by architect Adolph F. Rudolph, the building cost approximately \$75,000, which was donated by philanthropist Andrew Carnegie.

The building is a two-story sandstone and brick building executed in the Ionic mode of the Neo-classical style which is crowned by a low copper dome with oculus. The sandstone blocks were quarried in Port Wing, Wisconsin. The front (Second Street) facade is symmetrical in arrangement and is dominated by a two-story, four column Ionic portico set on a banded rusticated base. The principal entry is at the basement level which features a carved decorative cornice with an egg and dart motif crown supported by scroll brackets. Intricate wrought iron railings are located between the columns above the entrance doorway. The pediment above the columns is devoid of sculpture except for the anthemion acrothera which top it. "Duluth Public Library" is carved on the portico frieze in bold lettering. Immediately behind the pediment is a parapet. The remainder of the cornice line is embellished with stone piecework. Local sandstone sculptor George Trana was involved in the construction of this building. The windows are simple double hung on the basement level and with 24-over-1 on the first floor. On the east and west facades the windows are double hung 12-over-12 divided lights.

The interior of the space with its rich ornamentation in contrast to the restrained exterior treatment is noteworthy as well. The anthemion and egg and dart motifs are repeated throughout the interior trim work. The first floor rotunda is reached from the basement level entry hall via a white marble staircase. This main stairway continues to the second floor with ornate pressed metal stairs and railings. Two story columns which appear to be green marble are actually concrete with special marbled finish.

VIII. Statement of Significance: The subject property is significant in several respects. First it is recognized as historic as evidenced by its inclusion on the National Register of Historic Places. (See copy of National Register Nomination attached.) Second, it is one of Duluth's finest examples of Neo-classical Revival buildings. And third, it is a civic building which embodies the efforts of pioneer Duluthians to provide educational services to the community through the availability of reading materials.

IX. Findings on Designation Criteria: The following criteria are established by ordinance as the basis for designation of a site or district, with the requirement that the proposed district meet at least one of the criteria. Findings responding to each of the criteria are as follows:

A. "It has character, interest or value as part of the development, heritage or cultural characteristics of the City of Duluth, State of Minnesota or United States."

FINDING: The building represents early efforts of Duluthians to provide a cultural resource and educational materials for the citizens. The Neo-classical architecture of the building also makes it a significant of the expression of the City Beautiful movement in the City.

B. "Its location was a site of significant historical event."

FINDING: This criterion is not met by the subject property.

C. "It is identified with a person or persons who significantly contributed to the cultural development of the City of Duluth, State of Minnesota or the United States."

FINDING: The subject property is one of hundreds of libraries donated to communities across the nation by Andrew Carnegie. Thus the building is closely identified with the philanthropist who forwarded the ideal of an enlightened population.

D. "It embodies a distinguishing characteristic of an architectural type."

FINDING: The subject property is one of Duluth's finest examples of the Neo-classical Revival Style with its restrained and dignified exterior and richly ornamented interior. See comments under VII. Description of Property.

E. "It is identified as the work of an architect or master builder whose individual work has influenced the development of the City of Duluth or State of Minnesota."

FINDING: The building was designed by architect Adolph F. Rudolph who was also responsible for the design of a number of local school buildings including Endion School which is also listed on the National Register of Historic Places. Rudolph was an influence in the giving expression of City Beautiful movement in Duluth with the library building.

- F. "It embodies elements of architectural design, detail, materials and craftsmanship which represent significant architectural innovation."

FINDING: The architectural design of the building has been recognized as significant by its inclusion on the National Register of Historic Places. See comments under VII. Description of Property. Also, the locally prominent sculptor, George Trana, was responsible for the decorative carving on the building.

- G. "Its unique location or singular physical characteristics represent an established and familiar visual feature of a neighborhood, community or the City as a whole."

FINDING: The hillside location of the building on the fringe of Duluth's central business district, apart from the taller buildings found there and at the edge of the Central Hillside neighborhood results in its prominent profile. Also its location on the Second Street arterial, a main commuter route, creates a situation where many people view the structure nearly every day. Thus it is indeed a familiar landmark not only for the neighborhood but for the community as a whole.

