

Southwest Transitway DEIS Comments

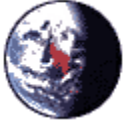
Comments Received from Businesses, Community Groups
and Non-Profit Organizations

Part 1 of 5

SWcorridor/Hennepin
Sent by: Adele C
Hall/PW/Hennepin

01/16/2013 01:25 PM

To
cc
bcc
Subject Fw: Draft Environmental Impact Statement



Jerry Kavan
<jkavan@slosburg.com>
10/12/2012 09:22 AM

To "SWcorridor@co.hennepin.mn.us"
<SWcorridor@co.hennepin.mn.us>
cc
Subject RE: Draft Environmental Impact Statement

I see that the DEIS has been released for public review. I would like a pdf version to be sent to me by email, or downloading instructions sent. Please advise as soon as possible so we can begin our review.

Jerry Kavan
Project Manager
Slosburg Company
10040 Regency Circle, Suite 200
Omaha, NE 68114
402.391.7900 [office] or 402.201.1086 [cell]
jkavan@slosburg.com
www.slosburg.com

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701 Fourth Avenue South - Suite 400 | Minneapolis, MN 55415 | MC L608 Office
612.543.1094 | Mobile 612.250.2004 | adele.hall@co.hennepin.mn.us

Jerry Kavan <jkavan@slosburg.com>

08/10/2012 03:46 PM

To

"'swcorridor@co.hennepin.mn.us'" <swcorridor@co.hennepin.mn.us>

cc

Subject

Draft

Environmental Impact Statement

When is the DEIS due to be released to the public?

Jerry Kavan
Project Manager
Slosburg Company
10040 Regency Circle, Suite 200
Omaha, NE 68114
402.390.6341 [direct]
402.391.7900 ext 341 [office]
402.201.1086 [cell]
jkavan@slosburg.com
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"Mador, Jessica"
<jmador@mpr.org>
10/12/2012 04:07 PM

To <swcorridor@co.hennepin.mn.us>
cc
bcc
Subject please add me to your mailing list

Please add me to your mailing list for all media releases.

Thanks,

Jess Mador
Reporter | MPR News
651-290-1216
jmador@mpr.org
http://minnesota.publicradio.org/about/people/mpr_people_display.php?aut_id=30164



Elmer Wedel
<ewedel@allanmechanical.com>
m>

10/12/2012 04:48 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject RE: Southwest Transitway Draft Environmental Impact
Statement Available for Review & Comment

The pedestal? Can we have get it by Tuesday? I have the other one. Elmer

From: Southwest Transitway [mailto:swcorridor@co.hennepin.mn.us]

Sent: Friday, October 12, 2012 3:56 PM

To: Elmer Wedel

Subject: Southwest Transitway Draft Environmental Impact Statement Available for Review & Comment

If you're having trouble viewing this email, you may see it online.

Share this:

Southwest Transitway DEIS Available

The Southwest Transitway Draft Environmental Impact Statement (DEIS) is now available for your review and comment. The DEIS documents the potential social and environmental impacts of the Southwest Transitway project and discusses the purpose and need for the project, the alternatives considered, the impacts of those alternatives, and the agencies and people consulted.

Where can I read the DEIS?

The DEIS and supporting technical memoranda and appendices are available on southwesttransitway.org. Hard copies have been placed in city halls and libraries along the corridor. [Click here for a list of locations.](#)

How do I comment on the DEIS?

Comments must be submitted by Tuesday, December 11 and may be submitted:

By Email: swcorridor@co.hennepin.mn.us

By Mail:

Hennepin County Housing, Community Works & Transit

Attn: Southwest Transitway

701 Fourth Avenue South, Suite 400

Minneapolis, MN 55415

Or at a Public Hearing:

Tuesday, November 13

4:00 - 5:00 pm Open House; 4:30 pm Public Hearing

Hennepin County Government Center

300 South Sixth Street A-2400

Minneapolis, MN 55487

Wednesday, November 14

5:00 - 6:00 pm Open House; 6:00 pm Public Hearing

St. Louis Park City Hall

5005 Minnetonka Boulevard

St. Louis Park, MN 55416

Thursday, November 29
5:00 - 6:00 pm Open House; 6:00 pm Public Hearing
Eden Prairie City Hall
8080 Mitchell Road
Eden Prairie, MN 55344
For more information please visit www.southwesttransitway.org

701 Fourth Avenue South, Suite 400 | Minneapolis, MN 55415
www.southwesttransitway.org

701 Fourth Avenue South, Suite 400 | Minneapolis, MN 55415 US

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manage your preferences | **opt out** using **TrueRemove®**.

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Jason Wedel
<JWedel@wsbeng.com>
10/13/2012 12:37 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc Elmer Wedel <ewedel@allanmechanical.com>, Jeremy
Wedel <jwedel@allanmechanical.com>
bcc
Subject EIS Comments for the SW Transit as they pertain to 7875
Fuller Road

To Whom It May Concern:

I writing to you on behalf of my family's business, Allan Mechanical, which is located at 7875 Fuller Road in Eden Prairie. It is our understanding that there are still four potential locations for the Operations and Maintenance Facility (OMF) to service the new SW Corridor light rail system. Our concern is with Eden Prairie 1 OMF, which is described in Section 6.2.2.5 of the Draft Environmental Impact Statement (DEIS). The DEIS does not provide any specifics on impacts to the existing buildings and property currently adjacent to this location. We would like to see more information on the proposed site layout. Any impacts to our property will detrimental to our business and we need to understand exactly what is being proposed. If there is more information available we would greatly appreciate it.

We want to go on record that we are opposed to the taking of any portion of our property for the OMF. We searched long and hard to find a site that fit our needs a number of years ago and we have invested a lot of money into this property. This property is uniquely suited for our business for several reasons. First, the current City zoning allows for outdoor storage. We are a commercial HVAC company and we are constantly purchasing and receiving mechanical equipment that we temporarily store outside on our property. Second, we have immediate access to the freeway at the intersection of Fuller Road and Highway 5. This provides us the accessibility we need to service our clients throughout the Twin Cities area. Finally, we have specialized equipment in our building that we utilize for the production of ductwork and other items associated with HVAC construction. This equipment is costly and difficult to install. Relocating this equipment would be a significant expense.

We thank you for the opportunity to provide our comments on the DEIS. If you have any questions or would like additional information, please contact me at 612-369-3931.

Sincerely,

Jason Wedel

Elmer Wedel

Jeremy Wedel

Jason Wedel, PE

Municipal Senior Project Manager

d: 763-287-8520 | c: 612-369-3931

WSB & Associates, Inc. | 701 Xenia Avenue South, Suite 300 | Minneapolis, MN 55416



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Marissa Lasky
<laskyco@mnlakes.net>
10/13/2012 04:08 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc
bcc

Subject I am unable to open Information

CAn you email me at least a map of the proposed railway corridors
proposed or determined? It will not open in this device.

Info@umnrentals.com
Marissa Lasky

Sent from my iPhone



"Amanda K. Tranby"
<atranby@bestlaw.com>

10/15/2012 11:51 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Order hard copies of the Draft EIS

Dear Sir/Madam:

Can you please let me know if hard copies of the Draft EIS are available for private businesses, and if so, what is the cost/procedure to obtain them?

Thank you for your assistance.

Best regards,
Amanda Tranby
Administrative Assistant to Jack Sullivan
DIRECT 612.843.5817

BEST & FLANAGAN

BEST & FLANAGAN LLP
225 South Sixth Street, Suite 4000 Minneapolis, Minnesota 55402
TEL 612.339.7121 FAX 612.339.5897 BESTLAW.COM

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"Szymanski,Betsy,EDEN
PRAIRIE,Sales &
Distribution"
<betsy.szymanski@us.nestle.
com>

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject ,Comments

10/16/2012 02:56 PM

I'm so very excited about any expansion to our light rail system, especially the Southwest LRT. Considering our traffic congestion is 10th worst in the country (last stat I recall anyway), a well developed light rail system is long overdue. Parking downtown for different sporting events and concerts can also be a challenge, which additional light rail lines will help alleviate. Also, with this will help create jobs. Yay! I currently live in St. Louis Park, a block or two off of where the Belt Line stop would be, and I work in Eden Prairie – in the Golden Triangle Business Park. I can't wait!

Thanks for letting me comment!

Betsy Szymanski

Analyst | Supervalu National Account Team

Nestlé DSD - Ice Cream

Betsy.Szymanski@US.Nestle.com





"Curt Rahman"
<curtrahman@gmail.com>
10/18/2012 06:29 PM

To <swcorridor@co.hennepin.mn.us>
cc
bcc
Subject SWDEIS Comments attached- please acknowledge receipt

Maximum allowed infrequent vibration by FTA guidelines: 83

Measurements at my commercial building today: 84

Proposed increased vibration with no mitigation: 92 (per the FTA description-"difficulty reading computer screens", "like working next to a bulldozer")

I and dozens of others own commercial property within 50 feet of the tracks along the MN&S proposed reroute. **I had vibration levels done at my building and they exceed federal guidelines today.** The reroute proposal will increase vibrations by 10% without any mitigation being proposed for vibration. The proposal without further vibration mitigation is unacceptable to my businesses and most others along west lake street and will be unacceptable to residences.

Lastly, it is convenient that Kimley-Horn has changed their rating of this project from "occasional" impact to "infrequent" impact, but the fact remains, that even with the "infrequent" impact rating, **vibration levels done at my building exceed federal guidelines today and cannot be allowed to increase as proposed without mitigation. Failure to address this now will only invite lawsuits and delays to the project similar to those experienced on the central corridor.**

Curt Rahman
West Lake Street Business Representative
SW Light Rail Business Advisory Committee
612-207-5411

From: Curt Rahman [mailto:curtrahman@gmail.com]
Sent: Wednesday, June 27, 2012 1:15 PM
To: Sam.oconnell@metrotransit.org
Subject: EAW comment on the MN&S Freight Rail Study
Importance: High

Dear Mr. O'Connell,

I had vibration analysis done last year at my commercial buildings near the High School in St. Louis Park. Please see attached and below. I thought I would bring this to your attention now as it is expected that vibrations will increase as a result of the reroute if the MN&S lines are used.

Since the current level of vibrations exceed federal guidelines, I would suspect that there will be issues with many commercial buildings along the line that will require purchase as a result of the reroute.

Please let me know if you want me to resubmit this information once the EAW comment period is open.

Curt Rahman
612-207-5411

From: Curt Rahman [mailto:curtrahman@gmail.com]
Sent: Sunday, May 15, 2011 9:53 AM
To: frank.pafko@state.mn.us
Cc: Tony Baxter; Jeff Jacobs
Subject: EAW comment on the MN&S Freight Rail Study
Importance: High

Attached you will find additional vibration analysis done by ESI that shows a remarkable difference from measurements taken by Kimley-Horn. This shows that vibrations exceed federal guidelines today. I would like all of this information included in the record as part of the formal comment period on the EAW for the MN&S Freight Rail Study in St. Louis Park. There has been no vibration mitigation proposed, and in fact, vibrations are expected to increase dramatically in both frequency and severity. Should this reroute happen without a REDUCTION of vibration to levels within federal guidelines, you will be facing costs to purchase and relocate many businesses, buildings and homes at a cost that has not been considered as a part of the EAW analysis.

I would also like to point out that this information was previously provided to Kimley Horn in April and has not been addressed in the final EAW. April emails to Kimley-Horn are attached also.

I would appreciate your acknowledgement of receipt of this email and your instructions as to whether or not this must be sent in the mail to you also.

Thank you very much for your assistance!

Curt Rahman, PMT business representative, West Lake Street
612-207-5411 cell

VIBRATION CRITERIA

Land Use	Vibration Velocity Level (VdB)		
	Frequent Events (70+/day)	Occasional Events (30-70/day)	Infrequent Events (<30/day)
Special Buildings (concert halls, auditoriums, etc.)	65	65	65
Residential (houses, hotels, motels)	72	75	80
Institutional (schools, libraries, museums, etc.)	75	78	83

April 25, 2011

Mr. Curt Rahman
6418 West Lake Street
St Louis Park, Minnesota

Phone: 612-207-5411

ESI ENGINEERING, INC.

7831 Glenroy Road/Suite 430
Minneapolis, Minnesota 55439
Tel: (952) 831-4646
Fax: (952) 831-6897
Internet: esi-engineering.com

**Summary Report for
Train Vibration at 6418 West Lake Street
St Louis Park, Minnesota**

ESI-ENGINEERING, INC.

Dear Mr. Rahman:

This letter summarizes the results of train vibration measurements made at 6418 West Lake Street in St Louis Park, Minnesota on April 13, 2011. I understand that the Hennepin County Regional Railroad Authority, the Minnesota Department of Transportation, the city of St. Louis Park and several private rail companies are considering relocating freight rail service from the Kenilworth Corridor to the MN&S line in St. Louis Park. Further, the MN&S line is approximately 45 ft from your building. There are currently 2 to 3 trains per day that pass your building at speeds typically below 15 mph. You are concerned about the future plans that would both increase the number of trains, the train lengths and the speeds. Figure 1 shows the location of the tracks relative to your building.

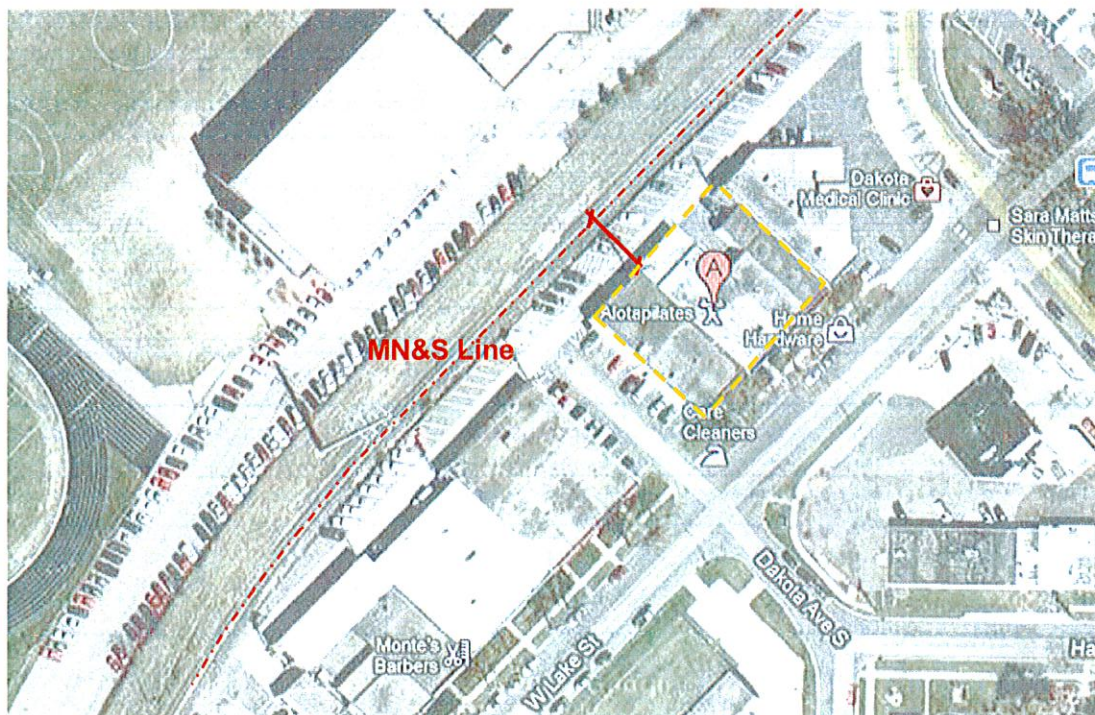


Figure 1 – Aerial photo of the buildings at 6418 West Lake Street and the MN&S line.

Vibration measurements were made a location nearest the tracks, on the northwest side of the building approximately 50 ft from the track. The monitoring system ran from approximately 7:00 AM through 4:00 PM on April 13, 2011. Vibration measurements were made slab on grade in three orthogonal directions. PCB model 393A03 accelerometers were used and the data was sampled at 640 samples per second. The recorded acceleration waveforms were integrated and moving 1 second rms levels were calculated, as recommended in the Federal Transportation Administration guidance manual (Transit Noise and Vibration Impact Assessment, May 2006). The vibration levels are presented in this letter as velocity in decibel units, VdB, relative to 1 micro inch per second.

Two trains passed the building on April 13th. Figure 2, 3 and 4 present the results for the first train which passed between 11:14 AM and 11:16 AM. The maximum rms level was 84 VdB in the vertical direction. The second train had a similar vibration level.

Please let me know if you have any questions or need additional information.

Sincerely,

ESI Engineering, Inc.

A handwritten signature in black ink that reads "Anthony J. Baxter". The signature is written in a cursive, flowing style.

Anthony J. Baxter, P.E.
Principal

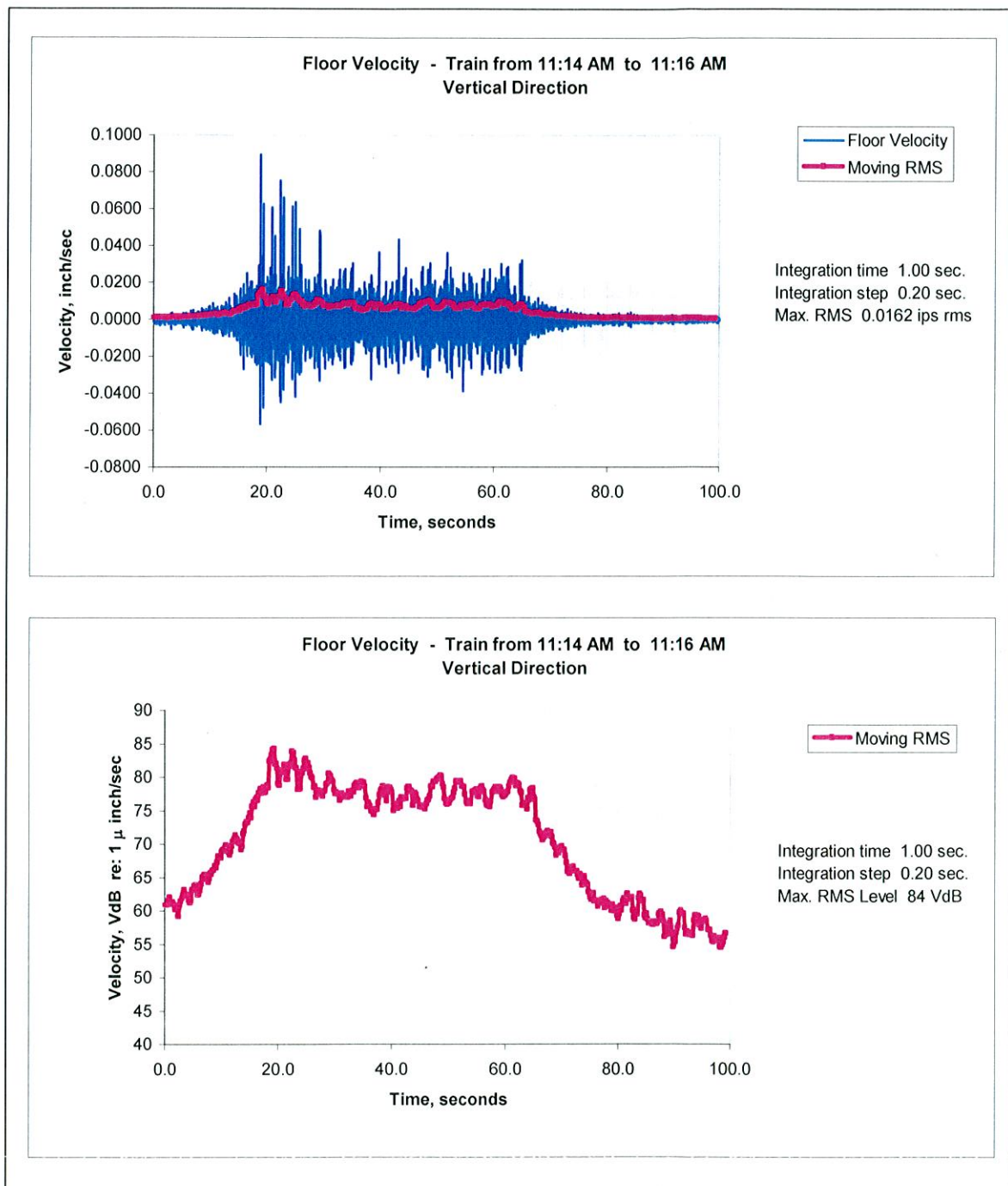


Figure 2 – Measurement of vertical direction vibration with a maximum level of 84 VdB.