X. Conclusions:

A. Points in favor:

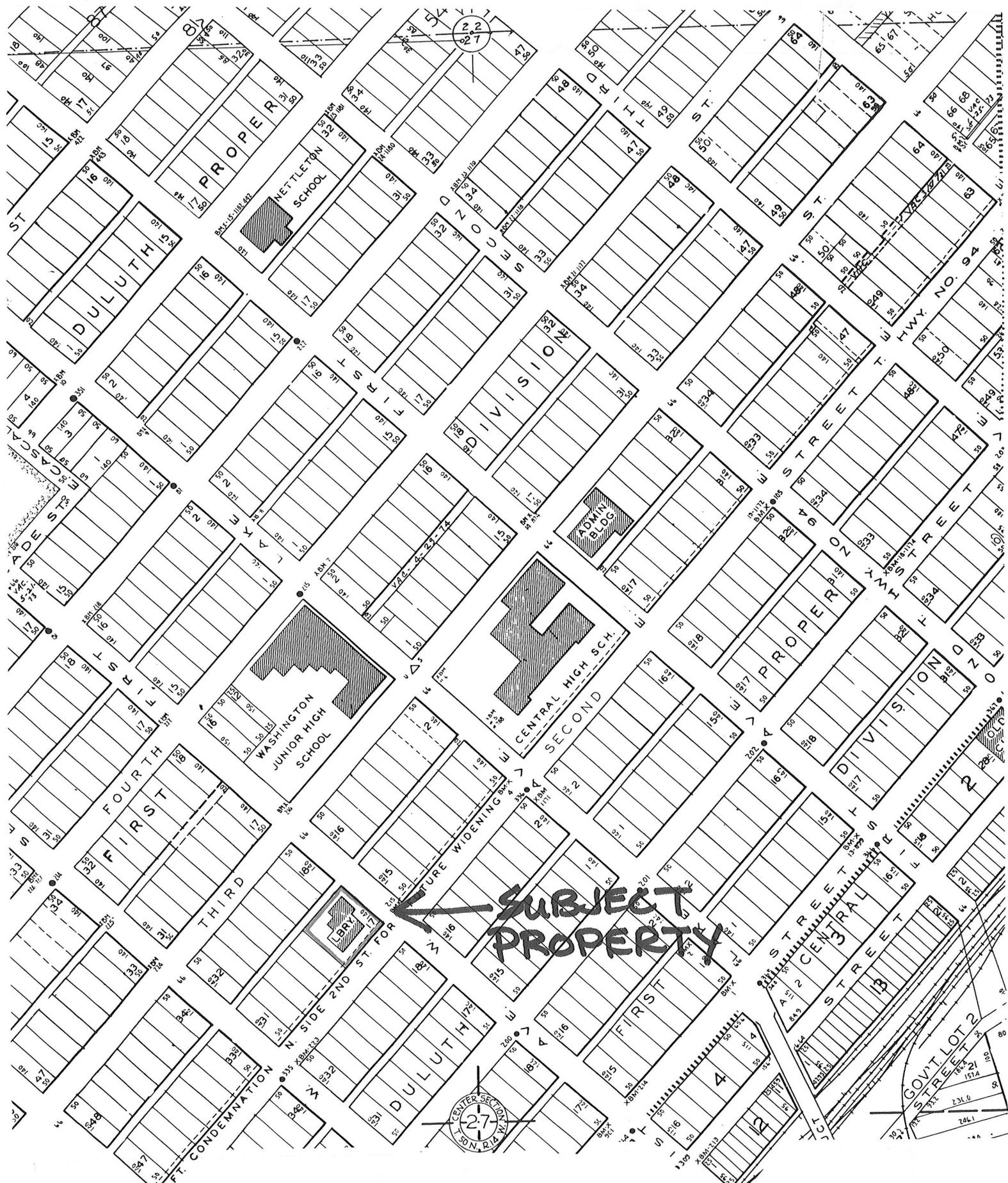
1. The subject property meets six of the seven criteria for local designation as a Heritage Preservation Landmark whereas only once criteria is necessary.
2. Designation can provide a further marketing tool for the property managers by which to assure potential tenants of the building's continued preservation.
3. Local designation will recognize the importance of this building which is on the National Register of Historic Places.

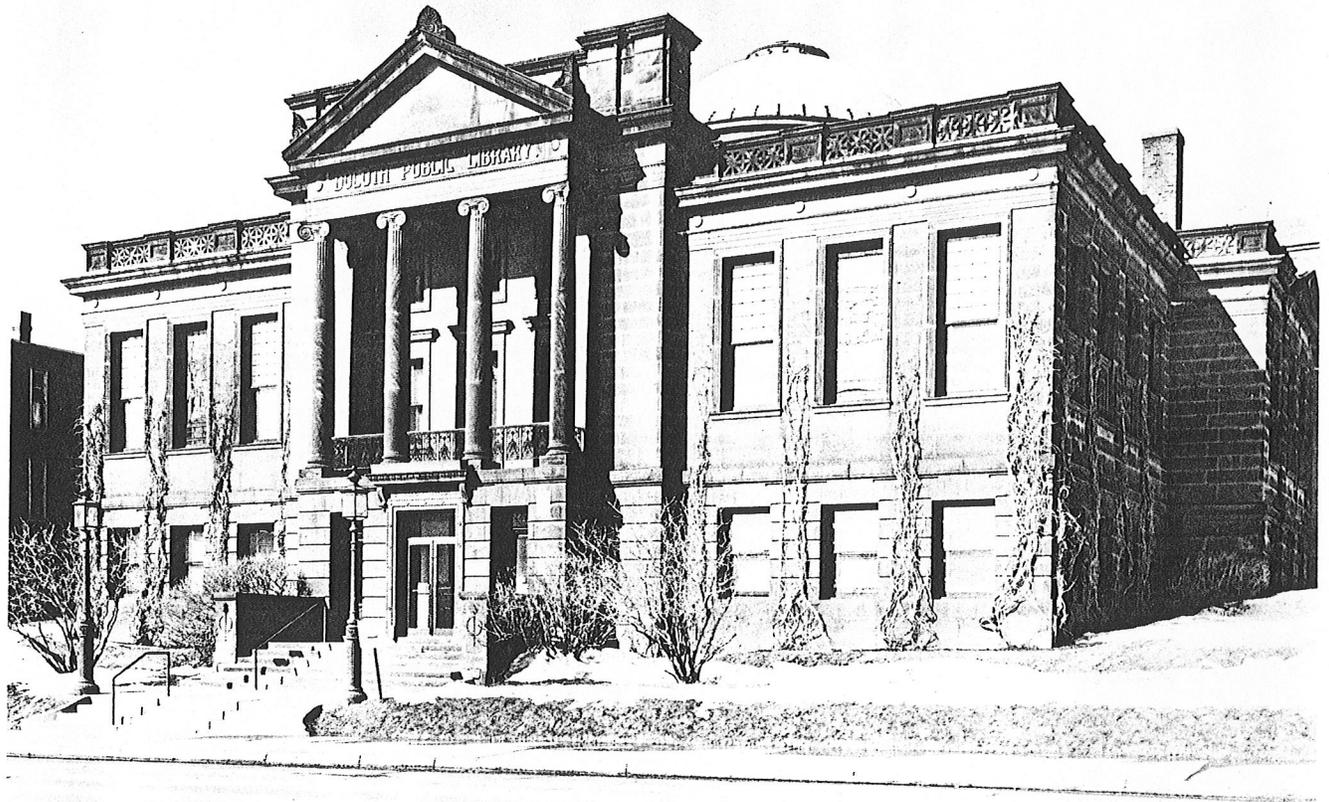
B. Points in opposition: None.

XI. Attachments:

- A. Location Map
- B. Photo of building
- C. Copy of National Register nomination
- D. "Enjoy" column from Duluth News Tribune Thursday, August 16, 1990.