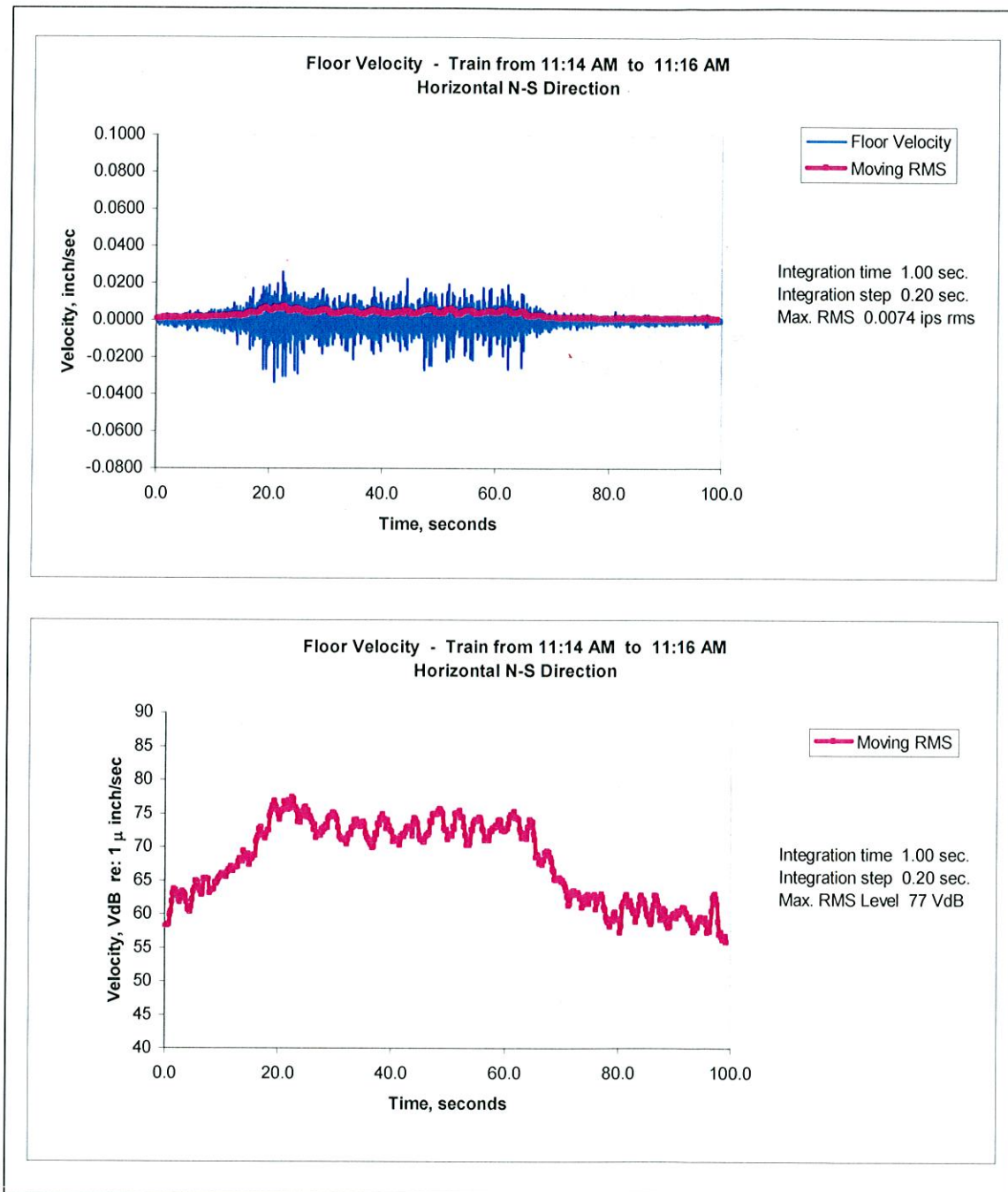


Figure 3 – Measurement of horizontal N-S direction vibration with a maximum level of 77 VdB



"Amanda K. Tranby"

10/15/2012 11:51 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Order hard copies of the Draft EIS

Dear Sir/Madam:

Can you please let me know if hard copies of the Draft EIS are available for private businesses, and if so, what is the cost/procedure to obtain them?

Thank you for your assistance.

Best regards,
Amanda Tranby
Administrative Assistant to Jack Sullivan
DIRECT 612.843.5817

BEST & FLANAGAN

BEST & FLANAGAN LLP
225 South Sixth Street, Suite 4000 Minneapolis, Minnesota 55402
TEL 612.339.7121 FAX 612.339.5897 BESTLAW.COM

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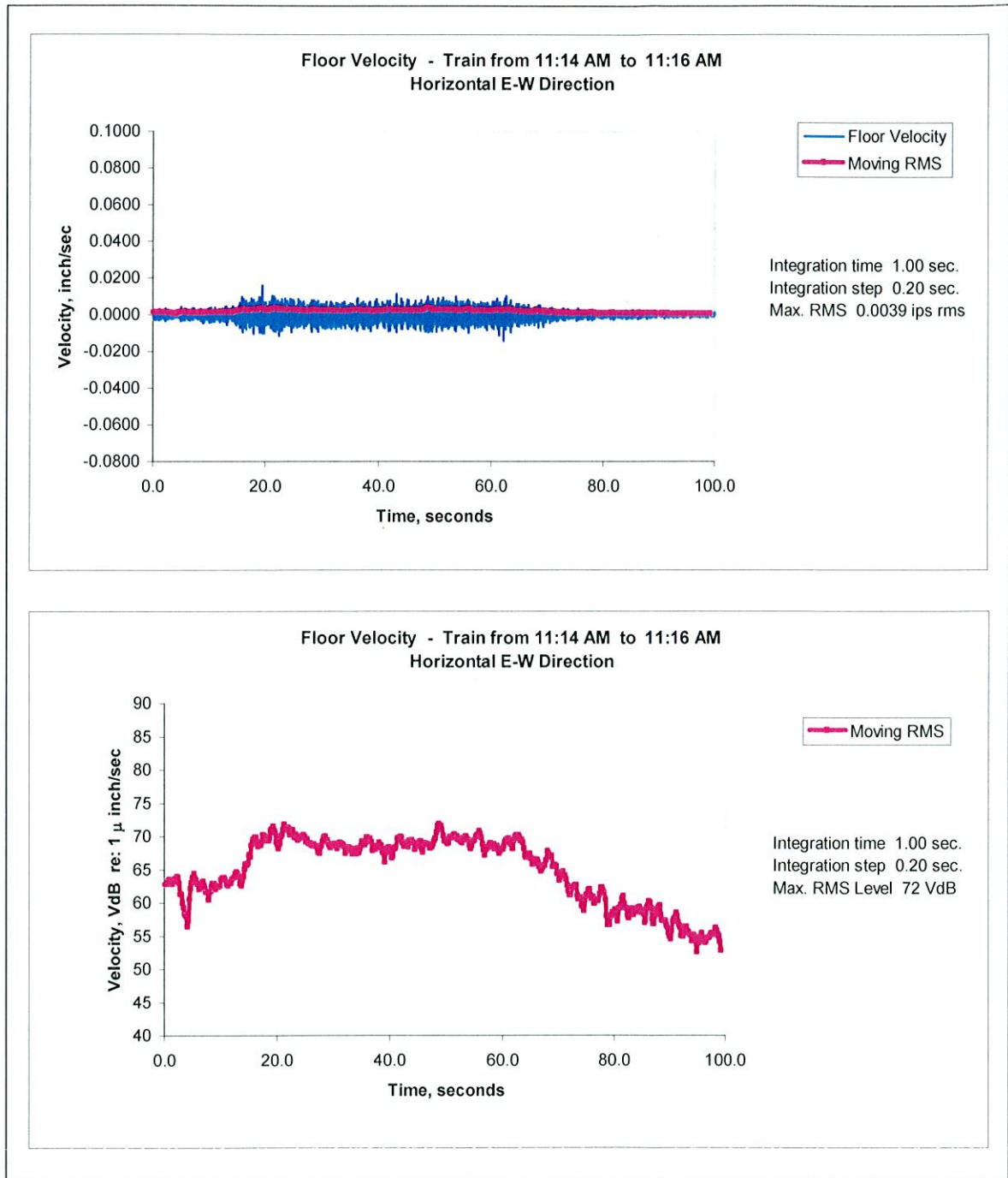


Figure 4 – Measurement of horizontal E-W direction vibration with a maximum level of 72 VdB.

Curt Rahman- PDA- 612-207-5411

6418 and 6420 West Lake Street, St. Louis Park, MN 55416

5-15-2011

Mr. Frank Pafko

Director, Office of Environmental Stewardship

MN Department of Transportation

395 John Ireland Boulevard, MS 620

St. Paul, MN 55155-1899

Mr. Pafko,

All of us that work and live and own buildings along the proposed MN&S rail line experience pretty severe vibration today; vibration that already exceeds federal guidelines. Business owners have told me that when the train comes by it feels like an earthquake. I have had to stop phone conversations when the train comes by because of the rumbling vibrations.

Interestingly, Kimley-Horn did a vibration study at 2 places along the tracks and tells us the vibration level at my building at 6418 west Lake Street should be about 75VdBs today. Since there are only 2 trains a day now, the federal guidelines say that we should be able to handle up to 83 at that location. I hired an engineering firm, ESI, to do vibration analysis at my building and the actual level is 84 today! Higher than the federal guidelines allow today!

Now, consider that the proposed reroute will increase both the frequency and severity of the vibration along the line, according to Kimley-Horn. We will see increases of 5-8 VdBs and because of the additional train frequency we need to use the "occasional events" Federal Guideline which tells us that we need to tolerate only 78 VdBs, yet the predicted actual vibration level will go up to 90 or more!

All levels Measured and in the table are in VdBs	Federal Guidelines infrequent trains- today's guidelines	Actual Measurements at 6418 West Lake St - 50 feet from track center line	Federal Guidelines Occasional Trains	Expected increase due to reroute 5-8 vdb
Sensitive Businesses	65	??	65	??
Homes	80	??	75	??
Businesses	83	84	78	89-92

This needs further evaluation at multiple business locations, residence locations and in classrooms adjacent to the tracks. You can't increase vibrations along a line when they already exceed federal guidelines. You need to make sure that your costs include reducing vibration to federal levels or you will be buying businesses, buildings and relocation costs as well as homes along the line that exceed the federal guidelines both today and after the construction.

Curt Rahman, PMT West Lake Street Business Representative 612-207-5411

----- Original Message -----

From: Tony Baxter

To: Curt Rahman

Sent: Tuesday, April 26, 2011 3:22 PM

Subject: RE: One Week From Today....

Curt,

Since you asked about the second train... Attached is the plot of the vertical vibration for 24 seconds of the train passing. The max level was 84 VdB, the same as the first train.

Tony

Anthony J. Baxter, P.E.

ESI Engineering, Inc.

7831 Glenroy Rd. / Suite 430

Minneapolis, MN 55439

tele: 952-831-4646

tbaxter@esi-engineering.com



Project / Location: Curt Rahman - Train Vibration

Date: 13-Apr-2011

Ch3 - vertical

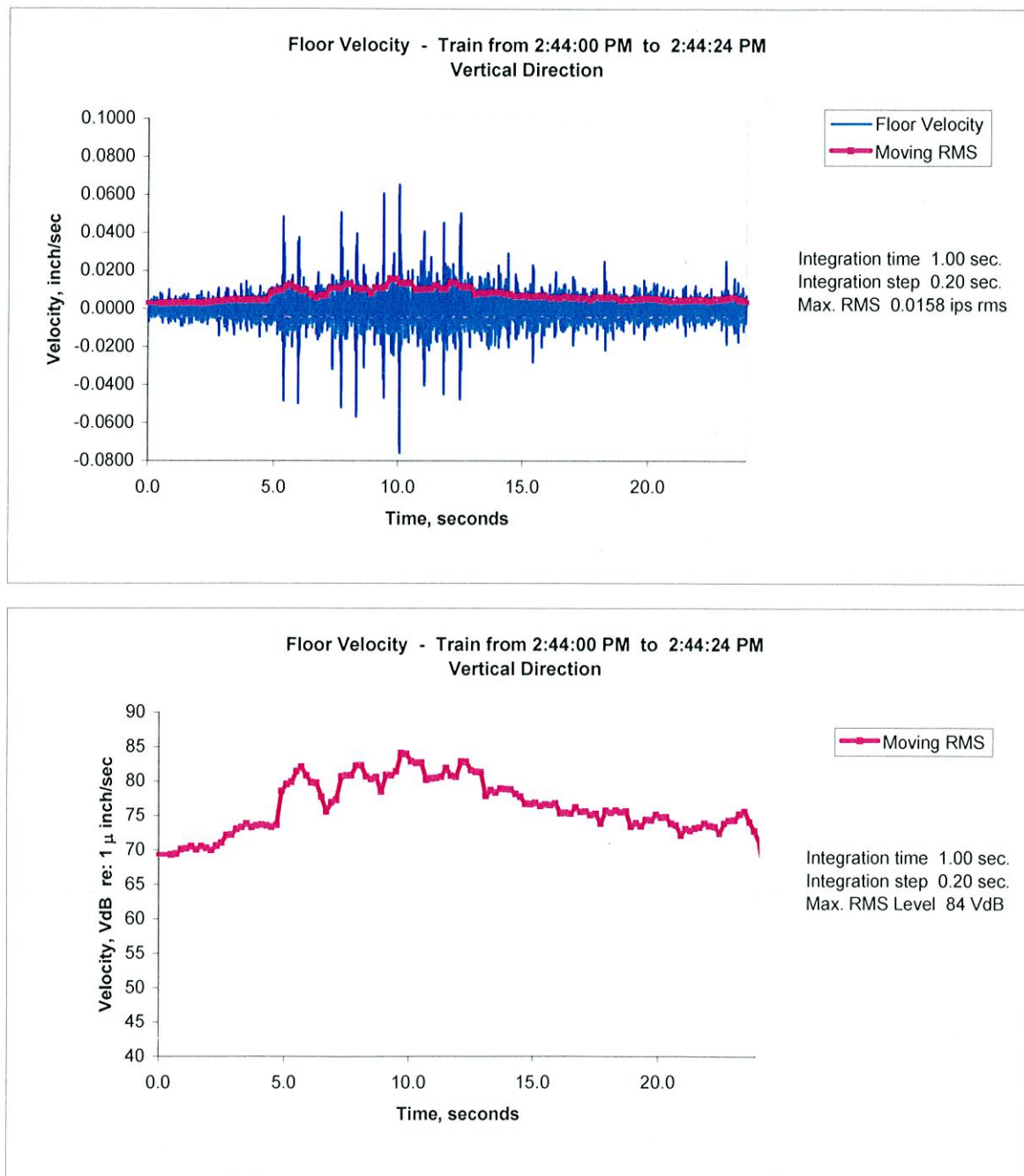
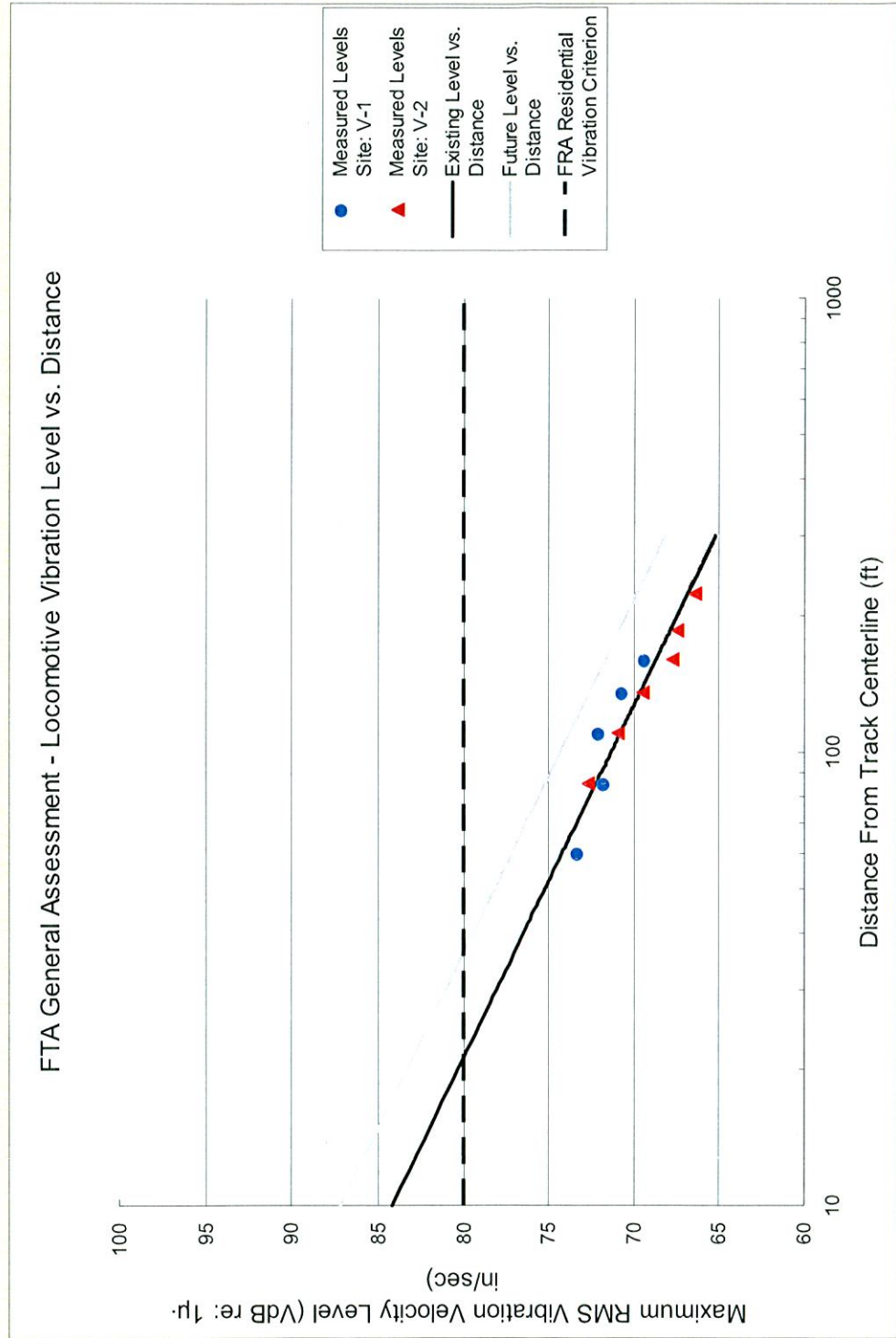
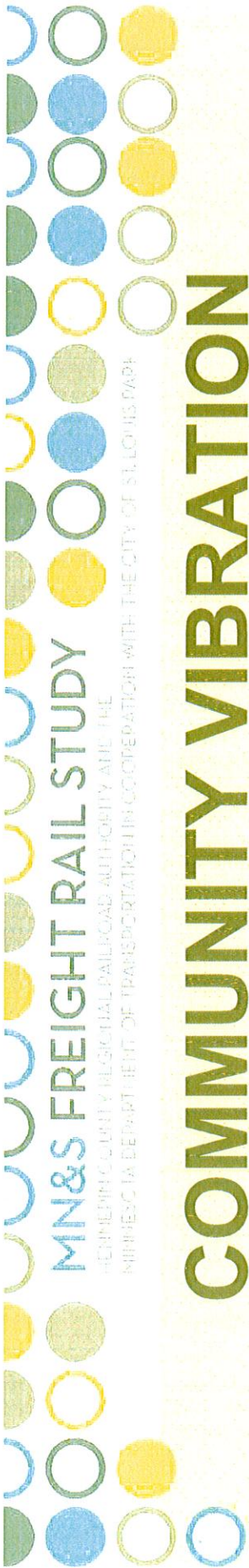


Figure 1



Main Identity

From: "Witzig, Jeanne" <Jeanne.Witzig@kimley-horn.com>
To: "Rahman, Curt" <curtrahman@gmail.com>
Cc: <Ia.Xiong@co.hennepin.mn.us>; "Pafko, Frank (DOT)" <frank.pafko@state.mn.us>; "Kevin Locke" <klocke@stlouispark.org>; <kdoty@umn.edu>; "Spencer, Tim (DOT)" <timothy.spencer@state.mn.us>
Sent: Wednesday, April 20, 2011 11:58 AM
Subject: FW: FW: MN&S Freight Rail Study - PMT #6 Meeting Summary

Curt, thank you for your comment regarding the vibration analysis for the MN&S Freight Rail Study.

A noise and vibration report is being prepared to address this complex question and will be part of the Environmental Assessment Worksheet (EAW). It will provide more clarity on the methodology, impacts and mitigation.

At this time, we anticipate that the EAW will be published in May, with a 30-day review and comment period. If upon your review of the EAW you have further comments on the noise and vibration analysis conducted for this study, or on other areas of the evaluation/EAW, you are welcome to submit those comments for inclusion in the EAW record.

Regards, Jeanne Witzig

From: Curt Rahman [mailto:curt@pdaminneapolis.com]

Sent: Friday, April 08, 2011 10:57 AM

To: Witzig, Jeanne; Ia.Xiong@co.hennepin.mn.us; KHroma@CBIZ.com; Robb Enslin; Tim Dunsworth; Marjorie Douville; Margaret Heil; Paula Evensen; Lynne Carper; Jeremy Anderson; Kandi Ames; Lois Zander; lapray@comcast.net; Thom Miller; Katie.Walker@co.hennepin.mn.us; Timothy.Spencer@state.mn.us; Peter.Dahlberg@state.mn.us; frank.pafko@state.mn.us; klocke@stlouispark.org; Meg McMonigal; Rolf Peterson; Danielson, Paul; Michael.Couse@aecom.com; bsuko@tcwr.net; MWegner@TCWR.NET; amber.backhaus@leonard.com; David.Wolter@bnsf.com; Douglas.Perry@bnsf.com; Chris Johnson; Jake Spano; Warren Djerf; Kristin.RohmanRehkamp@target.com; Kristi Rudelius-Palmer; judy_mitchell@cpr.ca; crobertson@sjoquist.com; Claudia Johnston; eric.knudson@knudson-assoc.com; Kathryn Kottke; safetyinbirchwood@yahoo.com; Hasselbring, Bruce
Cc: mittelstaedtjohn@yahoo.com; dkrafft@bitstream.net; Je_L@yahoo.com; Jim Beneke; Greg Suchanek; Mike Rozman; Jeff Roy; eveline.m.haag@wellsfargo.com; Marc Berg; Michael.Couse@aecom.com; Laabs, Jessica; Jeff Jacobs; Phil Finkelstein; Sue Sanger Home; Anne Mavity; Julia Ross; Paul Omodt Home; Sue Santa Home; gores.nancy@slpschools.org; sweitzer.julie@slpschools.org; shapiro.larry@slpschools.org; rykken.pam@slpschools.org; richardson.bruce@slpschools.org; yarosh.jim@slpschools.org; cleowedge@comcast.net; Ron Latz; Steve Simon; Ryan Winkler; Tom Harmening; kerri.pearce.Ruch@co.hennepin.mn.us; pomodt@psbpr.com; Danielson, Paul; Hermann, Mike; Kunkel, Beth; Matthew Flory; Dutchboy31@juno.com; BlackstoneAssn@tcq.net; lpannell@mninter.net; lindasandbo@msn.com; Vote4democracy@yahoo.com; info@slptriangle.org; Robb Enslin; jvlbartl@yahoo.com; sharon.abelson@yahoo.com; Gail.Dorfman@co.hennepin.mn.us; al@smdcompanies.com; srowe@acnpapers.com; TLOTO@yahoo.com; Doug Guild; barrylaz@gmail.com; cbdonlon@usfamily.net; mikecohn@yahoo.com; merlinluke@hotmail.com; dklinkhammer@comcast.net; helene.herbst@comcast.net; crj7972@gmail.com; maryherfurth@yahoo.com; kdoty@umn.edu; jswyman@hotmail.com; lgulbranson@att.net; googi001.gail@gmail.com; michael.rose@patch.com; jddugdare@yahoo.com; Tom Johnson; sdworakoski@yahoo.com; gazzzy92@gmail.com; susanmelbye@edinarealty.com; skiss4@gmail.com; jebmyers@gmail.com; mbuchk@earthlink.net; jpmeyerdl@yahoo.com; brooklawncslp@gmail.com; alex@midlandglass.com; Lance D. Meister; Christianson, Dave (DOT); rachelcallahan@yahoo.com; angela_bern@yahoo.com; huntms1@aim.com; Tony Baxter

Subject: MN&S Freight Rail Study - PMT #6 Meeting Summary

On page 14 of the attached Final PMT document, Kimley-Horn states that the "occasional events" column should now be used to evaluate the vibration impact of this project. That means that residences should tolerate up to 75 VdB and routine businesses should tolerate up to 78 VdB of vibration. (on table 1 attached)

Using the Kimley-Horn measurements and predictions from the "SLP Vibration Predictions" chart attached to this email, residences closer than 90 feet of the rail line will exceed the federal vibration guidelines and businesses within 50-60 feet of

the tracks will exceed the guidelines. This is a huge change because the preliminary analysis concluded that only residences within 40 feet of the tracks had issues and there were no business issues.

How many houses are within 90 feet of the tracks?

How many businesses are within 50-60 feet of the tracks? I know there are some because I own one 45 feet from the tracks.

Curt Rahman
Business Representative West Lake St.
612-207-5411 cell

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Main Identity

From: "Curt Rahman" <curt@pdaminneapolis.com>
To: "Witzig, Jeanne" <Jeanne.Witzig@kimley-horn.com>; <la.Xiong@co.hennepin.mn.us>; <KHroma@CBIZ.com>; "Robb Enslin" <renslin34@hotmail.com>; "Tim Dunsworth" <timdunsworth4034@comcast.net>; "Marjorie Douville" <sarjmarj@aol.com>; "Margaret Heil" <margaret@bodyrelease.com>; "Paula Evensen" <paulaevensen@yahoo.com>; "Lynne Carper" <icarper1@fairview.org>; "Jeremy Anderson" <jeremy@angelar.com>; "Kandi Ames" <ksengels@gmail.com>; "Lois Zander" <loisz18@yahoo.com>; <lapray@comcast.net>; "Thom Miller" <thom@two-rivers.net>; <Katie.Walker@co.hennepin.mn.us>; <Timothy.Spencer@state.mn.us>; <Peter.Dahlberg@state.mn.us>; <frank.pafko@state.mn.us>; <klocke@stlouispark.org>; "Meg McMonigal" <mmcmmonigal@stlouispark.org>; "Rolf Peterson" <Rolf1@comcast.net>; "Danielson, Paul" <paul.danielson@kimley-horn.com>; <Michael.Couse@aecom.com>; <bsuko@tcwr.net>; <MWegner@TCWR.NET>; <amber.backhaus@leonard.com>; <David.Wolter@bnsf.com>; <Douglas.Perry@bnsf.com>; "Chris Johnson" <mdsj.caj@usfamily.net>; "Jake Spano" <coldsplce@gmail.com>; "Warren Djerf" <warren@brookcomm.net>; <Kristin.RohmanRehkamp@target.com>; "Kristi Rudelius-Palmer" <krp@umn.edu>; <judy_mitchell@cpr.ca>; <croberson@sjquist.com>; "Claudia Johnston" <claudiajohnston@comcast.net>; <eric.knudson@knudson-assoc.com>; "Kathryn Kottke" <prufrock1969@hotmail.com>; <safetyinbirchwood@yahoo.com>; "Hasselbring, Bruce" <bruce.h@ace-aircontrolessentials.com> <mittelstaedtjohn@yahoo.com>; <dkrafft@bitstream.net>; <Je_L@yahoo.com>; "Jim Beneke" <JimBeneke@msn.com>; "Greg Suchanek" <suchgr@comcast.net>; "Mike Rozman" <mrozman@comcast.net>; "Jeff Roy" <summithill@visi.com>; <eveline.m.haag@wellsfargo.com>; "Marc Berg" <MBergdude@aol.com>; <Michael.Couse@aecom.com>; "Laabs, Jessica" <Jessica.Laabs@kimley-horn.com>; "Jeff Jacobs" <jacobsjeffrey@comcast.net>; "Phil Finkelstein" <bankfink@gmail.com>; "Sue Sanger Home" <suesanger@comcast.net>; "Anne Mavity" <AnneMavitySLP@comcast.net>; "Julia Ross" <juliaross.slp@gmail.com>; "Paul Omodt Home" <omodt5@msn.com>; "Sue Santa Home" <susansanta@aol.com>; <gores.nancy@slpschools.org>; <sweitzer.julie@slpschools.org>; <shapiro.larry@slpschools.org>; <rykken.pam@slpschools.org>; <richardson.bruce@slpschools.org>; <yarosh.jim@slpschools.org>; <cleowedge@comcast.net>; "Ron Latz" <sen.ron.latz@senate.mn>; "Steve Simon" <rep.steve.simon@house.mn>; "Ryan Winkler" <rep.ryan.winkler@house.mn>; "Tom Harmening" <THARMENING@stlouispark.org>; <kerri.pearce.Ruch@co.hennepin.mn.us>; <pomodt@psbpr.com>; "Danielson, Paul" <paul.danielson@kimley-horn.com>; "Hermann, Mike" <mike.hermann@kimley-horn.com>; "Kunkel, Beth" <Beth.Kunkel@kimley-horn.com>; "Matthew Flory" <livinginlenox@gmail.com>; <Dutchboy31@juno.com>; <BlackstoneAssn@tcq.net>; <lpannell@mninter.net>; <lindasandbo@msn.com>; <Vote4democracy@yahoo.com>; <info@slptriangle.org>; "Robb Enslin" <renslin34@hotmail.com>; <jvlbartl@yahoo.com>; <sharon.abelson@yahoo.com>; <Gail.Dorfman@co.hennepin.mn.us>; <al@smdcompanies.com>; <srowe@acnpapers.com>; <TLOTO@yahoo.com>; "Doug Guild" <dguild@usfamily.net>; <barrylaz@gmail.com>; <cbdonlon@usfamily.net>; <mikecohn@yahoo.com>; <merlinluke@hotmail.com>; <dklinkhammer@comcast.net>; <helene.herbst@comcast.net>; <crj7972@gmail.com>; <maryherfurth@yahoo.com>; <kdoty@umn.edu>; <jswyman@hotmail.com>; <lgulbranson@att.net>; <googi001.gail@gmail.com>; <michael.rose@patch.com>; <jddugdare@yahoo.com>; "Tom Johnson" <tom@railmet.com>; <sdworakoski@yahoo.com>; <gazzy92@gmail.com>; <susanmelbye@edinarealty.com>; <skiss4@gmail.com>; <jebmyers@gmail.com>; <mbuchk@earthlink.net>; <jpmeyerdl@yahoo.com>; <brooklawncslp@gmail.com>; <alex@midlandglass.com>; "Lance D. Meister" <lmeister@hmmh.com>; "Christianson, Dave (DOT)" <Dave.Christianson@state.mn.us>; <rachelcallahan@yahoo.com>; <angela_bern@yahoo.com>; <huntms1@aim.com>; "Tony Baxter" <tbaxter@esi-engineering.com>; "Kevin Locke" <klocke@stlouispark.org>
Sent: Tuesday, April 26, 2011 4:05 PM
Attach: Vibration Criteria.pdf, Curt Rahman - Summary on Train Vibration April 25, 2011.pdf, National Transportation Vibration Guidelines.pdf, SLP Vibration Predictions.pdf
Subject: New Vibration Study attached

I had independent vibration measurements done at my building on West Lake Street by an Engineering firm ESI. Their report is attached labeled "Curt Rahman- Summary on Train Vibration April 25, 2011". Measurements were taken April 13th, 2011. Measurements in the building showed 84 VdB. **By the charts provided by Kimley-Horn, vibration measurements today already exceed acceptable guidelines** and probably do at most businesses and many homes along the tracks.

In addition, **Kimley-Horn predicts increased vibration frequency and a severity increase of 5-8 VdB** which puts many of the buildings past the 90 VdB level and far in excess of the 78 VdB the Federal guidelines mandate.

Considering this new information, additional vibration studies need to be done and further mitigation for vibration needs to be added to the project.

Curt Rahman, PMT West Lake Street Business Representative
612-207-5411 cell

----- Original Message -----

From: Curt Rahman

To: Witzig, Jeanne ; la.Xiong@co.hennepin.mn.us ; KHroma@CBIZ.com ; Robb Enslin ; Tim Dunsworth ; Marjorie Douville ; Margaret Heil ; Paula Evensen ; Lynne Carper ; Jeremy Anderson ; Kandi Ames ; Lois Zander ; lapray@comcast.net ; Thom Miller ; Katie.Walker@co.hennepin.mn.us ; Timothy.Spencer@state.mn.us ; Peter.Dahlberg@state.mn.us ; frank.pafko@state.mn.us ; klocke@stlouispark.org ; Meg McMonigal ; Rolf Peterson ; Danielson, Paul ; Michael.Couse@aecom.com ; bsuko@tcwr.net ; MWegner@TCWR.NET ; amber.backhaus@leonard.com ; David.Wolter@bnsf.com ; Douglas.Perry@bnsf.com ; Chris Johnson ; Jake Spano ; Warren Djerf ; Kristin.RohmanRehkamp@target.com ; Kristi Rudelius-Palmer ; judy_mitchell@cpr.ca ; crobertson@sjquist.com ; Claudia Johnston ; eric.knudson@knudson-assoc.com ; Kathryn Kottke ; safetyinbirchwood@yahoo.com ; Hasselbring, Bruce
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Sent: Friday, April 08, 2011 10:57 AM

Subject: MN&S Freight Rail Study - PMT #6 Meeting Summary

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Using the Kimley-Horn measurements and predictions from the "SLP Vibration Predictions" chart attached to this email, residences closer than 90 feet of the rail line will exceed the federal vibration guidelines and businesses within 50-60 feet of the tracks will exceed the guidelines. This is a huge change because the preliminary analysis concluded that only residences within 40 feet of the tracks had issues and there were no business issues.

How many houses are within 90 feet of the tracks?

How many businesses are within 50-60 feet of the tracks? I know there are some because I own one 45 feet from the tracks.

Curt Rahman
Business Representative West Lake St.
612-207-5411 cell

rail systems, such as the MN&S Spur, ground borne noise criteria are applied only to buildings that have sensitive interior spaces that are well insulated from exterior noise.

The FTA also has vibration criteria for locations with existing vibration, such as the MN&S Spur. For locations where trains will be added where existing trains currently operate, vibration impact must be assessed to determine if there will be additional impacts. For infrequently used rail corridors (less than 5 trains per day), such as the MN&S Spur, vibration impacts are assessed using the criteria in **Table 17**. For this assessment, the locomotive events are considered to be infrequent, and the rail cars are considered to be occasional.

Table 17. Ground-Borne Vibration and Noise Impact Criteria by Land Use Category

Land Use Category	Ground-Borne Vibration Impact Levels (VdB re 1 micro-inch/sec)			Ground-Borne Noise Impact Levels (dB re 20 micro Pascals)		
	Frequent Events ¹	Occasional Events ²	Infrequent Events ³	Frequent Events ¹	Occasional Events ²	Infrequent Events ³
Category 1: Buildings where low ambient vibration is essential for interior operations.	65 VdB ⁴	65 VdB ⁴	65 VdB ⁴	N/A ⁵	N/A ⁵	N/A ⁵
Category 2: Residences and buildings where people normally sleep.	72 VdB	75 VdB	80 VdB	35 dBA	38 dBA	43 dBA
Category 3: Institutional land uses with primarily daytime use.	75 VdB	78 VdB	83 VdB	40 dBA	43 dBA	48 dBA
Notes: 1. "Frequent Events" is defined as more than 70 vibration events of the same source per day. Most rapid transit projects fall into this category. 2. "Occasional Events" is defined as between 30 and 70 vibration events of the same source per day. Most commuter trunk lines have this many operations. 3. "Infrequent Events" is defined as fewer than 30 vibration events of the same kind per day. This category includes most commuter rail branch lines. 4. This criterion limit is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes. Vibration sensitive manufacturing or research will require detailed evaluation to define the acceptable vibration levels. Ensuring lower vibration levels in a building often requires special design of the HVAC systems and stiffened floors. 5. Vibration-sensitive equipment is generally not sensitive to ground-borne noise.						

Source: FTA, May 2006.

The vibration impact assessment was carried out in accordance with FTA methodology for a "General Noise Analysis" using project data defined in the Noise Section. The potential vibration impacts of the project are related primarily to the increased in maximum operating design speed in the corridor (10 to 25 mph). The following are project assumptions used in the impact analysis for the vibration assessment:

- Identify vibration-sensitive land use: Vibration-sensitive land use along the project corridor was initially identified based on preliminary alignment drawings, aerial photography and GIS mapping.
- Project freight vibration levels: Vibration levels from freight operations were projected based on measurements of existing trains, as described in below. The only changes relevant to the vibration assessment are the increased speeds from 10 to 25 mph and the upgrade of the track and existing track structure from jointed to continuously welded rail with new ballast sections and ties. Vibration levels increase with increasing speed by a 20 Log relationship, so doubling the speed will increase vibration levels by 6 dB and halving the speed will reduce vibration levels by 6 dB.
- Assess impact based on the criteria: The projections determined the vibration levels at each sensitive receptor and vibration impact was assessed according to the appropriate FTA criteria, depending on the land use category.
- Recommend mitigation measures where required and appropriate: Mitigation can include ballast mats, special fasteners, and other means of reducing vibration levels.

Existing Conditions

The major source of existing vibration in the project corridor is the CP freight trains. Measurements of vibration from existing trains were conducted at two locations as described below:

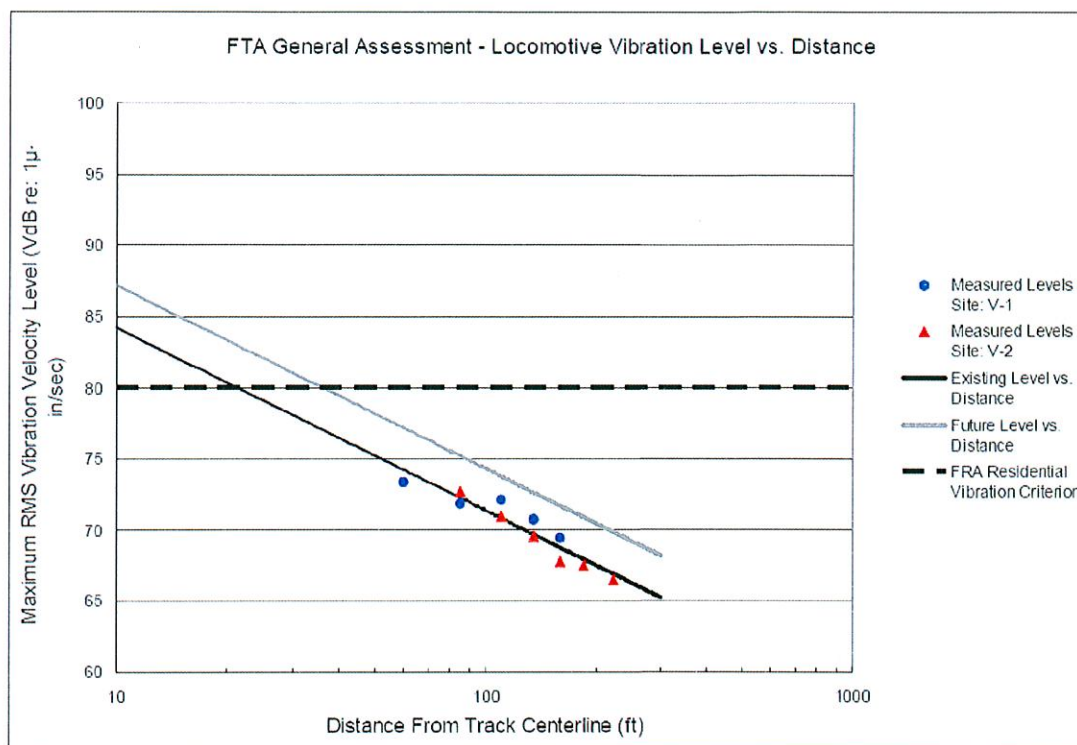
Site V-1: Measurement site V-1 was located adjacent to St. Louis Park High School and residences on Library Lane. The ground-borne vibration levels from a passing freight train were measured at multiple distances ranging from 60 to 160 feet from the track. The measured freight train was traveling in the southbound direction at approximately 10 mph and consisted of two locomotives pulling six cars.

Site V-2: Measurement site V-2 was located in Keystone Park between Blackstone Avenue and Alabama Avenue. The ground-borne vibration levels from a passing freight train were measured at multiple distances ranging from 85 to 225 feet from the track. The track was on an embankment in this location due to the crossing over Minnetonka Boulevard to the north. The measured freight train was traveling in the northbound direction at approximately 10 mph and consisted of two locomotives pulling eleven cars.

The locations of the existing vibration measurements are shown in **Figure 10** and the results of the existing vibration measurements are shown in **Exhibit 3** below, along with projections of future vibration levels from trains with the higher speeds and the continuously welded rail. The results indicate that for the existing trains, locomotive vibration levels of 80 VdB (the criterion for vibration impact for infrequent events) would be experienced up to 30 feet from the tracks. For existing rail cars, which typically have vibration levels 5-8 VdB lower than locomotives, vibration levels of 75 VdB (the criterion for vibration impact for occasional events) would also be experienced up to 30 feet from the tracks.

Based on measurements conducted in Alaska during the summer and winter, there is some variation in vibration levels for efficient soil types, such as peat or clay. This variation results in lower vibration levels in the winter, as compared with the summer. However, for typical soil conditions, which the measurements indicate existing in the MN&S corridor, the vibration levels are the same during the summer and winter.

Exhibit 3. Vibration Measurement Results and Projections



Impacts

The vibration assessment assumed an increase in speed from 10 to 25 mph along with an improvement from jointed rail to continuously welded rail, which will lower vibration levels by 5 VdB. The results of the vibration analysis indicate that locomotive vibration levels of 80 VdB (the impact criterion for infrequent events) would be experienced up to 40 feet from the tracks and that rail car vibration levels of 75 VdB (the impact criterion for occasional events) would also be experienced up to 40 feet from the tracks. There is only one building, an apartment above a **business** at the southern end of the corridor, which is located within 40 feet of the tracks (**Figure 11**).

Mitigation: Area "B"

There is one location identified with vibration impact on the MN&S Spur. The building identified with impact appears to be a mixed use building with an apartment above a welding shop. A more detailed analysis of this building would need to be conducted to determine if there would be a vibration impact. If impact is identified, potential mitigation measured would be assessed



arthur higinbotham
<ahiginbotham@msn.com>
10/22/2012 01:13 PM

To swcorridor <swcorridor@co.hennepin.mn.us>
cc Gail.Dorfman <gail.dorfman@co.hennepin.mn.us>
bcc
Subject Noise Basis for Kenilworth Corridor in DEIS

Section 4.6.4 of the SWLRT DEIS covers Noise, Existing Conditions. The basis for noise measurements should be with the absence of freight trains, which were permitted temporary use of the corridor in 1986, by the Hennepin County Commission and the HCRRA. This section compares LRT noise levels at grade with the freight trains using the corridor; this is an error of assessing the environmental effects and should be corrected.

Commissioner Mark Andrew, who represented the 3rd District at that time acknowledged the temporary nature of the freight trains. His remarks have been corroborated by current Commissioner Gail Dorfman on several occasions; she also agreed that the base noise level should be that without freight rail on the corridor.