LOCATION MAP





75

Carnegie Library
First Avenue West and
Second Street

1902

Adolph F. Rudolph, Architect

A Roman brick sandstone structure. Also of interest are two Tiffany windows depicting the area's history; cost, \$65,000.

(For additional information on this structure, see Section 1, page 29.)

KEVIN'S QUALITY CLEAN-

the principal place of busi-
W. Superior St., Duluth, MN

address of all persons con-
r the above assumed name:
2001 W. Superior St., Du-

MICHAEL KEVIN BOYCE
MINNESOTA
F ST. LOUIS

t was acknowledged before
90, by Michael Kevin Boyce
y Cleaning.

LORAIN STEVENS,
ublic, State of Minnesota
ion expires Sept. 1, 1993
No. 8256

FOR BIDS
at the Purchasing Agent of
eceive sealed bids in Room
ugust 27, 1990, at 2:00 P.M.
all bids will be publicly
Room 106-A City Hall for:
or laying pipe, refer to Bid

ng requirements for same
office of the Purchasing
Duluth, MN 55802.
CITY OF DULUTH
LAUDIE WASHINGTON,
Purchasing Agent
D-2827

DISTRICT COURT
OND JUDICIAL DISTRICT
., Claimant,

ose
to the Claimant, Respond-

REPLEVIN
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to the above-named Re-

MONED and required to
ey an Answer to the Com-
office of the clerk of the
venty (20) days after serv-
u, exclusive of the day of
so, judgment by default

HON. R. V. CAMPBELL,
District Court Judge
JOSEPH M. LASKY,
Court Administrator
By: GLORIA POTHAST,
Chief Deputy

(Seal of District Court)

FLOYD D. RUDY, Attorney for Petitioner #94213, of
RUDY, PREVOST, GASSERT, YETKA, KORMAN &
BELFRY, 123 Avenue C, Cloquet, MN 55720. (218) 879-
3383.

D.N.-T., Aug. 10, 17, 1990.

No. 8269

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN THAT THE DULUTH
HERITAGE PRESERVATION COMMISISON WILL
CONDUCT A PUBLIC HEARING ON WEDNESDAY, AU-
GUST 22, 1990, AT 4:30 P.M. IN THE CITY COUNCIL
CHAMBERS, THIRD FLOOR, CITY HALL AND WILL
CONSIDER DESIGNATION OF HERITAGE PRESERVA-
TION LANDMARKS FOR THE PROPERTIES DE-
SCRIBED AS FOLLOWS:

1. Carnegie Building, 101 West 2nd Street; 17, 19, and
21, Duluth Proper 1st Division West 2nd Street; and
2. Masonic Temple Building, 203 East Superior Street;
Lots 33 and 35 Duluth Proper 1st Divison East Super-
rior Street.

D.N.-T. August 10, 1990.

D-2828

File No. 90131

**CERTIFICATE OF ASSUMED NAME
STATE OF MINNESOTA**

Pursuant to Chapter 333, Minnesota Statutes; the
undersigned, who is or will be conducting or trans-
acting a commercial business in the State of Minnesota
under an assumed name, hereby certifies:

1. The assumed name under which the business is or
will be conducted is: PARKVIEW HAIR FASHIONS.
2. The street address of the principal place of busi-
ness is or will be: 4202 E. Superior St., Duluth, MN
55804.
3. The name and street address of all persons con-
ducting business under the above assumed name:
Pamela E. Swanson, 4737 Oakley, Duluth, MN
55804; Charles R. Swanson, 2750 Calais, Pontiac,
Mich. 48055.

I certify that I am authorized to sign this certifi-
cate and I further certify that I understand that by
signing this certificate, I am subject to the penal-
ties of perjury as set forth in section 609.48 as if I
had signed this certificate under oath.

Dated May 21, 1990.

PAMELA E. SWANSON,
Owner/Operator

D.N.-T., Aug. 9, 10, 1990.

No. 8252



F

MOTION: Martin moved to approve the Bed and Breakfast as being architecturally and/or historically unique.