The use of the wrong noise baseline understates the impact of LRT noise on the corridor. Noise from the LRT trains should be measured at grade as well as at the apex of the proposed Cedar Lake Parkway overpass and at several elevations of condominium towers adjoining the corridor, most notably Calhoun Isles Condominiums, but also at other high rise residences within 900 feet of the corridor, which would include the Calhoun Beach Club buildings, Lake Pointe Condominiums, and other buildings.

The issue of noise incident frequency has also been overlooked in the DEIS. LRT trains passing through the corridor every 2.75 minutes during rush hours will have a major impact on the peace and tranquillity for not only residents, but for bicycle and pedestrian users of the Kenilworth trail between the Lake Street viaduct and the Cedar Lake trail to where it separates from the LRT just southwest of Target Field, the Midtown Greenway from E. Lake of the Isles Parkway west to the city line, and the Cedar Lake trail around Cedar Lake, and for boaters on the Cedar Lake/Lake of the Isles channel. These are noise impacts within the city of Minneapolis; there will be additional noise impacts in the southwest suburbs.

A trench for the LRT at the Cedar Lake Parkway instead of an overpass will only resolve a small fraction of these noise issues; a tunnel under Cedar Lake Parkway commencing just north of the Lake Street viaduct and extending north of the Burnham bridge will address more of the LRT noise issues.

Arthur E. Higinbotham
SW LRT CAC member for W. Lake St. station
3431 St. Louis Av. Mpls 55416
Tel.: 612-926-9399



David Hibbard
<DHibbard@rubytuesday.co
m>

10/23/2012 08:49 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Ruby Tuesday at Eden Prairie, MN

As Asset Manager for Ruby Tuesday, I'm trying to figure out if any of our restaurants will be affected with a right of way taking with the Southwest light rail. For one, it appears that the Eden Prairie location may be impacted.

I am the contact person for Ruby Tuesday, and would like a more detailed map of the route when that is available. Thanks for your help.

Regards,

David M. Hibbard, CSM, CPM
Director of Assets
Ruby Tuesday, Inc.
865.380.7054



"Albert Hepp"
<AHepp@BuySelf.com>

10/23/2012 09:22 AM

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject SW rail question

I own a condo in SW Station, in the building where the plans show the rail really, really close to our building (13560 Technology Drive, Eden Prairie)

Our condo association has been told there will be remediation for our building. Can you please explain:

1. The line looks like it curves right by our building, when I ride the light rail the trains make lots of loud noise when they go over curves in the track. Can you direct me to a place on the Hiawatha line where I can see a typical type of remediation for this issue (a curve very close to residences)?
2. The line will cross over two bus only roads at grade right by southwest station, will those crossings be exempt for warning whistles, bells, etc because they are special use/bus only, or will the trains sound the standard warnings of approach to an at grade crossing?
3. Where can I find information about the expected noise around and upon approaches to a light rail station?
4. Is there documentation available of all the remediation projects that were done for the Hiawatha and Central corridor?

Thank you.

Albert Hepp

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Lasky Company
<info@umnrentals.com>
10/24/2012 05:55 PM

To <swcorridor@co.hennepin.mn.us>

CC

bcc

Subject Re: I am unable to open Information

Marissa,
Lauri printed - by your door.

On 2012-10-24 10:34, SWcorridor@co.hennepin.mn.us wrote:

> Ms. Lasky,
> Maps of the corridor are available on the project website at
> www.southwesttransitway.org or in the hard copies of the Draft
> Environmental Impact
> Statement, which can be found in city halls and libraries in
> Minneapolis, St. Louis Park, Hopkins, Minnetonka, and Eden Prairie.
> Please see our
> website for the full list of locations. If you'd like, I can send you
> a hard copy of the executive summary, which includes a CD with the
> entire
> document and associated maps.
> Please provide your mailing address if you'd like me to send it.
> Thank you,
> Adele
>
>
> Adele Hall
> Senior Transit Planner | Hennepin County Department of Housing,
> Community Works & Transit
> 701 Fourth Avenue South - Suite 400 | Minneapolis, MN 55415 | MC L608
> Office 612.543.1094 | Mobile 612.250.2004 |
> adele.hall@co.hennepin.mn.us

Marissa Lasky <laskyco@mnlakes.net>

10/13/2012 04:08 PM

To

"swcorridor@co.hennepin.mn.us" <swcorridor@co.hennepin.mn.us>

CC



Gwen Kurvers
<gwenkurvers@yahoo.com>

10/31/2012 01:25 PM

Please respond to
Gwen Kurvers
<gwenkurvers@yahoo.com>

To Katie Walker <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject SW Transit Comment

Katie,

Please find the attached letter from Mark Anderson.

Thank You !

*Gwen Kurvers
Accounting Manager
Wrecker Services, Inc.
200 E. Lyndale Ave. N.
Minneapolis, MN 55405
612-330-0013
612-330-9099 Fax*



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WHEEL LIFTS
LOCK-OUTS
JUMP STARTS
SNOW PLOWING
PARKING LOT MAINTENANCE
TRACTOR TRAILER SERVICE

October 31, 2012

Hennepin County
Housing, Community Works & Transit
Attn: Southwest Transitway
701 Fourth Avenue South Suite 400
Minneapolis, MN 55415

To Whom It May Concern,

Wrecker Services, Inc. ("Wrecker") and Mark Anderson has been informed that the property on which Wrecker conducts its business is needed for the SWLRT. We have attended several meetings and this project is of great concern to us.

Wrecker Services, Inc. has been conducting its business on the corner of Glenwood and East Lyndale Avenue North for over 20 years. Among other things, we have been working on police dispatch 24/7, 365 days a year for the City of Minneapolis, which means we have a high volume of truck traffic to and from our property. Both proposed routes, whether Royalston or Border, would take a major portion of Wrecker Services, Inc. land. Substantial downsizing of our property would greatly inhibit our storage capacity and business operation, and essentially, result in the inability for Wrecker to conduct business.

Our business relies on this high profile corner, which is readily accessible for us to downtown Minneapolis and the Minneapolis Impound Lot in rapid response time. Furthermore, we are required by the City of Minneapolis ordinances to have our impound lot within the city's limits. We are not aware of any relocation sites in our neighborhood. Relocation sites are a significant concern for Wrecker Services, Inc. because of the limited number of properties zoned for our use within the City of Minneapolis. Because of limited relocation properties available at this current time, we feel relocating across town is a detriment to our provided services and livelihood. In addition, there is no assurance that the city would grant us a license to conduct business at a new site, even if such a site is available at a price which would allow making it economically feasible for Wrecker to conduct business.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Anderson', is written over the word 'Sincerely,'.

Mark Anderson
President



SPECIALIZING IN:
HEAVY DUTY TOWING
UNAUTHORIZED VEHICLES TOWED
FLATBEDS
WHEEL LIFTS
LOCK-OUTS
JUMP STARTS
SNOW PLOWING
PARKING LOT MAINTENANCE
TRACTOR TRAILER SERVICE

October 31, 2012

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Housing, Community Works & Transit
Attn: Southwest Transitway
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Minneapolis, MN 55415

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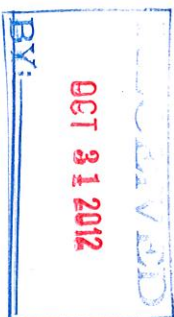
Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Anderson', is written over a horizontal line.

Mark Anderson
President



www.wreckerservices.com
200 E. LYNDALE AVE. N.
SUITE 100
MINNEAPOLIS, MN 55405



Hennepin County
Housing, Community Works & Transit
Attn: Southwest Transitway
701 Fourth Avenue South Suite 400
Minneapolis, MN 55415



Bob Suko
<BSuko@TCWR.NET>
11/03/2012 06:38 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc Mark Wegner <MWegner@TCWR.NET>
bcc
Subject SWLRT DEIS COMMENT/QUESTION

The following question is being sent on behalf of Mark Wegner, President of Twin Cities & Western Railroad. Please if you would be so kind, direct the response back to him at mwegner@tcwr.net.

To Whom It May Concern:

Within Appendix H there is the "MN&S Freight Rail Report" - St. Louis Park and Minneapolis Hennepin County Minnesota, dated March 13, 2012.

Within that report, on page 12, it states that "Track design for the Proposed Action will comply with requirements set forth by:", among others, "Current CP and BNSF track engineering and design standards".

I'd appreciate it if you would research and provide me with written correspondence from BNSF and CP that validates this assertion.

Thank you very much,

Mark Wegner, President
Twin Cities and Western Railroad



Nancy Brown
<nbrownmpls@aol.com>
11/05/2012 01:14 PM

To swcorridor@co.hennepin.mn.us
cc
bcc

Subject Concerns about the SWLRT DEIS findings and SW LRT
strategy for freight re-route through St. Louis Park

I have attached a letter addressing my concerns. Thanks very much for your consideration in this matter.

Nancy Brown
Nancy S. Brown Marketing Research
2625 Salem Avenue
Minneapolis, MN 55416
952.922.5947

Hennepin County Housing, Community Works and Transit
ATTN: Southwest Transitway

November 3, 2012

To whom it may concern:

I am writing in response to the Southwest Light Rail Transit Draft Environmental Impact Statement that also addresses the re-routing of freight rail in St. Louis Park.

In Chapter 1, Section 1.3.2.3, the report identifies the option of rebuilding a spur line into a main freight line in St. Louis Park but does not address the monumental safety implications for St. Louis Park residents if initiated.

The re-route would increase freight rail car traffic approximately 788%. What is particularly fearsome is that the freight traffic increase would overexpose St. Louis Park High School and alternative high school students to danger, as they cross the street to go to McDonald's and other eateries, to their stadium or to walk to and from school to their homes. Unfortunately, some high school students can be impulsive, distracted by cell phones, music, friends or tablets, pre-occupied or otherwise not engaged in looking out for trains (and cars). Some have even been known to 'play chicken' with trains. My railroad engineer friend has told me that it takes a mile to stop a freight train with more than 100 cars. Is this re-route worth taking a risk of losing a St. Louis Park student or adult who is not being vigilant? I don't think so. Yet, the report doesn't address this critical concern or provide any options or responsibility for mitigation.

The rebuild of the spur would also involve constructing a steep rail ramp, with several dangerous tight curves. This design appears to increase the risk of derailments; more so than if the rail track was straight and flat. To explore the possible implications of this scenario further: what if the freight cars are carrying hazardous materials when they derail and subsequently crash and roll into residents' and/or businesses' back yards? If this happens, I hate to think of the consequences, particularly the potential of lost lives and/or serious injuries.

I am a great supporter of light rail. I have used the Hiawatha line to go to the airport, and I find it so easy and efficient. I would like St. Louis Park to have easy access to LRT as well. However, I am very worried about a decision for community-situated light rail that involves the re-routing of hundreds of freight trains through the Park's highly populated business and residential areas. There has to be a safer solution.

If the re-route option is chosen, I am also concerned that the areas in proximity to the trains will not have enough mitigation in place to maintain the safety of its citizens. In addition, I don't understand why freight trains cannot continue to be routed through the Kenilworth corridor, which appears, in most places, to be wide enough to be able to support multiple tracks with safe clearance (unlike some places in St. Louis Park which have less than a length of a car rail as a protective zone).

Please explore the safety and livability needs of St. Louis Park residents when considering freight rail alternatives. Regrettably, none of the mitigation requests by the City of St. Louis Park are addressed or acknowledged in this report. It is as if we residents are invisible or, even worse, 'second class' citizens...

Thank you for considering my concerns. I would be most happy to discuss them with you. (My contact information is below.)

Sincerely,

Nancy S. Brown

Nancy S. Brown
2625 Salem Avenue St. Louis Park, MN 55416
952.922.5947 NBrownMpls@aol.com



"Michael Dole, MD"
<md2@usfamily.net>
11/07/2012 08:16 AM

To <swcorridor@co.hennepin.mn.us>
cc
bcc
Subject concern about sw corridor plan

I am a very big fan of light rail in general even though rerouting freight traffic next to my business and the St Louis Park High school will disrupt client travel at times. It will cause significant vibration and noise but I am not too concerned about these issues. My biggest concern is that, unless the rail is above or below grade at the Dakota Ave S and W Lake St crossings, there are going to be huge disruptions for students and parents getting to and from school. This will back traffic up significantly. Also, the turns the rail takes in this neighborhood will force the trains to be traveling at very slow speeds which compounds the problem. I hope there is a plan to address these issues.

Thank you for all your hard work to make light rail happen!

Michael Dole, MD
Dakota Medical Clinic
3408 Dakota Ave S
St Louis Park, MN 55416



Bob Suko
<BSuko@TCWR.NET>
11/07/2012 08:22 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc Bob Suko <BSuko@TCWR.NET>
bcc
Subject Question- TCWR

Within Appendix H of the recently issued DEIS there is the "MN&S Freight Rail Report" - St. Louis Park and Minneapolis Hennepin County Minnesota, dated March 13, 2012.

Within that report, on page 12, it states that "Track design for the Proposed Action will comply with requirements set forth by:", among others, "Current CP and BNSF track engineering and design standards".

I'd appreciate it if you would research and provide me with written correspondence from BNSF and CP that validates this assertion.

Thank you for your time and consideration,

Bob Suko
Twin Cities & Western Railroad



Patrick Wells
<patwells@msn.com>
11/07/2012 10:59 PM

To <info@mnunited.org>, <dayton.media@state.mn.us>,
<info@markdayton.org>, "Jeff Jacobs, Mayor of St. Louis
Park" <jacobsjeffrey@comcast.net>, Sue Sanger

cc

bcc

Subject Safety in St. Louis Park

Hi,

Please help with the defense of safety in St. Louis Park. The proposed Kennilworth re-route to the St. Louis Park MN&S track defies logic. Safety, logistical, and financial reasons say that the proposal is not worthy of support. On its face the re-route proposal reflects the need to satisfy past political favors at the expense of the St. Louis Park Citizens' safety.

The St. Louis Park Community concerns with regard to the rail re-reroute propoasla are nonpartisan. We are requesting an honest, community centered response to the rail re-route proposal. In the consideration of the rail re-route issue, our elected officials have unexpectedly failed us. Many of us voted for Gail Dorfman, our county commissioner.

In most instances, Gail and our other county comissioners have been reasonable and have been good representatives. I, personally, have always voted for Gail Dorfman. However, Gail and the other county commissioners have supported the rail re-route at the expense of St.Louis Park's safety. Their support of rail re-route crosses the line of reasonableness. We need to speak up and say that the re-route is bad policy. The Hennepin County Commissioners' support for the re-route is based on promises which they recall that Hennepin County made, without our knowledge or consent, to property owners along the Kenilworth Corridor. These promises are recollections which are unsupported by documents or reasonbleness or fairness to all parties affected.

We are in the comment period regarding the rail re-route. Anyone in Hennepin County can comment. We hope than everyone comments to stop the railroad re-route. This issue is of the utmost importance. The safety and security of the St. Louis Park community is at stake.

The St. Louis Park Kiwanis Club has passed a resolution opposing the rail re-route. The St. Louis Park City Council has also opposed the re-route. The St. Louis Park Schools are opposed to the re- route.

Here is the link to the silent Safety in the Park video about the rail re-route:

<http://www.youtube.com/watch?v=QZR8EEty-B4&feature=youtu.be>

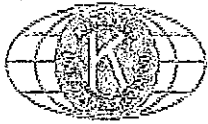
Here is the link to the Safety in the Park website:

http://safetyinthepark.com/index.php?option=com_content&view=article&id=45&Itemid=54

Next Wednesday evening, is a scheduled meeting at St. Louis Park City Hall regarding the railroad re-route. Please plan to attend to show your support for Safety in the Park.

Attached is the St. Louis Park Kiwanis Club resolution. Please forward comments to Hennepin County. Hennepin County contact information is attached.

Patrick Wells, St. Louis Park Kiwanis Club, 612-803-2015



Kiwanis Club of St. Louis Park

We, the undersigned, being members of the Kiwanis Club of St. Louis Park consent and agree that the following resolution was made:

On Wednesday, November 7th, 2012
At our noon meeting
At Citizens Independent Bank

Whereas:

1. Hennepin County and the Metropolitan Council are considering a re-route of freight rail traffic from the Kenilworth Corridor to the MN& S (Dan Patch) track in St. Louis Park.
2. Logistics and cost analysis would favor keeping the freight rail traffic in the Kenilworth Corridor. The Kenilworth Corridor is straight and flat. The Kenilworth Corridor modifications, in anticipation of light rail, would be less expensive than the costs which would be associated with a re-route to the MN&S Line.
3. Safety concerns associated with the re-route to MN&S are many. Unlike the Kenilworth Corridor, the MN&S Line has many crossings and blind turns, making MN&S Line unsuitable for freight rail traffic. The MN&S Line passes very close to the St. Louis Park High School. The MN& S Line is elevated in many places, resulting in greater risk to nearby homes in the case of a derailment. Hazardous materials, which will be transported by freight trains on the MN&S, should not be sent through such an insufficient corridor as the MN&S provides.



Therefore, it is resolved, that Kiwanis Club of St. Louis Park shall:

1. Oppose the proposed re-route of the Kenilworth freight rail traffic to the MN&S Line in St. Louis Park.
2. Recommend that, if a re-route is considered, that safety of the St. Louis Park residents be made a primary concern by Hennepin County and by the Metropolitan Council. St. Louis Park should be as safe as Minneapolis is with the present Kenilworth Corridor.

St. Louis Park Kiwanis Club Member Signatures:-

Joseph P. Carver

Donna Thompson

Paul Allen

Jack D. Andrashko

M. Carver

The Secretary of the Kiwanis Club of St. Louis Park certifies that the above is a true and correct copy of the resolution that was duly adopted at a meeting of the dated meeting of the board of directors.

Jack D. Andrashko
Signature of Secretary

Two *2012*
Date

JACK D. ANDRASHKO
Printed name of Secretary

Send Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) responses to:

Hennepin County Housing, Community Works and Transit
Attn: Southwest Transit way
701 Fourth Ave. S., Suite 400,
Minneapolis, MN 55415

Or:

swcorridor@co.hennepin.mn.us

For more DEIS information go to: www.southwesttransitway.org



arthur higinbotham
<ahiginbotham@msn.com>
11/09/2012 03:16 PM

To: swccorridor <swccorridor@co.hennepin.mn.us>
cc
bcc
Subject: SWLRT DEIS

This e-mail is in response to Section 11.0 Evaluation of Alternatives of the SWLRT DEIS:

Table 11.1-1 compares the Goal 2 End to End Travel Time for all of the routes. Unfortunately, it uses as the basis for comparison the travel time from Eden Prairie to Target Field. Target Field is not the destination for most SW LRT riders, who will be trying to reach places of employment in downtown Minneapolis. The area with the highest TAZ density, as compiled by the Metro Council, will be in the vicinity of 8th St. and the Nicollet Mall. This area is most easily accessed from the 11th/12th Street station on Route 3C-2 or from the 8th and Nicollet station on Route 3C-1, not from the Van White station on Kenilworth Routes 1A and 3A, the Royalston station (Target Field), the Intermodal station or the stations on South 5th St. on those same routes, all of which will require additional walking time to places of employment near 8th St. and the Nicollet Mall.

Furthermore, while the 11th/12th Station is connected by the skyway system to most of these destinations, the first stations of Routes 1A and 3A are not and are at least 5 minutes more distant; for the Van White and Royalston stations, there is only a partial skyway connection. The rest of the walk must be on outdoor city sidewalks that will be difficult for the elderly and handicapped to navigate from November through March due to unplowed snow, ice and high winds. Eden Prairie residents are going to be extremely disappointed to find they have to endure these hardships; effects on ridership have not been considered in the DEIS and should be. Hence, the comparative travel times of 31.5 minutes on the 1A and 3A routes and the 40 minutes on the 3C-1 and 3C-2 routes are erroneous because they target the wrong destination and ignore the walking time from the station of disembarkation to the place of employment. This point has been raised with the HCRRA SW Alternatives committees and their technical representatives repeatedly over the past 6 years and has been repeatedly ignored.

Arthur E. Higinbotham
3431 St. Louis Av.
Minneapolis, Mn. 55416
SW LRT CAC Representative for the W. Lake St. station



SOUTHWEST
transitway



Fold here

Patrick Wells

3379 Brunswick Ave. S.

St. Louis Park, Minnesota 55416

MINNEAPOLIS MN 553

08 NOV 2012 PM 7 L



Hennepin County

Housing, Community Works & Transit
ATTN: Southwest Transitway

701 Fourth Avenue South, Suite 400

Minneapolis, MN 55415

5541501043 C089

Fold here

Draft Environmental Impact Statement Comment Form

Southwest Transitway Project

Federal and state environmental rules require that an Environmental Impact Statement (EIS) be prepared for the proposed Southwest Transitway project. The EIS process includes the preparation of a Draft Environmental Impact Statement (DEIS), which must be made available for public review and comment.

The DEIS discusses: (1) the purpose and need for the project; (2) the alternatives considered; (3) the impacts of these alternatives; and (4) the agencies and persons consulted.

Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

As a member of the Kiwanis Club of St. Louis Park, I am submitting the attached resolution opposing the Kenilworth rail re-route to the MN&S track through St. Louis Park. This proposed re-route would create an clear threat to the safety of our children and to people living in the path of the re-route.

The attached resolution was approved by the Kiwanis Club of St. Louis Park on November 7, 2012.

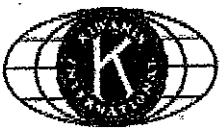
Name: Patrick Wells

Address: 3379 Brunswick Ave. S.

City/State/Zip: St. Louis Park, Minn. 55416

Telephone: 612-803-2015 Email: patwells@msn.com

Thank you!



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On Wednesday, November 7th, 2012

At our noon meeting

At Citizens Independent Bank

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St. Louis Park Kiwanis Club Member Signatures:

Joseph P. Berninger

Walter Palmer, Pres.

Paul Elson

Jack D. Andrashko

Kim Conklin

The Secretary of the Kiwanis Club of St. Louis Park certifies that the above is a true and correct copy of the resolution that was duly adopted at a meeting of the dated meeting of the board of directors.

Jack D. Andrashko
Signature of Secretary

Nov 7 2012
Date

JACK D. ANDRASHKO
Printed name of Secretary



"Greg Johnson"
<greg@bryantgraphics.com>
11/12/2012 09:56 AM

To <swcorridor@co.hennepin.mn.us>
cc <curtrahman@gmail.com>
bcc
Subject s w light rail line

To whom this may concern,

I am the owner of two buildings on Walker Street near the proposed upgrade of the Southwest Light Rail Line project, 6500 and 6504. I am also the owner of the business, Bryant Graphics Inc., which operates out of those buildings. Bryant Graphics is a highly technical commercial printing company which employs eighteen full time employees.

My (our) concern about the project is the amount of ground vibration which may transfer into our buildings from the proposed increase in traffic and speed of the trains. Neither of our buildings have basements to minimize these factors. I would like to see any studies that have been done or proposed addressing this situation. We are also concerned with the noise coming from the train warning horns. Questions being, how loud, and how often.

Please respond to these concerns by phone at my personal number 952-947-5914 or by this e-mail or by letter or by in person meeting.

Thank you.

Greg Johnson

Bryant Graphics
6504 Walker Street
St louis Park, MN 55426

Ph 952-836-1401
Fx 952-927-6340



Morizio Thomas
<Thomas.Morizio@acistmedical.com>
Sent by: Scheuble Vici
<Vici.Scheuble@acistmedical.com>

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc
bcc
Subject Southwest LRT

11/15/2012 08:56 AM

Hello!

Attached please find the response from ACIST Medical Systems in regards to the Southwest LRT.

Thank you.

Regards,
Vici Scheuble
Office Supervisor
ACIST Medical Systems
7905 Fuller Road
Eden Prairie, MN 55344
Direct: 952.995.9373
Cell: 952.412.9455
Fax: 612.656.2981
Vici.scheuble@acistmedical.com



The information contained in this e-mail and any attachments is confidential and may also be privileged. If you are not the named recipient please notify the sender immediately and delete it from your files. Do not disclose the contents to any other person, use it for any purpose, or store or copy the information in any medium.



Helping you get the most out of your equipment.

November 15, 2012

To Whom it May Concern:

On behalf of ACIST Medical Systems, we believe that the proposed Southwest Light Rail Transit (LRT) line, serving Eden Prairie, Minnetonka, Edina, Hopkins, St. Louis Park, Minneapolis Neighborhoods, and downtown Minneapolis is a great idea. We are not only excited about this proposal, but we believe that it will expand our business by allowing people who do not have the means of individual transportation to have accessibility to ACIST Medical Systems. The proposed LRT is not only a good way in expanding accessibility to ACIST Medical Systems, but will lead to a healthier environment, something ACIST Medical Systems takes with great pride.

We have a number of employees that would possibly take this new source of transportation to work; however, we are uncertain of one thing. Will local transportation be available for individuals to and from their place of employment in the Eden Prairie area? We anticipate this may be a concern for other businesses in the area and would look to our Chamber of Commerce, Eden Prairie Government Offices and Southwest Transit to address this issue and provide feedback to the community.

If you have any questions or concerns, please feel free to contact me.

Best Regards,

Thomas Morizio

President and Chief Operating Officer

ACIST Medical Systems

7905 Fuller Road

Eden Prairie, MN 55344

office: (952) 995-9311

mobile: (612) 802-5221

thomas.morizio@acistmedical.com



arthur higinbotham
<ahiginbotham@msn.com>
11/15/2012 10:26 AM

To swcorridor <swcorridor@co.hennepin.mn.us>
cc
bcc

Subject SWLRT DEIS Commentary

Subject: Comments on SWLRT, Section 3.0 Social Effects

Date: Thu, 15 Nov 2012 16:19:12 +0000

Please consider the following commentary:

"The DEIS for the SWLRT shows an aerial bridge for the LRT over Cedar Lake Parkway on the southeast corner of Cedar Lake. This steel and concrete structure will rise 43 feet above grade and will be visible to CIDNA, Kenwood and West Calhoun residences as well as to canoeists and kayakers on Cedar Lake. It also violates the Minneapolis Shoreline Overlay Ordinance, which prohibits structures of more than 35 feet or two and a half stories above grade around the chain of lakes. Rising at 4.8% grade, the approaches will block the views of residences for 900 feet on either side of the intersection. Bicyclists and pedestrians using the Kenilworth trail will have their park experience reduced by following this bridge and its approaches for one-third of a mile. The structure will broadcast the noise from over 250 LRT trains daily to residents and recreational users of the area, particularly in the narrow portion of the Kenilworth corridor between W. Lake Street and the Cedar/Isles channel.

Grade separation at Cedar Lake Parkway is essential to prevent traffic back-ups around the Chain of Lakes and interruption of bicyclist and pedestrian flow, but an aerial overpass is not the way to go. Running the LRT in an exposed trench does not solve the visibility and noise problem, and running the parkway over a partially depressed trench will make it impossible to connect with Burnham Road and Sunset Boulevard, impairing emergency vehicle access to residences along Cedar Lake. The best solution is a cut-and-cover tunnel extending from the Lake Street viaduct to north of the Cedar/Isles channel, becoming a bored tunnel to go beneath that channel."

Arthur E. Higinbotham
CIDNA Board Transportation Co-chair
3431 St. Louis Av.
Minneapolis 55416
Tel.: 612-926-9399
Occupation: Retired



arthur higinbotham
<ahiginbotham@msn.com>
11/15/2012 10:36 PM

To swcorridor <swcorridor@co.hennepin.mn.us>
cc
bcc

Subject SWLRT DEIS Commentary

Subject: Comments on SWLRT, Section 3.0 Social Effects
Date: Thu, 15 Nov 2012 16:19:12 +0000

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Arthur E. Higinbotham
CIDNA Board Transportation Co-chair
3431 St. Louis Av.
Minneapolis 55416
Tel.: 612-926-9399
Occupation: Retired



"Wardleworth, Anne"
<Anne.Wardleworth@NAProperties.com>

11/26/2012 12:19 PM

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject DEIS Official Comment Submission

To Whom It May Concern:

Please find attached a copy of NAP Southwest Station, LLC's response to the DEIS.

We look forward to your feedback.

Kind Regards,

<<scan0006.pdf>>

Anne L. Wardleworth

Director of Sales and Leasing

North American Properties

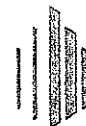
Direct: 952.852.1010/972.374.5273

Facsimile: 952.906.0905/214.596.9258

Email: anne.wardleworth@naproperties.com

Website: <http://www.naproperties.com>

NORTH AMERICAN PROPERTIES



November 26, 2012

Hennepin County Housing, Community Works, & Transit
Attn: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

RE: Southwest Transitway Draft Environmental Impact Statement

To Whom It May Concern:

NAP Southwest Station, LLC is the owner of 88 condominiums at Southwest Station Condominiums located along Highway 5 between Prairie Center Drive and Mitchell Road in Eden Prairie. Upon reviewing the draft environmental impact statement (DEIS), we have a few concerns we'd like to share with your committee.

According to our condominium Disclosure Statement:

Steps have been taken to deal with the weak compressible organic soils, including surcharging the site with soil in amounts recommended by the engineer on the site on which Southwest Station Condominiums have been constructed before the installation of pile-driven foundations. Soil was brought in and placed across the site and then left for approximately one year – six months longer than recommended – to accelerate the amount of settlement the site would be exposed to in the coming years. Additionally, vertical wick drains were installed to accelerate the degree of settlement. After monitoring and testing the surcharge and wicking, the soils were removed and trucked from the site.

As this statement clearly confirms, the soil conditions are volatile on this site. Therefore, NAP Southwest Station, LLC wants to know what is going to be done to mitigate the potential problems that the installation of the tracks will create as we do not want to jeopardize the measures NAP Southwest Station, LLC took to protect the buildings from settling. It is imperative proper measures are taken to maintain the integrity of the buildings during construction and when the tracks are open as the buildings will be subject to constant disturbance from the vibration. Have your engineers studied this issue? What measures are they recommending be put in place?

Additional concerns include increased noise and traffic in and around the neighborhood. It seems prudent that a sound wall, additional sound insulation in the building, and/or new sound insulated windows and doors should be installed to help limit the increased noise transfer. Not only will noise increase along Highway 5 where the LRT will be installed, but due to the increased traffic along Technology Drive to enter and park at the transit station,

4956 NORTH O'CONNOR ROAD
IRVING, TX 75062

PH: 972.374.5300 FAX: 214.596.9258 WEB: WWW.NAPROPERTIES.COM

ATLANTA & CINCINNATI & DALLAS & FT. MYERS & MINNEAPOLIS

all of those residences will also be affected by the noise.

In regards to the increased traffic, we assume either Technology Drive will be widened and/or stop lights will be added to ensure our residents can safely enter and exit the community given the increased traffic in this area. Even today, the traffic flow in and around the community is difficult so we can only imagine how challenging it will become once the LRT opens.

The DEIS notes 91 condominium homes as being severely impacted by the LRT. Interestingly, there are exactly 91 homes in building one (13560 Technology Drive). However, upon further investigation 237 homes in the community will be severely impacted by the LRT (13560 Technology Drive, 13570 Technology Drive, and 13580 Technology Drive) given the vibration, noise, and increased traffic. Not to mention, due to the proximity of the rail line to the condominium community, NAP Southwest Station, LLC is very concerned at how this may negatively impact the housing values.

At this time, our preference is certainly for the rail line to either stop at the Southwest Station Metro Transit location off of Prairie Center Drive and Technology Drive or have the line redirected to the north side of Highway 5.

Thank you for taking our concerns under advisement. We appreciate any consideration you can provide. We look forward to feedback regarding our position and concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anne L. Wardleworth', with a stylized, flowing script.

Anne L. Wardleworth

As Authorized Agent for NAP Southwest, LP

As Managing Agent for NAP Southwest Station, LLC



"Shelley Emick"
 <Shelley.Emick@maslon.com>
 >
 11/26/2012 01:52 PM

To <swcorridor@co.hennepin.mn.us>
 cc "Geoffrey Jarpe"
 <Gjarpe.MASLON_PO.MASLON_DOM@maslon.com>
 bcc
 Subject Southwest Transitway Letter of 11/26/12

Attached you will find a letter placed in the mail today. Please call with questions.

Shelley Emick
 Legal Secretary to Geoffrey Jarpe

Shelley Emick | Secretary

shelley.emick@maslon.com
 (p) 612.672.3417 | (f) 612.642.4817

MASLON

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 3300 Wells Fargo Center
 90 South Seventh Street
 Minneapolis, MN 55402-4140
www.maslon.com | [map/directions](#)

When it matters most.

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MASLON
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90 SOUTH SEVENTH STREET
MINNEAPOLIS, MN 55402-4140

Geoffrey P. Jarpe
Direct Dial: (612) 672-8360
geoffrey.jarpe@maslon.com

Via E-mail and Regular Mail

November 26, 2012

Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Ste 400
Minneapolis, MN 55415

Re: Southwest Transitway – Draft Environmental Impact Statement

Ladies and Gentlemen:

We are the attorneys for the owner of the property located at 11455 Viking Drive in Eden Prairie. The property is improved with a modern office building in which operations of BMO Bank and other businesses are located.

We have reviewed the Draft Environmental Impact Statement for the Southwest Transitway Project and as directed in the Executive Summary, we submit these written comments.

Our client opposes alternative LRT 3A, which has been designated as the “locally preferred alternative.” The principal reason for opposing this alignment is the massive bridge that is proposed to carry trains over the existing highways at this location. The bridge height at that location and its proximity to our client’s building damage it quite significantly. There is substantial interference with the easements of light, air and view, along with likely interference with the use and enjoyment of the property insofar as access and the frequent operation of trains in both directions are concerned.

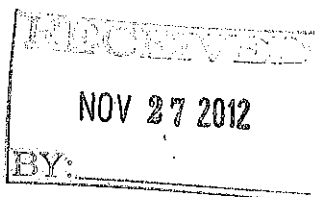
This presents a very difficult, if not intolerable, situation for the subject property. We therefore urge you to give serious deliberation to and consideration of these factors, with the result that this alignment be altered so that damages to this property are eliminated.

Thank you very much for your anticipated cooperation.

Very truly yours,


Geoffrey Jarpe

GPJ/sle
930052

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MASLON EDELMAN BORMAN & BRAND, LLP

P 612.672.8200

F 612.672.8397

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3300 WELLS FARGO CENTER
90 SOUTH SEVENTH STREET
MINNEAPOLIS, MN 55402-4140**Geoffrey P. Jarpe**

Direct Dial: (612) 672-8360

geoffrey.jarpe@maslon.com

Via E-mail and Regular Mail

November 26, 2012

Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Ste 400
Minneapolis, MN 55415**Re: Southwest Transitway – Draft Environmental Impact Statement**

Ladies and Gentlemen:

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This presents a very difficult, if not intolerable, situation for the subject property. We therefore urge you to give serious deliberation to and consideration of these factors, with the result that this alignment be altered so that damages to this property are eliminated.

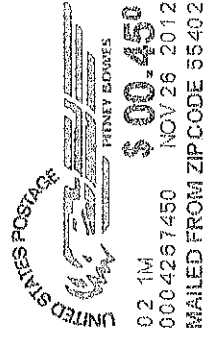
Thank you very much for your anticipated cooperation.

Very truly yours,


Geoffrey JarpeGPJ/sle
930052

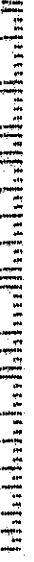
MASLON
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MINNEAPOLIS, MN 55402-4140



Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Ste 400
Minneapolis, MN 55415

5541531849 0089





Village In The Park
<villageinthepark@paradisemn.com>

11/27/2012 12:46 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc Patricia Neal <dpneal@sympatico.ca>

bcc

Subject Rail Traffic SW Corridor

Good afternoon,

I have attached a letter from Pat and Don Neal supporting the rerouting of freight traffic away from Wooddale Ave. With that letter you will find a resident petition that supports the reroute.

Thank you,

Ruthann Shull

Office Manager

Village in the Park Condominium Association

3600 Wooddale Avenue

St. Louis Park, Minnesota 55416

villageinthepark@paradisemn.com

Tel: 952-926-1563

Fax: 952-926-1723

3600 Wooddale Ave So., Unit 313
St. Louis Park, MN 55416
November 15, 2012

Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Ste. 400
Minneapolis, MN 55415

To Whom It May Concern,

We attended the November 14 hearing in St. Louis Park regarding the draft EIS. Due to the large number of participants, we were unable to make a public statement.

Our concerns with the Kenilworth Corridor option are:

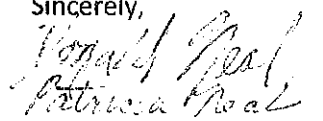
- Accommodating additional freight rail with existing bike and pedestrian trails
- Compromising the safety and suitability of light rail transportation with freight traffic
- Increasing the queues at crossings related to Highway 7 and Wooddale Ave.
- Complicating the accessibility to the south access to Highway 100 from Wooddale
- Endangering human traffic at the proposed light rail station and parking area at the Wooddale location
- The increasing senior population in the immediate Wooddale area
- The substantial use of Wooddale by the newly constructed St. Louis Park Fire Department personnel and vehicles
- The accessibility of neighborhood residents
- The increasing building of high density apartments, condo units, and life care facilities in the Wooddale and 36th Street area

Additionally, our Elmwood Neighborhood has similar concerns as those who oppose the rerouting of freight traffic: noise, ground vibration, hazards from chemicals and emissions, and decreasing property values.

Our Elmwood neighborhood has experienced changes related to being a section of an inner ring suburb: increasing size of Highway 7 and Highway 100, additional air traffic, and pollutants from small industry. The impact of the proposed light rail line is a positive for our area and the larger southwest metro area. We strongly agree that the rerouting of freight traffic away from Wooddale Ave. is the correct path for the Met Council to take.

Thank you for considering our concerns.

Sincerely,


Donald and Patricia Neal

We support the attached letter from Donald and Pat Neal dated November 15, 2012. "We strongly agree that the rerouting of freight traffic away from Wooddale Ave. is the correct path for the Met Council to take."

Name	Address
Barbara Kivett	952-681-7552 3600 Wooddale Ave
Ann Larson	3600 Wooddale Ave #104
Liz Nutter	3600 Wooddale Ave Unit 208
Kurgha Diefelbach	3600 Wooddale Ave #116
Elissa Burge	3600 Wooddale Ave #112
Carole Falkenstein	3600 Wooddale Ave #114
Nancy Robinson	3600 Wooddale Ave #106
Hoger Petersen	3600 Wooddale Ave #205
Bob Cilbing	3600 Wooddale Ave #211
Paul Farnick	3600 Wooddale Ave #213
Patricia Jerny	3600 Wooddale #108
Robert Jerny	3600 Wooddale #207
Theresa Ann Reardon	3600 Wooddale Ave S #209
Carolyn Kocis	3600 Wooddale Ave S #312
Rhonda Callaway	3600 Wooddale Ave S #217
Nancy Schmidt	3600 Wooddale Ave S #314
Brenda Peterson	3600 Wooddale Ave S #206
Molly Whitland	3600 Wooddale Ave S #311
Paul & Pat Neal	" " " " "
Barry Rappaport	" " " " #215
Greg Menard Hannon	" " " " #310
DAVID MARTIN	3600 Wooddale Ave S #216
David Lee	3600 Wooddale Ave S #117
Kim Loch	" " " " #305
Maria Jean	3600 Wooddale Ave S #326
Chuck & Joan Newman	3600 Wooddale Ave S #110
Laura Brown	3600 Wooddale Ave #204

We support the attached letter from Donald and Pat Neal dated November 15, 2012. "We strongly agree that the rerouting of freight traffic away from Wooddale Ave. is the correct path for the Met Council to take."

[illegible]



"Olafson, Jackie"
<jackie@stepslp.org>
11/28/2012 01:32 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc "hallfinslp@gmail.com" <hallfinslp@gmail.com>, Jeff Jacobs
<JJacobs@wilkersonhegna.com>,
"spanoslpouncil@gmail.com"
bcc

Subject STEP's repsonse regarding the light rail

Hello Mr. O' Connell,

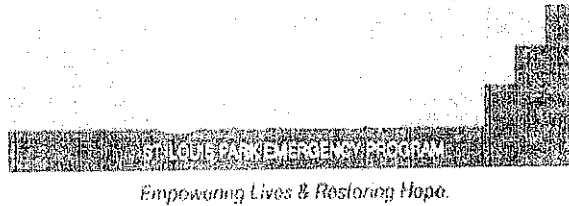
This letter contains the concerns raised by the STEP Board of Directors and the staff at St.Louis Park Emergency Program.

The letter specifically addresses several critical mitigation measures that are crucial to act upon as the light rail project moves ahead.

Please confirm receipt of this e- mail.

Thank You

Jackie Olafson
Executive Director
Our new Address is:
6812 W. Lake St.
St. Louis Park, MN 55426
Phone # 952-925-4899 X17
Fax #952-925-5161



November 27, 2012

Hennepin County Housing, Community Works & Transit
ATTN: Southwest Transitway, Sam O'Connell
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Mr. O'Connell,

The St. Louis Park Emergency Program (STEP) has our operations and owns a building at 6812 West Lake Street, about 60 feet from the proposed reroute of freight rail on the MN&S line. Today we experience excessive vibrations, noise, and disruption to our operations as a result of existing rail traffic on the line.

Our primary concerns are that there will be NO INCREASE in noise, vibration or traffic disruption to our clients as a result of the rerouting of freight. We must insist on the following:

1. Track upgrades so that there is no increase in vibration at STEP. This must include vibration dampening with sub-ballast rubber mats, cement ties or whatever state of the art vibration mitigation is available.
2. Track upgrades so there is no increase in Noise at STEP. This must include a whistle free zone and rail lubricators. We are on the curve where the engines will be struggling to gain speed.
3. Route coal trains outside of St. Louis Park so there is never an issue of 200 car coal trains with their noise, vibration and traffic issues.
4. Stop arms installed at the rail crossing all directions so that our clients with disabilities and children can safely cross the streets in all directions.
5. There should be no delay of public buses or metro mobility that our clients rely on. Streets should not be blocked in excess of 5 minutes for any given train.
6. As previously mentioned, we are on the curve and very concerned about derailment. There needs to be an evacuation plan and a city emergency plan that addresses derailment at this location.

While this is not an exhaustive list, we share these concerns with the school district, other building and business owners along the line and residents in the area. This reroute cannot be allowed to proceed without these mitigation measures.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Jackie Olafson", is written over a light blue horizontal line.

Jackie Olafson

Executive Director

A handwritten signature in dark ink, appearing to read "Dick Parsons", is written over a light blue horizontal line.