SECOND: Norton

MOTION PASSED: Unanimous

File No. 90131, PUBLIC HEARING ON PROPOSED LANDMARK DESIGNATION FOR THE DULUTH PUBLIC LIBRARY (CARNEGIE BUILDING), 101 WEST 2ND STREET.

Fisher outlined the matter as indicated on the staff report which is attached to the file and made a part of these minutes.

Miller asked Fisher if she had been in contact with the current owners and if they had any response to this application.

Fisher said she had been in contact with George Hoene, the manager of the building, and indirectly through him, with the owners of the building. She understood that there was no major opposition from them.

George Hoene asked that because he is also involved in the next item, that they move onto the next item, allowing him to address both at once.

Miller closed the public hearing on the item.

In deliberative session:

MOTION: Lane motioned that the Commission recommend landmark designation of the Carnegie Building to the City Council.

SECOND: Schilling

MOTION PASSED: Unanimous

Fisher addressed the issue of specifically designating a portion of the interior of the Carnegie Building, namely the rotunda and central staircase area. She requested clarification for the designation.

Miller asked what the consequences would be if the interior was not specifically referenced in the motion.

Fisher explain that only the exterior would be affected by the action, and that any interior building permits or renovations would not come before the HPC.

Miller asked the maker and seconder of the motion what their intent was.

Schilling said that he assumed they were designating the whole building, interior and exterior. He asked if the interior and exterior of properties always had to be considered separately.

Fisher said that if not otherwise specified, the authority of the ordinance was limited to the exterior.

King stated the rotunda and center spaces were the most significant of the building and must be preserved.

Fisher preferred not to be involved with designating the rented spaces of the building, but that it would be more acceptable to include only the rotunda and the center area. She also noted that it was not clear in the ordinance if the Commission had the specific authority to designate interiors. She suggested that it be reviewed by the legal staff. She also reminded the Commission that this was a recommendation to City Council, and that the final designation was not being made at this point.

Miller clarified that the earlier action on the item was referring strictly to the exterior of the building, but after consultation if it appears that it is both desirable and possible to further designate some portion of the interior, it should be brought up as a separate item, and would then be considered at that point.

King said that since the building was on the National Register before the remodeling, he thought perhaps they made a special consideration for the rotunda and stairway.

Fisher said that there are no sanctions for remodeling National Register Properties, the buildings only receive recognition.

Kimball indicated that he thought it would be difficult to take on the interior as a separate item.

Miller posed the options as, either to leave the matter of the interior alone, to reconsider the earlier action and table the item, or seek authorization from the commission to include those interior portions in the report to the council if it is discovered that they lack that authority.

Hoene asked to be recognized and stated that it was his, as well as the building owners', understanding that the rotunda and the central staircase would be included as historically significant elements.

MOTION: Norton motioned that the Commission support the main entrance and rotunda portions of the interior (publicly assessable areas) as a designated Landmark, if legally appropriate, in the recommendation to the City Council, and if staff find it is not legally permissible, then it will not be included.

SECOND: Martin

MOTION PASSED: Unanimous

File No. 90132, PUBLIC HEARING ON PROPOSED LANDMARK DESIGNATION FOR MASONIC TEMPLE BUILDING, 202 EAST SUPERIOR STREET.

Fisher outlined the matter as indicated on the staff report which is attached to the file and made a part of these minutes.

Martin asked for clarification on what part of the building was up for consideration.

Fisher said that the area under consideration was the first three floors, south to the Orpheum facade.

George Hoene, as building manager for both buildings and authority from their owners, expressed owners' support of the designation staff was seeking. He explained that both buildings have been substantially remodeled in the last 10 years, and that the owners felt that neither building would be harmed economically by accepting the designation. However, he did add that if the designation had been sought prior to the renovation, he would have been opposed. He said that there are a number of other buildings in Duluth which warrant preservation which are on the verge of destruction.