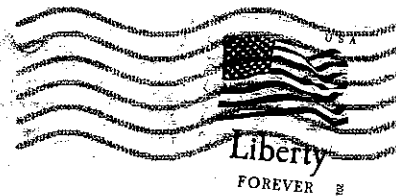
Dick Parsons

Chair of the STEP Board of Directors

10417 Associates, LLP
5417 Doncaster Way
Edina, MN 55436

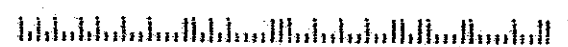
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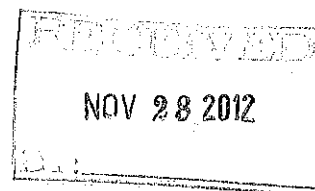
27 NOV 2012 PM 7 L



Hennepin County Housing, Community Works
and Transit
ATTN: Southwest Transitway
701 Fourth Avenue S., Suite 400
Minneapolis, MN 55415

55415184300



**10417 Associates, LLP****5417 Doncaster Way****Edina, Minnesota 55436**

November 27, 2012

Hennepin County Housing, Community Works and Transit
ATTN: Southwest Transitway
701 Fourth Avenue S., Suite 400
Minneapolis, MN 55415

RE: Comment Letter Regarding Southwest Transitway Draft Environmental Impact Statement

To whom it may concern:

INTRODUCTION

On behalf of 10417 Associates, LLP, this is to express our comments regarding the Southwest Transitway Draft Environmental Impact Statement (DEIS). Our comments pertain to potential impacts of this project on an office building that we own at 10417 Excelsior Boulevard in the City of Hopkins.

Based on a review of the DEIS, we have comments on three potential types of effects the project would cause to our property:

- Access impacts
- Noise impacts
- Vibration impacts

ACCESS IMPACTS

The sole access for our property is a driveway on the west side of the extension of 8th Avenue south of Excelsior Boulevard. Sheet 44 of 70 in Appendix F for the DEIS shows a pink line which extends across our driveway in the middle of the southerly extension of 8th Avenue. We have been told by Southwest Transitway consultants that this pink line represents a potential raised center island, which would separate southbound traffic from northbound traffic. Our concern is that this raised center island would restrict movements at our driveway to right turns in and out only.

The following two major negative consequences would occur if movements at our driveway are restricted to right turns in and out:

- a) Such an access restriction would violate the access easement we executed with the City of Hopkins when the City approved our development. This access easements provides assurances that users of our property will have direct access to Excelsior Blvd. for both ingress and egress purposes via the southerly extension of 8th Avenue.

- b) Construction of a raised median across our driveway would result in no legal means for motorists to exit from our property. When leaving, motorists would have to turn right and trespass on the Hopkins Honda property in order to connect with a public street.

We request that the DEIS be modified to acknowledge these negative impacts and then either to remove the concept of a raised center island on this southerly portion of 8th Avenue or to clearly state that the project would require acquisition of the office property at 10417 Excelsior Boulevard.

NOISE IMPACTS

Potential noise impacts that the project would cause for our office building were addressed on page 3 of a letter from Rick Getschow, City Manager for the City of Hopkins to Katie Walker of Hennepin County dated November 7, 2008. The first full bullet point on page 3 of Mr. Getschow's letter states: "There is concern regarding vibration and noise impacts to a business within the commercial office building located very near the proposed tracks at 10417 Excelsior Boulevard. One of the tenants in this building is an audiologist who routinely conducts sensitive hearing tests."

As follow-up to this written statement, Jim Benshoof sent an email to Katie Walker on May 20, 2009, which included the following statements: "Hearing Care Specialists have a sound treated test booth in their space at 10417 Excelsior Blvd., where they conduct diagnostic hearing evaluations. The purpose of the booth is to eliminate practically all ambient noises. If the ambient noise level is above a certain threshold, the test results are not valid. Thus, a key question we would ask your help to address is whether the ambient noise level would exceed the maximum permitted for testing purposes when a train would operate through the 8th Avenue crossing and across the frontage of our property? If the answer to this question is yes, then we would seek your help to establish appropriate mitigation measures."

The "Transit Noise and Vibration Impact Assessment" report published by the Federal Transit Administration (FTA) in May 2006 clearly indicates that an audiology clinic is a category 1 noise sensitive type of land use, which requires careful analyses. Such requirements are expressed through the following statements in this report:

- Page 3-7. The second to last paragraph includes the following statement: "Category 1 includes uses where quiet is an essential element in their intended purpose..."
- Page 6-4. The second to last paragraph includes the following statement: "A Detailed Noise Analysis should usually be performed on all noise-sensitive land uses where impact is identified by the General Noise Assessment. If a General Noise Assessment has not been done, but there appears to be potential for noise impacts, all noise-sensitive sites within the area defined by the noise screening procedure should be included."
- Page 6-5. The last paragraph begins with the following statement: "Select as an individual receiver of interest: (1) every major noise-sensitive building used by the public..."

Given that our building is a category 1 type of land use and given the analysis requirements specified by the FTA, we are very concerned that the DEIS noise analysis seems to have ignored our building. Figure 4.7-2 in the DEIS does not identify our property as a noise sensitive land use under categories 1, 2, or 3. Further, page 4-79 in the DEIS identifies only one category 1 noise-sensitive land use in Segment 4, which is not our office building.

To correct this oversight, we request that the DEIS be modified to recognize our property at 10417 Excelsior Boulevard as a Category 1 noise-sensitive land use. Further, we request that analyses be performed to the full extent required by the FTA to determine whether the project would cause adverse noise impacts for our property. We would request that these analyses include a response to the questions raised in Jim Benshoof's email to Katie Walker dated May 20, 2009.

VIBRATION IMPACTS

As indicated under the preceding section on noise impacts, the letter submitted by Rick Getschow of the City of Hopkins to Katie Walker on November 7, 2008, also raised the issue of potential vibration impacts on our property at 10417 Excelsior Boulevard in Hopkins.

The previously referenced FTA report dated May 2006 clearly indicates that the presence of audiology clinic in our building means that building is included in vibration category 1 – high sensitivity. Specific statements which confirm this level of significance include:

- Page 8.2. The first bullet point under 8.1-1 begins as follows: "Included in Category 1 are buildings where vibration would interfere with operations within the building, including levels that may be well below those associated with human annoyance."
- Page 8-4. This page begins with the following statement: "There are some buildings, such as concert halls, TV and recording studios, and theaters, that can be very sensitive to vibration and noise but do not fit into any of the three categories. Because of the sensitivity of these buildings, they usually warrant special attention during the environmental assessment of a transit project."
- Page 11-17. The first paragraph under 11.4 begins: "The goals of the vibration assessment are to inventory all sensitive land uses that may be adversely impacted by the ground-borne vibration and noise from the proposed project and to determine the mitigation measures that will be required to eliminate or minimize the impact."

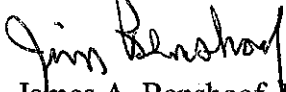
As in the noise analysis, we are very concerned that despite the sensitive Category 1 character of our office building at 10417 Excelsior Boulevard, our property was not addressed in the vibration analysis. Our property is not identified as a vibration sensitive land use in Figure 4.8-2. Further, page 4-111 in the DEIS does not identify our property as a category 1 land use in segment 4.

To correct this oversight, we request that the DEIS be modified to recognize our property at 10417 Excelsior Boulevard as a Category 1 vibration-sensitive land use. Further, we request that analyses be performed to the full extent required by the FTA to determine whether the project would cause adverse vibration impacts for our property. If such impacts are identified, we request that appropriate mitigation measures be established.

CONCLUSIONS

We appreciate your consideration of comments expressed in this letter regarding potential access, noise, and vibration impacts on our office building at 10417 Excelsior Boulevard in the City of Hopkins. Further, we appreciate that you will make appropriate modifications to the DEIS to ensure that the issues raised in this letter are fully addressed per all applicable FTA requirements.

Sincerely,
10417 ASSOCIATES, LLP


James A. Benshoof, Partner

C. Mr. Steve Stadler, City of Hopkins



Josh Klein
<jklein@ptnet.com>

11/29/2012 11:14 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject null

This is a great idea. The light rail would decrease the traffic congestion that we all experience everyday in the South West metro. During rush hour there is one person in each car and the congestion is usually in one direction. This backs up for miles each day. Let's get this thing built so we can get hundreds maybe thousands of people/cars a day off the road and into a more affordable method of transportation.



Josh Klein - Inside Account Manager

Parallel Technologies, Inc.

7667 Equitable Drive

Eden Prairie, MN 55344

d: (952) 278-0334

jklein@ptnet.com • www.ptnet.com



"Heinle, DJ"
<DJHeinle@cmarch.com>
11/30/2012 09:13 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc "David Frank (david0frank@gmail.com)"
<david0frank@gmail.com>, Karen Lee Rosar
<karen.rosar@comcast.net>,
bcc
Subject North Loop NA DEIS Comments

Attn Stakeholders of SWLRT DEIS,

The North Loop Neighborhood Association has formally adopted these comments and are submitting them for your review. If you have any questions, please feel free to contact myself, association president David Frank, or vice president Karen Lee Rosar.

Thanks,

DJ Heinle, AIA
Director



219 North 2nd Street, Suite 301
Minneapolis, MN 55401-1454

d 612.547.1334
c 612.387.6531
p 612.338.6677
f 612.338.2995

www.cmarch.com





**NORTH
LOOP**
NEIGHBORHOOD

Comment #151
Attachment #1

Motion of Support – SWLRT DEIS Comments

RE: Southwest Transitway Draft Environmental Impact Statement

The following comments were approved by the North Loop Neighborhood Association board on November 28, 2012.

2.1.3

Issue: As it relates to the Locally Preferred Alternative for the Royalston station concerning safety, access, accessibility, visual sightlines, and cross-access. There should be an at-grade platform and access at the Royalston Station path across 7th Street and Hwy 55.

Outcome: To have improved access to the railway transit line, providing clear and direct pedestrian connections. Connections shall include Minneapolis Farmers' Market, the Upper North Loop, the Sports District (Target Center and Twins ballpark Target Field), and the Minneapolis downtown Central Business District.

Outcome: To provide safe access between these areas to the railway transit line.

Outcome: Grade separated facilities have created pedestrian, automobile, and bicycle barriers in the neighborhood for years. Safety plans shall include keeping LRT vehicles at grade with other modes of transportation in an effort to maintain safe and functional viewing corridors, sightlines, visual cues, and connections.

Outcome: Balance short-term impacts to automobile traffic with long-term adverse impacts to development, community, street grid, and visual connections from railway overpasses/bridges/tunnels.

Proposal: Provide street grade LRT at the Royalston alignment as it crosses 7th Street, not within a tunnel or elevated on a bridge. This is in support of the City of Minneapolis' North Loop Small Area Plan, as adopted in the City's Zoning policy. (Refer to attached renderings for an at-grade crossing specifically drafted for this location.)

Advantages: Development opportunities increase for the station area due to the limited need for elevation changes, allowing for access to the existing Minneapolis Public Works facility site. Additional development is improved by allowing close-by access and near ROW locations for buildings, pathways, and circulation space. Cost savings would be

realized and recaptured by eliminating the tunneling cost for underground, or semi-underground trenching and elimination of bridge and trestles. Visibility also improves ridership by increasing sightlines to the station itself by non-area residents accessing the site. The Royalston Station is indicated as an overflow station for the Twins ballpark Target Field. Interrupting the visual cues and sightlines from one to the other adversely will affect ridership levels with these blocking obstructions.

2.1.3

Issue: The locally preferred alternative routes the Royalston Station along Royalston Avenue. The route should be aligned on Border Avenue.

Outcome: The street grid should be made continuous as outline in the North Loop Small Area Plan. Healing the street grid will improve access to the Transitway and the station. The border Alignment aids this positive street grid access. (Refer to attachment for illustration.) Holden Avenue is proposed to be closed on 6-20 (6.2.2.2) affecting the street grid.

Outcome: Alignment on Border Avenue will provide clear enhanced connections for pedestrians directly to the Minneapolis Farmers' Market, the Upper North Loop, the Twins ballpark Target Field, and to the existing bus routes along Hwy 55 and 7th Street.

Outcome: Grade separation from the Minneapolis Farmers' Market to the planned Royalston Station would require a vertical transportation to get pedestrians and bicyclists up and down the 30 feet of elevation change. Minimize cut and fill, embankments, and elevation change for the railway.

Outcome: Provide safe and functional pedestrian, automobile, and bicyclist access which serve stakeholders and users in its fullest capacity.

Outcome: Provide direct access to the Minneapolis Farmers' Market and area residents. Current design would require a multiple block walk by pedestrians accessing a Royalston Station.

Outcome: Provide for enhanced TOD and redevelopment of the area around the Border Avenue Station.

Outcome: Provide enhanced visibility to the line, surrounding areas, and positive view corridors.

Proposal: Provide route along Border Avenue alignment as shown in the attachment.
--

Advantages: No vertical transportation access would be required for the block long path, as required by a Royalston Station alignment, via Border Avenue, recapturing these costs would be positive to the Transitway. Holden Avenue could be preserved with a Border Avenue alignment, greatly increasing street grid connectivity. Bicyclists benefit from a Border Avenue alignment and Station due to a more direct connection, visibility, and safe ROW connections to the Cedar Lake Trail system. Private land ownership exists in the area that would be required to make a pathway for the Royalston Station to the Farmers' Market. Again, a Border Avenue alignment would eliminate the need for

these private land acquisitions. Costly elevation changes are avoided by utilizing a Border Avenue alignment. The Border Avenue Station would be located very near the Farmers' Market, a major destination and source for ridership. There are more development opportunities along both sides of the Border Avenue Station option. Pedestrian access is more direct to existing bus routes on 7th street and 5th Avenue with a Border Avenue Station. The Royalston Station may require an overpass, bridge, tunnel, or trenching, these costs would be eliminated by a Border Avenue Station; thus, recapturing these costs, providing enhanced views to the railway line for pedestrian safety, and benefits from visibility also allows for greater ridership. Additional residential access is gained by the Border alignment as it allows for direct access to the neighboring transitional shelter housing populations and access to shelter meals. Crossover bridge savings would also be recaptured as the Border Avenue Station would eliminate this bridge at Glenwood Avenue.

2.3.3.9

Issue: The Operations & Maintenance Facility (OMF) identified four options, one of which is to be located in the North Loop Neighborhood and does not fulfill criteria used in the site selection process as described in Appendix H.

Outcome: Preferred location near one end of the line: The North Loop is home to the Interchange, a regional transportation hub that currently connects Hiawatha LRT with the Northstar Commuter Rail. In 2014 it will connect Central Corridor LRT to St. Paul. Southwest LRT will interline with Central Corridor LRT so consequently the identified OMF is mid-line.

Outcome: Compatibility with adjacent current and planned land uses as found in the North Loop Small Area Plan projects large-scale 10-story developments that are transit-oriented. This location for the OMF would have a negative impact on residential density in order to support the regional transportation system.

Outcome: Land zoned in this area is incorrectly identified in the DEIS as being industrial/light industrial. In fact the area is zoned B4S Downtown Services district and not industrial in nature. An OMF would be a barrier to TOD opportunities.

Proposal: To locate the OMF outside the North Loop.
--

Advantage: The majority of the land needed for the proposed OMF at this site is private. Costly acquisitions can be avoided by siting the facility at one of the other proposed locations. TOD opportunities would be increased by siting a mix of residential, office, and commercial uses rather than an OMF.

Chapter 3

Issue: The DEIS does not include any mention of the Minneapolis Zoning related to the North Loop Small Area Plan.

Outcome: This zoning regulation and policy has impacts along the area of the Royalston Station, the mid-line connection to the Central Corridor, the Interchange facility, and the pathway for the railway transit to Van White Station.

Proposal: List this document as supporting evidence within the DEIS. Apply its

goals, zoning regulations, land use, transit recommendations, and development issues to the Southwest Transitway.

Advantage: This document supports many desirable outcomes for development, transit-oriented development, safety, and access.

3.2

Issue: The Minneapolis Farmers' Market as a regional destination and potential use for the railway transit line.

Outcome: Recognize this vital regional resource within the Environmental Impact Statement.

Proposal: Include the impact to the land use and economics of the railway taking into account the business of the Farmers' Market.

Advantage: Ridership should have increases shown on market days, thus an increase in fares. This is a vital area amenity and Citywide resource.

Chapter 4, 4-83, 4-97

Issue: No noise sensitive areas were indicated near the Royalston Station.

Outcome: To reduce impact to neighboring residential areas.

Outcome: Be sensitive to area residents by limiting LRT vehicle noise which will also impact future residential developments. The North Loop area is the fastest growing neighborhood by population in the City of Minneapolis as 2010 census data shows. This area will continue to be an area for residential population growth moving forward, especially as Minneapolis is calling for a doubling of population by 2025.

Proposal: Limit LRT vehicles to 20mph design speed and reduce idling LRT vehicles. Remove bridges and tunnels as pathways for LRT vehicles.

Advantage: This will keep noise to a minimum and reduce the noise impact to the area. The removal of bridges and tunnels will limit the reverberation and sound impact wave formations that are increased due to closed-in hardscape areas that occur in both tunnels and bridge embankments/structures.

6.2.2.2

Issue: The closing of the Royalston Avenue and 5th Ave N intersection is mentioned. This would have gravely negative consequences to the area's street grid, access to local businesses, and development opportunities. The existing Royalston businesses are industrial that require frequent, direct, and unfettered access from semi-trucks.

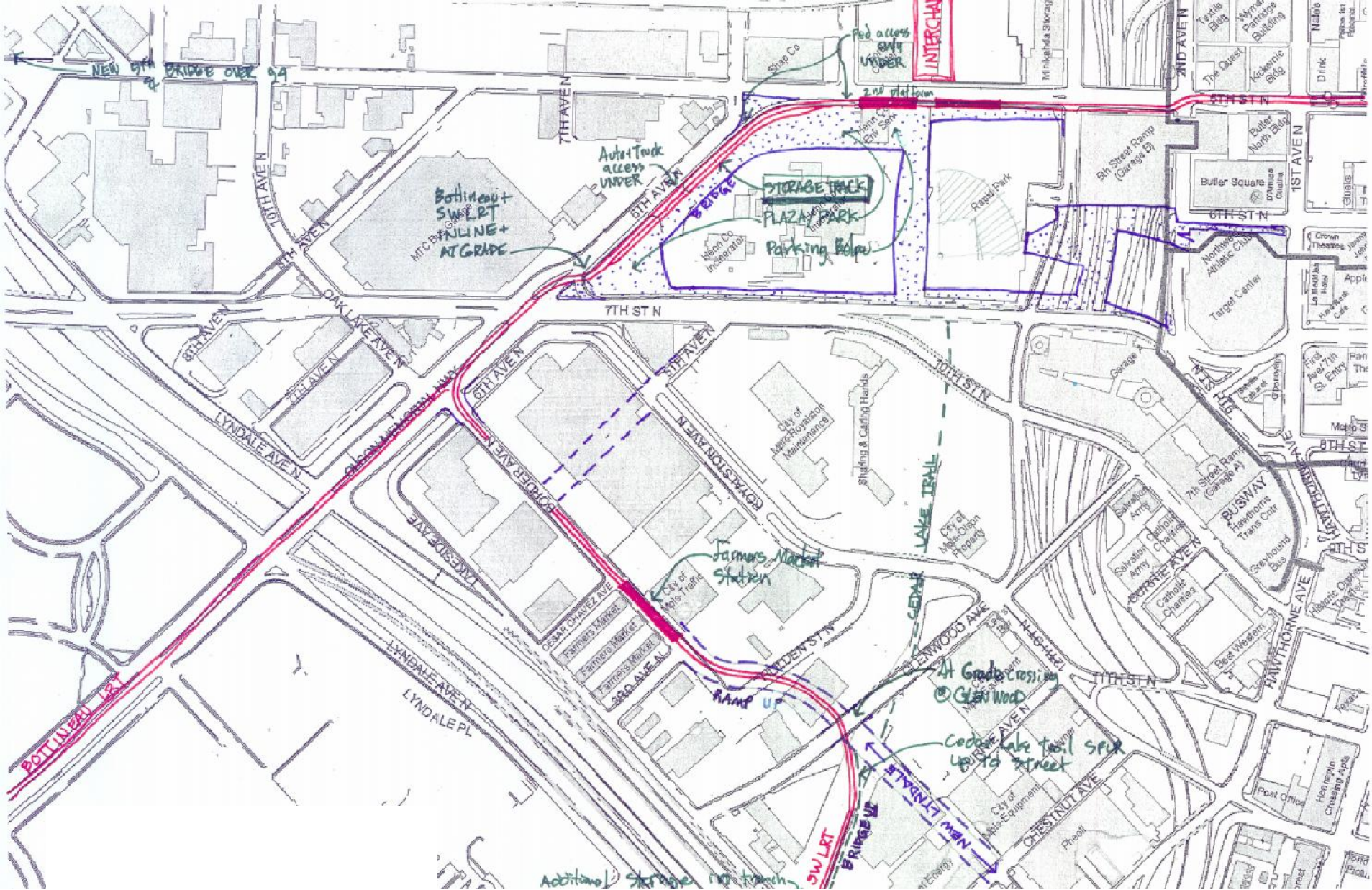
Proposal: Continue to allow for access from Royalston Avenue to 5th Ave N, by way of an at-grade crossing if needed.

Appendix F, part 1, page 61

Issue: Royalston Station and railway path is planned as a tunnel. Due to the location of the Interchange facility, it no longer is possible to create the tunnel.



6th Ave Streetscape: At-Grade LRT with Integrated Pedestrian Route



GDL Ltd. Partnership

2300 2nd St. N.

Mpls., MN 55411-2209

(Brin Northwestern Glass)

Hennepin County
Housing, Community Works & Transit
701 4th Ave. S. Ste 400
Mpls., MN 55415

11.29.12

Subject: Southwest Transitway

Property:	144 Glenwood Ave.	Property ID	22-029-24-33-0052
	147 Holden St.	Property ID	22-029-24-33-0057
	136 Pacific Pl.	Property ID	22-029-24-33-0026

To Whom It May Concern:

It appears that the light rail will reduce my parking lot which will not make it possible for trucks to service my building at 144 Glenwood Avenue. This will also eliminate many of my parking spaces. If Holden Avenue is blocked off how will trucks have access to my property?

Sincerely,


Douglas M. Nelson



Judy Mitchell
<Judy_Mitchell@cpr.ca>

11/30/2012 01:43 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc Bill Tuttle <Bill_Tuttle@cpr.ca>

bcc

Subject Comments on Southwest Transitway DEIS

Attached are Canadian Pacific's comments on the Southwest Transitway Draft Environmental Impact Statement.

----- IMPORTANT NOTICE - AVIS IMPORTANT

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AVIS IMPORTANT -----



Suite 1000
120 South 6th Street
Minneapolis, MN 55402

November 30, 2012

VIA E-MAIL: swcorridor@co.hennepin.mn.us

Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

RE: Comments on Southwest Transitway Draft Environmental Impact Statement

Dear Sir or Madam,

Canadian Pacific would like to thank Hennepin County for the opportunity to review the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway project. We appreciate the efforts in providing a review mechanism for commenting on the DEIS.

In reviewing the DEIS, Canadian Pacific remained focused on ensuring our freight service will not be hindered in serving our customers and reaching interline connections. Following our railroad's review, CP feels it is important to note that many questions regarding engineering design, ownership, maintenance and operation of the freight railroad infrastructure have not been adequately addressed.

We appreciate various references in the document to a goal of delivering a safe, efficient and economical freight rail alternative. Achieving this will require more work in preliminary engineering on details such as the grade and curvature of the new connections for the relocation alternative and the specific improvements needed to meet Federal Railroad Administration requirements for quiet zones at each intersection. Many of these questions were raised by CP in its June 2011 comments on the Environmental Assessment Worksheet, a copy of which is attached.

It is also important to recognize this is only the latest step in a complex matter, and going forward more detailed dialogue will be required on the various alternatives to ensure the project's goals are addressed to the satisfaction of Canadian Pacific and other impacted railroads. Canadian Pacific, as owner and operator of some of the railroad track under study, is prepared to work with the Twin Cities Metropolitan Council project team to address the outstanding issues. Final design will require CP's concurrence and our railroad will need to approve any proposed changes made to our property.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judy Mitchell".

Judy Mitchell
Director Strategic Initiatives
Passenger Rail US

Enclosure



**CANADIAN
PACIFIC
RAILWAY**

501 Marquette Avenue
Minneapolis, Minnesota 55402

June 14, 2011

Mr. Frank Pafko
Director, Office of Environmental Stewardship
Minnesota Department of Transportation
395 John Ireland Boulevard, MS 620
St. Paul, MN 55155-1899

VIA E-MAIL: frank.pafko@state.mn.us

RE: Comments on MN&S Freight Rail Study Environmental Assessment Worksheet

Dear Mr. Pafko:

Thank you for the opportunity to comment on the environmental assessment of the proposed upgrades to the MN&S rail corridor. As owner and operator of some of the railroad track under study, the Canadian Pacific (CP) will ultimately need to concur in the final design and approve the proposed changes made to our property. These comments are not intended to fulfill that function, nor are they intended to serve as an endorsement or rejection of the proposed project. Rather, by submitting comments, CP would like to ensure that any assumptions about the project are accurate and that the proposal aligns with our expectations about how we manage and operate the MN&S property. In that spirit, we would like to make you aware of the following:

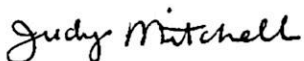
- At this time, CP has not made any commitments to own, operate or maintain the new structures or track proposed in the EAW.
- We have reviewed comments to be submitted by the Twin Cities and Western Railroad (TC&W) and are largely in agreement with their concerns.
- The document fails to recognize impacts to CP of the upgraded infrastructure and increased tonnage. The cost of operating and maintaining the new track, structures, signalization system, and connections from the Bass Lake Spur to the MN&S and from the MN&S to the BNSF will be much more expensive and is expected to exceed any revenue derived from TC&W's use of the track.
- The proposed physical improvements should address the operating needs of the railroads for grade and curvature. Such a significant investment for improvements should result in a design that is not operationally deficient.
- Quiet zones can be an effective tool for improving grade crossing safety while minimizing noise. However, designing and constructing the improvements needed to meet FRA requirements for quiet zones may be difficult – especially considering the site and geometrics in the MN&S corridor.
- CP will experience track outages during construction of the proposed project, particularly during reconstruction of the bridge over Trunk Highway 7. The disruptions will challenge the ability for CP's customers, including Progressive Rail, to receive service

for almost a month. No plan for phasing construction to accommodate disrupted CP traffic is provided. (page 14)

- There are references to a number of permits that may be required for completion of the project. (page 16) Without analyzing the specifics of any of the identified permit requirements, we simply note that state and local permitting requirements may be subject to preemption by the federal laws regulating rail transportation.
- If any attempts are made to reduce the grade of the new connection from .86% for improved railroad operations, Minnehaha Creek could be impacted. Even existing grades at locations on the MN&S of 1.5% and 1.2% present operating difficulties for the proposed longer, heavier trains.
- Due to the possibility of disturbing contaminants at the Golden Auto National Lead Site, it is unlikely that CP would be interested in taking on responsibility for construction or ownership of the new connection between the Bass Lake Spur and the MN&S.
- Some proposed physical improvements, such as the installation of fencing, are not betterments that the CP would ordinarily agree to make and would have to be built and maintained by others.
- CP has not committed to owning the new retaining walls (page 71). The process of designing these walls will require a high level of community engagement. This is not something CP is in a position to undertake, but that a public entity would need to coordinate.

If the proposed project moves forward, CP wants to ensure balance between the interests of the railroads, our customers, and those of the community. Based on the scope of the project and characteristics of some of the improvements, CP may decline to take possession of them, as significant cost and liability are shifted to us. We do not make this point to undercut the potential viability of the project if properly carried out, but to caution that there are still significant decisions to be made that will impact private and public expectations going forward.

Respectfully submitted,




Judy Mitchell
Director Strategic Initiatives
Passenger Rail US
Canadian Pacific Railway



Jack Sullivan
<jsullivan@bestlaw.com>
11/30/2012 04:59 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
cc
bcc

Subject Request for public documents.

History:  This message has been forwarded.

I write to request access to or copies of the public comments regarding the Southwest Transitway Draft Environmental Impact Statement that have been submitted through today's date, November 30, 2012.

If this request is denied, please do so in writing, and please cite the legal basis for the denial. Thank you.

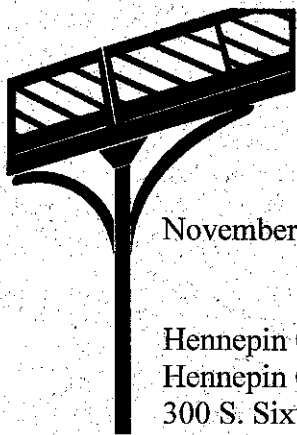
Sincerely,

Jack Sullivan
Attorney
DIRECT 612.341.9706
JSULLIVAN@BESTLAW.COM | [V-CARD](#)

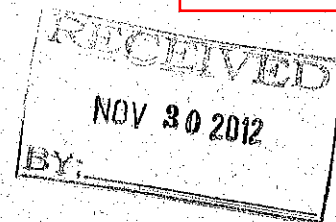
BEST & FLANAGAN

BEST & FLANAGAN LLP
225 South Sixth Street, Suite 4000 Minneapolis, Minnesota 55402
TEL 612.339.7121 FAX 612.339.5897 BESTLAW.COM

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West Calhoun Neighborhood Council
3208 West Lake Street, Box # 1
Minneapolis, MN 55416
Voice Mail: 612-928-3511



November 14, 2012

Hennepin County Commissioner Gail Dorfman
Hennepin County Government Center
300 S. Sixth St.
Minneapolis, MN 55487-0999

Dear County Commissioner Dorfman:

As the Minneapolis neighborhood organization adjacent to the Southwest Transitway and West Lake Street station, the West Calhoun Neighborhood Council has serious concerns regarding the option of co-locating freight rail lines with the Southwest Transitway.

Upon studying the options listed in the Southwest Transitway Draft Environmental Impact Statement, WCNC sees co-location of freight train tracks and light rail as untenable. Much of the route through the city and into St. Louis Park already includes a recreational bike and pedestrian path adjacent to the tracks in a narrow corridor.

Retaining freight train traffic would create safety and congestion issues for those using the trail and attempting to reach light rail platforms.

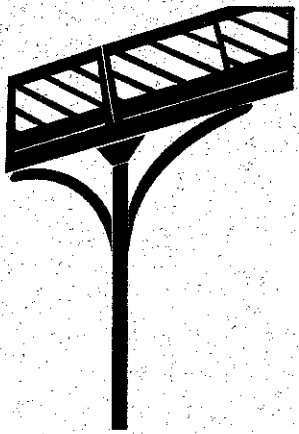
In addition, when the proposed Midtown trolley begins service along the Midtown Greenway route, ending at the West Lake Street station, co-location of freight train service would create further congestion.

Thus, WCNC strongly supports relocation of the freight trains to the alternate site in St. Louis Park.

Sincerely,

David Rhees, Chair

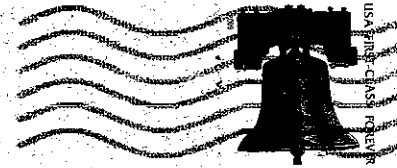
West Calhoun Neighborhood Council



West Calhoun Neighborhood Council
3208 West Lake Street, Box #1
Minneapolis, MN 55416

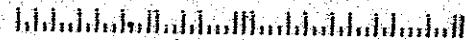
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Hennepin County Commissioner Gail Dorfman
Hennepin County Government Center
300 S. 6th Street
Minneapolis, MN 55487-0999

554870999





"Scott, Jodie A"
 <jodiescott@kpmg.com>
 12/02/2012 12:48 PM

To "swcorridor@co.hennepin.mn.us"
 <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject LRT Comments

To Whom It May Concern,

I am writing to provide comments on the Draft Environmental Impact Statement for the proposed Southwest Light Rail Transit (LRT) route passing through Minneapolis's Kenwood neighborhood. I am one of the many Kenwood residents that support the line for its potential benefits to our neighborhood, but am concerned that the implementation of the LRT be done in such a way to respect the character and beauty of our neighborhood. I wanted to pass along the following comments for you to consider incorporating into KIAA's response.

The proposed LRT will pass through the Kenwood neighborhood, which includes one of the seven districts of the Minneapolis' Grand Rounds National Scenic Byway. The Grand Rounds were primarily built in the 1930s as a CCC project, and was designated as a National Scenic Byway in 1998. This is quite unique – not only are most National Scenic Byways are in rural areas, but Minneapolis' Grand Rounds are the country's longest continuous system of public urban parkways!

The urban planners who established this fantastic system had the foresight to develop a feature that has been the crown jewel of Minneapolis for over a century. The Grand Rounds are surrounded by lovely parks, trails, and lakes, as the Minneapolis city planners bought up all the land immediately adjoining its lakes during its formative period, turning them into public parks rather than allowing them to be privately developed. As a result, these lakes and surrounding parks have become one of the most popular destinations in the state, drawing millions of people annually with their sandy shores, mature trees and miles of recreational paths. The natural beauty of this area serves as an urban oasis not only for Kenwood residents, but a unique city retreat for visitors from the suburbs, greater Minnesota and beyond.

The planners of the LRT have an obligation to ensure that the plans for the proposed route not only respect this history, but are developed to enhance the unique features of this neighborhood for another century. The following factors should be addressed in the planning process:

- Freight rail should be relocated, to minimize the impact of the LRT on the existing trails and parkland that is so integral to the Grand Rounds and surrounding neighborhoods
- The existing parkland, trails and open green space should be preserved to the greatest extent possible: city leaders for over a century have maintained these beautiful spaces, and the plans should ensure that they are preserved for the next hundred years.
- Noise should be addressed to minimize impact on the neighborhood
- The visual impact of the LRT infrastructure on the neighborhood should be balanced with well designed landscape and hardscape elements to reflect the natural beauty of the area
- Public safety concerns should be addressed to ensure that the area surrounding the LRT does not provide opportunities for illegal behavior and safety hazards to ruin this urban oasis
- The intersection of the LRT with Cedar Lake parkway should be respectful of the beauty of the neighborhood; the proposal to build a concrete bridge – similar to one found in an industrial corridor – is completely inappropriate for a residential neighborhood and incongruous with the otherwise lovely

features of this district of the National Scenic Byway.

- Light pollution affecting the neighborhood should be considered to ensure the impact of the development is mitigated to the extent possible
- The delicate land between Cedar Lake and Lake of the Isles, which has a very high sensitivity to pollution of the water table system, should be protected and any contaminated soils should be dealt with appropriately.

Thank you for your consideration of the impacts of the proposed LRT route on our neighborhood!

Best Regards,

Jodie Scott

Director

KPMG LLP

phone 612.305.5210

fax 612.465.2657

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"Scott, Jodie A"
<jodiescott@kpmg.com>
12/02/2012 05:12 PM

To "Scott, Jodie A" <jodiescott@kpmg.com>,
"swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject DEIS Comments

I am resubmitting this under a new make it clear that my comments are in regards to the DEIS.

-----Original Message-----

From: Scott, Jodie A

Sent: Saturday, December 01, 2012 11:04 AM Eastern Standard Time

To: swcorridor@co.hennepin.mn.us

Subject: LRT Comments

To Whom It May Concern,

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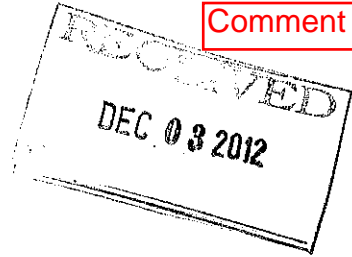
Thank you for your consideration of the impacts of the proposed LRT route on our neighborhood!

Best Regards,

Jodie Scott
Director
KPMG LLP
phone 612.305.5210
fax 612.465.2657

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GDL Ltd. Partnership
2300 2nd St. N.
Mpls., MN 55411-2209
(Brin Northwestern Glass)



Hennepin County
Housing, Community Works & Transit
701 4th Ave. S. Ste 400
Mpls., MN 55415

11.29.12

Subject: Southwest Transitway

Property:	144 Glenwood Ave.	Property ID	22-029-24-33-0052
	147 Holden St.	Property ID	22-029-24-33-0057
	136 Pacific Pl.	Property ID	22-029-24-33-0026

To Whom It May Concern:

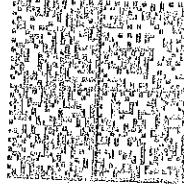
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Sincerely,

A handwritten signature in black ink that reads "Douglas M. Nelson".

Douglas M. Nelson

BRIN NORTHWESTERN GLASS COMPANY
2300 NORTH SECOND STREET • MINNEAPOLIS, MN 55411 • PHONE 612-529-9671



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Hennepin County
Housing, Community Affairs & Transit
701 4th Ave. So. Ste 400

mp/s.
E41581874N. 55 H45



Mark P
<markap@paperdepotinc.com>

12/04/2012 09:31 AM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject comments, Southwest Corridor Light Rail Transit

The attached document is my comments on the impact the Southwest Light Rail Transit Corridor project as proposed will have on my business.

Mark Pupeza,CEO
Paper Depot, Inc.
221 Border
Minneapolis, MN, 55405
612-333-0512

Paper Depot, Inc, 221 Border, Minneapolis, MN, 55405

ROYALSTON ROUTE

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Mark P
<markap@paperdepotinc.com>

12/04/2012 03:30 PM

To swcorridor@co.hennepin.mn.us
cc
bcc
Subject SWLRT comments

Are the comments made by the public on the SWLRT DEIS concerning the impact of the SWLRT available online for public review?

Mark Pupeza, CEO
Paper Depot, Inc.



Brian Payne <brian@ctul.net>

12/04/2012 06:04 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject DEIS Comment Form - CTUL

Please see the attached DEIS Comment form from CTUL regarding the Southwest Transitway.

Draft Environmental Impact Statement Comment Form Southwest Transitway Project

Federal and state environmental rules require that an Environmental Impact Statement (EIS) be prepared for the proposed Southwest Transitway project. The EIS process includes the preparation of a Draft Environmental Impact Statement (DEIS), which must be made available for public review and comment.

The DEIS discusses: (1) the purpose and need for the project; (2) the alternatives considered; (3) the impacts of these alternatives; and (4) the agencies and persons consulted.

Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

We are writing from the Centro de Trabajadores Unidos en la Lucha (CTUL) to include our input about the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway Project. CTUL is a low-income Latino immigrant-led organization that is organizing for fair wages and fair working conditions in the Twin Cities. Over the past five years, CTUL has partnered with hundreds of low-income Latino immigrants to recover over a half a million dollars in unpaid wages and damages from unscrupulous employers who violated federal and/or state labor laws by not paying minimum wage or overtime. Around two-thirds of our constituency lives in South Minneapolis, and the other one-third live in the surrounding metro area. Most of our constituency works in the suburbs. A large percentage of our constituency lives and/or work along the proposed Southwest Transitway Project routes.

We are writing to express our support for the 3A (LPA) proposed route, as it appears to provide the most access to transportation and to workplaces for low-income Latino immigrants. The combination of this proposed route with the Hiawatha, Central Corridor and Bottineau Lines will open up transportation options significantly to low-income minority populations, allowing more access to different work options and therefore the capacity to choose between jobs that pay more or less, and between employers that violate federal and/or state labor laws and those that respect the law. In addition, the routes will provide more access to organizations and government entities that provide information about labor and human rights, allowing for access to information that is crucial for the economic well-being of the community.

At the same time, we would like to express our concerns about the depth of the DEIS in relation to the project's potential impact on low-income Latino immigrants. Page ES-8 expresses a concern about the potential impacts to low-income and minority populations; Page 1-13 Goal 5 states that a goal of the line is to "support economic development"; and page 5-1 discusses the economic effects of the proposed line. Yet nowhere in the study does it discuss the potential economic impacts of the proposed route from the perspective of low-income minority populations. Specifically, we see three shortcomings in the DEIS that could be improved from the perspective of low-income minority populations:

- 1. Conduct a study about jobs along the proposed route before and construction.**
- 2. Engage low-income minority populations in research about the potential effects of the proposed route on their community.**
- 3. Ensure that construction jobs are open to low-income minority populations.**

Conduct a study about jobs along the proposed route before and construction.

It is our understanding that the 3A (LPA) proposed route will include stops near Cargill headquarters, United Health Group headquarters, Comcast headquarters, Target stores, Lunds & Byerly stores, Eden Prairie Center Mall, and many other large employers. Such a route will no doubt provide significantly beneficial economic effects to the employers, yet we wonder about the economic effects to the low-income and minority populations who work directly for the companies or are sub-contracted to do work at those locations. We can look to the example of the Hiawatha line to understand this question more.

Despite the fact that many large employers along the Hiawatha line, including those at and near the Mall of America, have profited significantly from the Hiawatha line by having more access to potential clients from the surrounding metro area, most of the employees who carry out the work at those locations have not seen beneficial economic effects.

- In 2008, CTUL partnered with housekeepers at a hotel near Mall of America. Workers complained that they were forced to work up to 1-3 hours off the clock every day to keep up with an overwhelmingly rigorous workload. After CTUL partnered with workers to file a lawsuit, workers were able to recover an estimated quarter of a million dollars in unpaid wages and damages.
- Retail cleaning workers who are contracted by companies to clean the Target store on lake street and many stores at Mall of America have seen drastic decreases in wages and working conditions over the past ten years. In 2011 CTUL partnered with over a dozen employees of Diversified Maintenance, a cleaning company that cleans Target, Sears and other stores throughout the metro area. Workers complained that they had to work seven days a week, and were forced to use “ghost employee” timecards at least one day a week to avoid having to pay overtime. Currently there is a conditional class action lawsuit against Diversified Maintenance potentially involving hundreds of workers at stores throughout the Midwest.
- Many other workers at Mall of America still earn minimum wage of \$7.25 per hour, which comes to around \$15,000 per year – well below the poverty threshold of \$22,113 for a family of four.¹

According to a recent study from the Center for Transportation Studies of the University of Minnesota, “Hiawatha and related transit upgrades are estimated to have brought more than 5,000 low-wage jobs into areas near downtown Minneapolis and suburban Bloomington light-rail stations.”² While it is positive that the Hiawatha line has provide transportation alternatives for low-income communities, and has provided access to jobs for traditionally low-income communities, it is disturbing to note that the Hiawatha line has in fact created more low-income jobs, rather than creating living wage jobs that are accessible to traditionally low-income

¹ United States Census Bureau

² “Understanding the Impacts of Transitways: How Light-Rail Transit Improves Job Access for Low-Wage Workers”

communities. Rather than having a positive economic effect on low-income minority populations, the Hiawatha line appears to have established a “Corridor of Poverty-Level Jobs”.