Hoene encouraged the Commission to work with developers to provide them with incentives to develop and preserve these properties for the next century. He cited the advantages of developing older properties including use of facade easements allowing for tax credits to be passed on to partners or investors. However, he informed them that in order to obtain a facade easements the property must be designated on the National Register. Another advantage he proposed was a form of tax increment financing. He felt that the HPC should be the "clearing house" where owners of historical buildings initially make their presentations, and then be referred to DEDA for further development considerations. He hoped that the group would work towards the development of incentive programs for saving older buildings, and not solely act in the legislative process.

Fisher noted her concern that the building may have been compromised due to the removal of the top three floors.

Norton stated that the Masonic Temple Building was denied National Register status because the top three floors were removed. However, in her opinion the building was still important enough to be designated as a Duluth landmark.

Kimball said that although that building has been changed, he personally felt that it still retains its architectural integrity and he stated that he had no reservations on recommending it.

King felt that the building owner preserved the sites beautifully and that the Commission should recognize this.

PRESERVATION PLAN
DULUTH PUBLIC LIBRARY HERITAGE PRESERVATION LANDMARK
Adopted 1-22-92

I. INTRODUCTION

The following preservation plan contains design review guidelines which will serve as a basis for the Duluth Heritage Preservation Commission's permit review decisions with regard to The Duluth Public Library Heritage Preservation Landmark. These guidelines define the acceptable means by which the building's unique physical appearance can be preserved and enhanced through rehabilitation, restoration, or new construction.

One purpose of these guidelines is to provide assurance to the owner of the property that the permit review process will be based on clear standards rather than the taste of individual commission members.

The guidelines will be interpreted with flexibility depending on the particular merit of the proposed changes and their impacts on the portion of the building under review. Consideration will be given to the availability of historic building materials. When applying the guidelines, the Commission will also consider the economic impacts of the design requirements. Decisions of the Heritage Preservation Commission are subject to appeal to the City Council within ten days of written notice of the decision by any party aggrieved by the Commission's decision.

II. AREAS TO BE PRESERVED

- A. South, east and west exterior building facades.
- B. Entrance stairways, walks, approaches; and grounds.
- C. Second Street foyer.
- D. Main interior staircase leading from the Second Street foyer to the Board Room on the second floor.
- E. Central interior rotunda with green marbleized columns.

III. NEW CONSTRUCTION

New construction refers generally to any new addition to the building. The basic principle for new construction with the historic, Duluth Public Library Preservation Landmark is to maintain the scale and character of the present building. In this case, any such addition would need to provide height, massing,

setback, materials, and rhythm compatible to the original building. Guidelines for new construction focus on general rather than specific design elements as follows:

A. Setback-Siting.

In general, new construction should match the setback of the original building.

B. Massing, volume, and height.

Any new construction should conform to the massing of the original structure respecting the height, volume, and scale of adjacent structures.

C. Roofs, Caps and Cornices.

New roof, cap and/or cornice design should replicate the style of roof and materials of the original structure.

D. Materials and Detail.

Any new construction should match the brick and sandstone of the existing building.

E. Windows and Doors.

Windows should relate to those of the existing building in terms of solid to opening ratios, distribution of window openings, and window setback from the wall surface. The proportion, size, and detailing of windows and doors in any new construction should restore the appearance of the original facade and relate to that of the existing building. Double-hung windows are traditional in the district and shall be encouraged for new construction. Window and door frames shall be wood, appropriately colored aluminum and/or vinyl clad materials.

IV. RESTORATION AND REHABILITATION

In general, the United States Secretary of the Interior's Recommended Standards for Historic Rehabilitation shall be followed (see Attachment A). In addition, the following standards shall be applied:

A. Masonry and Walls.

1. Original masonry and mortar shall be retained whenever possible without application of waterproofing, water repellent coatings or surface consolidation treatments unless these

treatments are absolutely required to solve a specific technical problem.

2. Where necessary, repair or replacement of deteriorated materials should be made with new material that duplicates the old as closely as possible.

3. To preserve the life of building materials, masonry should be cleaned only when necessary to halt deterioration or to remove graffiti and stains. The most gentle method shall be used, such as the use of low pressure water or approved chemical solutions.

4. The original or early color and texture treatment of masonry surfaces should be retained wherever possible.

5. When repointing, old mortar shall be duplicated in composition, color and texture and be duplicated in joint size, profile type, and method of application in order to preserve the original appearance. If laboratory analysis shows the composition characteristics of the original mortar to be unsuitable, mortar composition may be altered. If the mortar composition is to be altered, the appearance of the mortar shall duplicate the color and texture of the original mortar. Mortar shall be no more than 1 part in 8 Portland Cement.

B. Roofs, Cornices and Details.

1. The copper material of the existing roof should be matched when in need of repair and the existing patina matched to the extent possible. With respect to those portions of the roof not visible from street level, the manner of repair or replacement is less critical, however, new roofing materials should blend in with the existing building.

2. All historic craftsmanship, detailing and decorative features that give the roof its essential character should be preserved or restored. Similar material shall be used to repair or replace deteriorating or missing architectural elements such as cornices, brackets, cupolas, chimneys, cresting, vanes, architectural ornamentation, gutters, downspouts, and railings wherever possible.

C. Windows and Doors.

1. Existing window and door openings shall be retained. Whenever possible, original windows and doors and their hardware shall be repaired for reuse.

2. A missing or non-repairable original window or door should be replaced with a window or door that has an appropriate

profile and resembles the original and which is recessed to its original depth.

3. Replacement of windows and doors with new stock windows, sashes or doors shall not be allowed if they require alteration of the frame opening or if the size of the window panes, sash or door cause changes in the scale and original proportions of the building.

4. Infilling of window openings is generally not acceptable.

5. Plastic or metal awnings and fake shutters should not be allowed. Shutters are inappropriate for this building.

6. Heating and air conditioners should be installed in such a manner as to not damage window and door frames or require the removal of the original doors or windows. Window or door installation shall be considered only when all other viable heating and cooling systems installations will result in significant damage to historic materials.

7. Storm windows and doors should be selected to be compatible with the character of the building and shall not damage window and door frames or require the removal of the original windows or doors. Exterior storm windows should be appropriate in size and color and should be operable.

8. Lintels, sills, pediments, hoods and steps should be retained or repaired if possible. If repairing, the color and texture shall match existing colors and textures.

D. Interiors

1. Replacement and repair materials shall match as closely as possible to the materials used in floorings plaster trim work, metal castings and wood trim.

2. Marble and tile floorings should not be covered with carpeting or be replaced.

3. Original and custom finishes such as marbleizing shall be maintained and if damaged shall be refinished and replicated as closely as possible.

V. SIGNS AND ACCESSORIES

Signs shall be compatible with the character of the building. Signs should not conceal architectural detail, clutter the building's image, or distract from the unity of the facade.

- A. **Materials:** sign materials shall complement materials of the existing building. Surface design elements shall not distract from or conflict with the structure's age and/or design. Materials which are the same as those that were used for signage during the period of the building construction shall be encouraged. Newer materials and technologies such as extruded aluminum and plastics, internally lit cabinet signs, or backlit awning signs are not appropriate for the building.
- B. **Type Styles:** the type styles used to letter the signboard shall enhance the building's design and materials. Type styles should also be compatible with types from the period of the building's construction.
- C. **Method of Attachment:** painted signs may be permissible on glass windows and doors. The facade shall not be damaged in sign installation except for minor attachment. The method of attachment shall respect the structure's architectural integrity. The sign shall become an extension of the buildings architectural features wherever possible.
- D. **Lighting:** The location of exterior lights shall be appropriate to the individual structure. Subdued lighting is preferred. There shall be no flashing, blinking, moving or varying intensity lighting, fixtures shall relate to the historic period of the building's construction.

VI. DEMOLITION

The Heritage Preservation Commission is charged with reviewing permit applications for demolition of structures under Duluth City Code, Chapter 28A, Article II, Sec. 28A-5; Duluth City Code, Chapter 10, Article II, Sec. 10.3; and Duluth City Code, Chapter 10, Article III, Sec. 10-4.

In general, demolition of the Duluth Public Library Heritage Preservation Landmark will be discouraged. In the event that a building is over 50% destroyed by fire or an act of God, demolition may be permitted.