Large employers are already organizing to influence how the proposed stations and land development from the Southwest Transitway Project develop around them through the Southwest Corridor Investment Partnership with companies including Target Corporation, Comcast Corporation, UnitedHealth Group Inc., and Excel Energy.³ This partnership no doubt has access to vast resources that aim to ensure positive economic development for large employers, but there do not seem to be similar resources that aim to ensure positive economic development for low-income minorities who work for these and other employers along the proposed route.

Public transportation projects should not only provide positive economic effects for large employers and the already wealthy populations; they should also provide positive economic effects for low-income and minority populations. To truly understand the potential environmental impacts of the proposed Southwest Transit Project in relation to economic development for low-income and minority populations, there should be a study about the wages and working conditions in jobs along the proposed route both before and after the route has been completed.

Engage low-income minority populations in research about the potential effects of the proposed route on their community.

We are glad to see that the Southwest Transitway project has taken significant steps to engage diverse populations living in the areas that would be served by the project, presenting information about the project and providing opportunities for the public to participate in the project’s alternatives analysis, route planning and station-area planning activities. This is an important step towards engaging low-income minority populations in the process of the development of the Southwest Transitway project.

Yet the actual preparers of the document and information that has been presented to the public include federal, state and county employees, as well as employees of two large consulting firms: HDR Engineering, Inc. and WSB and Associates, Inc. There are no low-income minority members of the community represented in the list of preparers. This means both that low-income minority populations did not play a role in researching and preparing the DEIS about their own community, and that all of the funding that went towards researching and preparing the document went to large private companies, rather than towards low-income minority populations who live and/or work in the areas that would be served by the project. Instead, it appears that individuals who are already well-to-do and who do not live and/or work in the areas that would be served by the project are paid to do research and prepare documents about the potential impacts to low-income minority populations who do live and/or work in the areas that would be served by the project; then low-income minority members of the community are expected to volunteer to join public forums to give input about that research and those prepared documents.

³ “Corporate intrigue on future Southwest LRT line,” Finance & Commerce, Drew Kerr, November 5, 2012

We do not believe that the consulting firms that were hired to conduct the DEIS has the capacity to research the potential economic effects of proposed transit routes on low-income communities of color. Low-income minority populations who live and/or work along proposed routes for public transit should be engaged directly in researching the potential economic effects of proposed transit routes on their communities, and should benefit from the resources invested in the research. This could be done by providing resources towards establishing partnerships between community organizations that represent low-income minority populations, and the Center for Transportation Studies or other programs at the University of Minnesota. Such a project could go beyond just researching the potential economic effects to also provide information about workers' rights, and about organizations and government agencies that defend those rights. This would be an important step towards ensuring that similar workplace violations are not perpetuated along the Southwest line as has happened along the Hiawatha line.

Ensure that construction jobs are open to low-income minority populations.

In addition, we are concerned about accessibility for low-income Latino immigrants to the prevailing wage construction jobs that will result from the proposed Southwest Transitway Project. Many members of CTUL work in residential construction earning sub-poverty wages – an industry where wage theft is prevalent. Our constituency would like to have access to public construction jobs that ensure fair wages and working conditions. In fact, the Hennepin county and cities within Hennepin County have set goals for minority participation in state-funded contracts at 32%, and many surrounding counties in the metro area have set goals for minority participation in state-funding contracts at 22%.⁴ While this goal is an important step in the right direction, the goal is rarely met. This is because there are many restrictions that we believe prevent minority populations from getting those jobs. To remedy this, we would like to propose that an investigation be done about:

1. The current requirements to gain access to jobs in publicly funded construction projects,
2. Why these requirements exist, and if they are necessary, and
3. The potential limitations that these requirements place on accessibility to the jobs for minority populations.

Conclusion

We appreciate the opportunity for input from traditionally low-income minority populations about the potential environmental impacts of the Southwest Transit Project. We look forward to collaborating with the multiple players involved in this project to ensure that the project becomes a “Corridor of Opportunity” for low-income minority populations, rather than a “Corridor of Poverty-Level Jobs”.

Name: Brian Payne

Address: CTUL, 2511 E. Franklin Ave.

City/State/Zip: Minneapolis, MN 55406

Telephone: 612-859-5750

Email: brian@ctul.net

⁴ Minnesota Department of Human Rights,
http://www.humanrights.state.mn.us/about/press_03-21-12.html

Paper Depot

materials for the paper arts

SWLRT



December 4, 2012

Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Re: Southwest Light Rail Transit Comments

This booklet contains my comments regarding the impact the proposed Southwest Light Rail Transit project will have on my business. I have responded to the proposal as written as well as anticipated possible changes to the project.

Sincerely,

Mark Pupeza, CEO

Paper Depot, Inc, 221 Border, Minneapolis, MN, 55405

ROYALSTON ROUTE

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Paper Depot
materials for the paper arts

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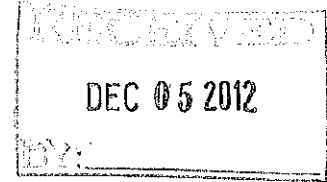
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Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

NORTH AMERICAN PROPERTIES

Comment #198



November 26, 2012

Hennepin County Housing, Community Works, & Transit
Attn: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

RE: Southwest Transitway Draft Environmental Impact Statement

To Whom It May Concern:

NAP Southwest Station, LLC is the owner of 88 condominiums at Southwest Station Condominiums located along Highway 5 between Prairie Center Drive and Mitchell Road in Eden Prairie. Upon reviewing the draft environmental impact statement (DEIS), we have a few concerns we'd like to share with your committee.

According to our condominium Disclosure Statement:

Steps have been taken to deal with the weak compressible organic soils, including surcharging the site with soil in amounts recommended by the engineer on the site on which Southwest Station Condominiums have been constructed before the installation of pile-driven foundations. Soil was brought in and placed across the site and then left for approximately one year – six months longer than recommended – to accelerate the amount of settlement the site would be exposed to in the coming years. Additionally, vertical wick drains were installed to accelerate the degree of settlement. After monitoring and testing the surcharge and wicking, the soils were removed and trucked from the site.

As this statement clearly confirms, the soil conditions are volatile on this site. Therefore, NAP Southwest Station, LLC wants to know what is going to be done to mitigate the potential problems that the installation of the tracks will create as we do not want to jeopardize the measures NAP Southwest Station, LLC took to protect the buildings from settling. It is imperative proper measures are taken to maintain the integrity of the buildings during construction and when the tracks are open as the buildings will be subject to constant disturbance from the vibration. Have your engineers studied this issue? What measures are they recommending be put in place?

Additional concerns include increased noise and traffic in and around the neighborhood. It seems prudent that a sound wall, additional sound insulation in the building, and/or new sound insulated windows and doors should be installed to help limit the increased noise transfer. Not only will noise increase along Highway 5 where the LRT will be installed, but due to the increased traffic along Technology Drive to enter and park at the transit station,

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IRVING, TX 75062

PH: 972.374.5300 FAX: 214.596.9258 WEB: WWW.NAPROPERTIES.COM

ATLANTA ξ CINCINNATI ξ DALLAS ξ FT. MYERS ξ MINNEAPOLIS

all of those residences will also be affected by the noise.

In regards to the increased traffic, we assume either Technology Drive will be widened and/or stop lights will be added to ensure our residents can safely enter and exit the community given the increased traffic in this area. Even today, the traffic flow in and around the community is difficult so we can only imagine how challenging it will become once the LRT opens.

The DEIS notes 91 condominium homes as being severely impacted by the LRT. Interestingly, there are exactly 91 homes in building one (13560 Technology Drive). However, upon further investigation 237 homes in the community will be severely impacted by the LRT (13560 Technology Drive, 13570 Technology Drive, and 13580 Technology Drive) given the vibration, noise, and increased traffic. Not to mention, due to the proximity of the rail line to the condominium community, NAP Southwest Station, LLC is very concerned at how this may negatively impact the housing values.

At this time, our preference is certainly for the rail line to either stop at the Southwest Station Metro Transit location off of Prairie Center Drive and Technology Drive or have the line redirected to the north side of Highway 5.

Thank you for taking our concerns under advisement. We appreciate any consideration you can provide. We look forward to feedback regarding our position and concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anne L. Wardleworth', with a stylized, flowing script.

Anne L. Wardleworth

As Authorized Agent for NAP Southwest, LP

As Managing Agent for NAP Southwest Station, LLC

SNS Condos
13560 Technology Dr.
Eden Prairie, MN 55344

DEC 05 2012



Kennepin County Housing Community
Works + Transit
Attn: Southwest Transitway
701 Fourth Ave. So., Suite 400
Minneapolis, MN 55415

5541581543



Tech Service / Marketing Fax 320-562-2834
Phone 320-562-2413 • Toll Free 1-800-422-3649 • Fax 320-562-2125
www.formafeed.com

December 4, 2012

Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415



Dear Hennepin County, Housing, Community Works & Transit – Attn: Southwest Transitway:

Form-A-Feed, Inc is located in Stewart, MN and we rely on the Twin Cities & Western Railroad Company for economical freight rail transportation. We understand that the recommended freight rail relocation design as shown in the DEIS released October 12, 2012 will result in increased costs for TC & W to operate its trains to Stewart, MN. Several businesses in greater Minnesota rely on this railway to maintain a competitive edge in the market place and these changes will increase costs to our businesses.

It is important to Form-A-Feed to retain an economical freight rail transportation provided by TC & W. The design recommended in the DEIS will not help us maintain our competitiveness. After correspondence with TC & W we have alternatives to your recommended design:

- Do engineering for the reroute that meets TC & W's engineering standards
- Co-locate the SWLRT with the current freight rout
- Reroute freight back to the 29th St Corridor, where TC & W ran until 1998
- Route the SWLRT up the MN&S rail line

We recommend Hennepin County and the Met Council address TC & W's concerns over the design of the freight rail relocation and find a solution that is economical for all parties.

Rural Minnesota provides a significant amount of exports from the State of Minnesota and economical freight rail transportation is imperative to allow us to compete in the global marketplace. We oppose the freight rail relocation design recommendation and recommend that the freight rail issues be resolved to preserve an economical freight rail transportation options.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Schuette".

Larry Schuette
General Manager, Form-A-Feed, Inc

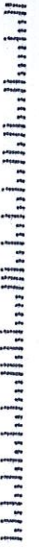
Form A Feed
Inc.

SERVING THE LIVESTOCK INDUSTRY
BOX 9
STEWART, MINNESOTA 55385



Hennepin County, Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

5541551843 0089





"Terence Hughes"
<terence@housedressingcompany.com>

12/06/2012 08:19 AM

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject West Lake Station

Good Morning,

I would like to see the West Lake Station have a visible connection to Lake Calhoun for the safety of pedestrians, bicyclist & LRT users.

If possible I'd like to receive a traffic study of the area.

Thank you,

Terry Hughes

Terence Hughes

House Dressing Company Inc.

terence@housedressingcompany.com

www.housedressingcompany.com

phone: 952-920-8301

fax: 952-920-0848

cell: 612-590-8198



"Sherm Stanchfield"
<sstanchfield@comcast.net>
12/06/2012 03:43 PM

To "Southwest Transitway" <swcorridor@co.hennepin.mn.us>
cc
bcc
Subject Train Re-route

To Whom It May Concern,

I am an active, 25 year residential Realtor/Broker and have lived in St Louis Park for 26 years. My concern is the effect the proposed RR re-route would have as it pertains to the drop in value of homes that back up to the tracks. It is obvious that there is a great difference between two daily, short, slow-moving trains that currently use the existing tracks as opposed to the projected ten to twenty, mile-long, 100+ car trains traveling up to 25 mph using the same tracks.

During my years of experience listing and selling homes in St Louis Park and the surrounding areas, I have been involved in many transactions with properties that were located on busy streets, highways, railroad tracks and busy, noisy industrial locations. Comparing the market value of those properties to ones that were not in close proximity to those areas, the difference in market/sale prices was an average drop in the 15% to 20% range.

It is my opinion that it is not in the best interest of Hennepin County, the City of St Louis Park, the affected homeowners or the taxpayers in general if this re-route plan is carried out. Because of the drop in values, the County, City and taxpayers will need to make up for the loss in tax revenues in perpetuity, and the affected homeowners will be monetarily burdened value-wise when it comes time to sell their properties. Also, the typical buyer for properties so close to a busy railroad right-of-way are investors who buy low and then turn them into rental housing. This is not always in the best interests of the City or nearby neighborhoods because of the impact on increased crime rates and decreased property maintenance.

Respectfully,

Sherm Stanchfield, Owner/Broker
Stanchfield Realty and Property Management, LLC
7927 Victoria Curve
St Louis Park, MN 55426

(952) 920-9917

sstanchfield@comcast.net



Richard Weiblen
<rweiblen@libertyproperty.com>

12/07/2012 03:07 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject FW: SOUTHWEST TRANSIT DEIS

Attached is our comment letter for the Southwest Transitway Draft Environmental Impact Statement.

We appreciate the opportunity to comment on the DEIS and look forward to working together to improve the interface of the Southwest Transitway with our affected properties.

Can you please confirm receipt of this email?

Thank You.

Richard A. Weiblen
Vice President Development
Liberty Property Trust (NYSE:LRV)
10400 Viking Drive, Suite 130
Eden Prairie, MN 55344
Office: 952-947-1100

From: noreply@libertyproperty.com [mailto:noreply@libertyproperty.com]

Sent: Friday, December 07, 2012 2:57 PM

To: Richard Weiblen

Subject: SOUTHWEST TRANSIT DEIS

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LIBERTY

PROPERTY TRUST

December 7, 2012

Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

**RE: Comments on the Southwest Transitway
Draft Environmental Impact Statement (DEIS)**

To Whom It May Concern:

Liberty Property Limited Partnership (Liberty) owns, leases, and manages multiple properties adjacent to the proposed Southwest Transitway LRT corridor as it passes through Segment 3 in Eden Prairie and Minnetonka. The subject property addresses are:

5400 - 5550 Feltl Road, Minnetonka
10301 – 10399 West 70th Street, Eden Prairie
6901 Flying Cloud Drive, Eden Prairie
7075 Flying Cloud Drive, Eden Prairie
7246 Flying Cloud Drive, Eden Prairie
7400 Flying Cloud Drive, Eden Prairie

Liberty has completed a review of the DEIS and offers the following comments for consideration:

1. Liberty generally supports the alignment option described in Section 2.3.3 Build Alternatives as Alternative 3A. This alternative includes Segment 3 with the proposed LRT alignment adjacent to, or through several of our properties noted above. While there will be impacts to these properties in order to implement transit that will need to be recognized and analyzed, we agree with the City of Eden Prairie that the 3A alignment offers the most potential to overcome transportation deficiencies in the Golden Triangle area.
2. Chapter 2 – Alternatives includes a description of the proposed Golden Triangle Station in Section 2.3.4. The station location adjoins three of the multiple properties listed above, and includes a proposed park and ride facility described as containing 100 surface parking spaces. There are a number of concerns related to this station that are not fully analyzed in the Conceptual Engineering Layout included with Appendix F of the DEIS. Concerns include proposed location, proposed access, proposed grades, and lack of coordination with existing conditions. The document indicates that a number of these issues will be more fully analyzed in the Preliminary Engineering Design Phase leading up to preparation of the Final EIS; we believe that additional detail is essential to avoid unnecessary impacts and project costs as the design evolves.

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3. Section 3.1.2 discusses Existing and Anticipated Land Use at a Macro, or policy level and misses some conditions along the corridor where prior land use planning and site-specific project approvals further define what landowners expect to occur on their properties. Future plans are addressed partially in Section 9.4 – Reasonably Foreseeable Future Actions, but the descriptions contained there don't include all of the vested development rights that have accrued to our properties at 6901 Flying Cloud Drive and 7075 Flying Cloud Drive which are subject to an approved PUD Development Plan. The future potential of 6901 and 7075 Flying Cloud drive is partially described in Table 9.4-1, but the approvals include more development than is described as an identifiable Future Action. The property at 7075 Flying Cloud Drive currently contains approximately 345,000 SF of office space currently occupied by SuperValu, Inc., and is approved for additional expansion on the site. As part of the same master planning effort, Liberty began construction of a 128,000 SF office building at 6901 Flying Cloud Drive that included several completed or ongoing commitments that could be affected by the LRT alignment and by the proposed Golden Triangle Station and associated Park and Ride Facility. Issues related to the development potential of these properties include:

- Liberty's PUD Master Plan illustrates the extension of West 70th Street from Flying Cloud Drive east to the current terminus of West 70th Street just to the east of the proposed LRT alignment. The configuration of the at-grade crossing and the vertical alignment of the LRT lines need to be coordinated with the proposed alignment of West 70th Street. This is critical to Liberty in order to maintain a major access to structured parking for 6901 Flying Cloud Drive, to maintain the existing parking and service dock area for 7075 Flying Cloud Drive, and to conform to planned wetland impacts and mitigation that have been approved and permitted by the City and by the Nine-Mile-Creek Watershed District (NMCWD).
- The proposed LRT alignment may impact wetland and buffer areas that Liberty has already made a long-term commitment to manage and maintain. If there is an overlap in responsibility due to LRT development, Liberty would need to be released from their current commitments on any of the wetland or buffer areas subjected to further alterations.
- As part of providing for the full level of development described above, Liberty funded improvements to a section of Flying Cloud Drive to provide the lane geometry needed to allow for the future intersection at West 70th Street with an intersection that would operate acceptably at full development with forecast background traffic growth. More detailed analysis of access and travel patterns due to the Golden Triangle Station and Park and Ride should be completed to determine possible impacts on potential redevelopment.
- As part of its PUD master planning Liberty retained an existing surface parking area adjacent to 70th Street that could function as a Park and Ride facility. The area currently contains 102 parking spaces with direct access to West 70th Street. However, this area was not considered in the Conceptual Engineering layout which was the basis for the DEIS. We would like to see this area analyzed as an option to the location for the Park and Ride facility as identified in the Conceptual Layout.

- We agree with the City of Eden Prairie that the size of the facility must be balanced with the parking demand to assure adequate parking supply for Park and Ride users to avoid potential overflow issues that would impact the neighboring properties.

We also believe these issues should be addressed in the forthcoming Preliminary Engineering and any related impacts and mitigation should be analyzed in the Final EIS.

4. The property at 7400 Flying Cloud Drive has an approved parking expansion plan that would allow for greater flexibility of uses for the building. The proposed alignment in Segment 3 crosses this property and impacts areas where expanded parking has been approved, and also has significant impacts on existing parking. Ways to reduce the impact to existing and proposed parking on this parcel should be more fully explored in the Preliminary Engineering and Final EIS.
5. Section 3.3.2 – Methodology describes how the project limits were defined for analysis in the DEIS. As noted elsewhere in our comments, we feel that the actual influence or impact area may expand beyond the project limits depicted in the Conceptual Layout included in Appendix F of the DEIS. As an affected property owner we expect that the layout will be further refined in the Preliminary Engineering stage, and request that the specific issues outlined in our DEIS comments are fully designed and analyzed for the Final EIS.
6. Section 4.2 – Water Resources describes in general terms areas where depth to groundwater and surface water bodies might be impacted by the need for dewatering during construction. The areas near all of the Liberty properties along Flying Cloud Drive contain wetlands that could be affected by construction dewatering or by changes in natural drainage patterns where the LRT alignment passes through undeveloped open space. As described above, Liberty already has long-term commitments to ensure the viability of certain wetlands that is a part of our Development Agreement with the City of Eden Prairie and an obligation of permitting required for necessary wetland alteration. We believe that a more thorough analysis of potential impacts on surface water resources from construction phase dewatering and from permanent changes to existing drainage patterns that are tributary to water bodies on Liberty properties should be included in the Final EIS. Mitigation, if necessary, should include the appropriate assignment of responsibility for impacts that occur in areas where Liberty already has contractual maintenance and conservation obligations.
7. The traffic analysis completed for Chapter 6 went through a scoping process that limited the number of existing intersections for which detailed operational analysis was completed. We note that the intersections near the proposed at-grade crossing of the LRT alignment with Valley View Road in the vicinity of its intersection with Flying Cloud Drive all are forecast to have marginal Levels of Service for the 2018 and 2030 forecast periods. We join the City of Eden Prairie in support of a grade-separated crossing at this location to ensure that there is adequate intersection capacity to feed Flying Cloud Drive from the south end at Valley View Road as well as the north end at Shady Oak Road. As noted earlier, a more wide-spread analysis of travel patterns and potential impacts from the

proposed Golden Triangle Park and Ride facility is warranted to ensure that Liberty's development potential for its Flying Cloud Drive properties is maintained.

8. The intersection of Feltl Road with Smetana Lane at the north end of the Opus II development is proposed to be realigned to coordinate with the crossing of the LRT alignment at Smetana Lane. This intersection was apparently scoped out of detailed analysis by virtue of having daily traffic volumes below 5000 vehicles per day. The intersection is immediately adjacent to our property at 5450 Feltl Road. We would like to see a more detailed operational analysis of this intersection to confirm that the proposed change does not compromise accessibility to the property from Smetana Lane. Also, the realignment of the "T" intersection could require significant grading and tree removal at the north end of the property, which should be further analyzed for the Final EIS.
9. The Technical Memorandum dated March 21, 2012 that is contained in Appendix H describes the traffic analysis completed for the DEIS. In the introduction it states that *"Each station and the impacts on traffic operations and circulation will be analyzed in detail with the Final Environmental Impact Statement (FEIS)"*. Liberty wishes to be involved with the Hennepin County design team and the City of Eden Prairie in determining the scope and extent of analysis of traffic impacts from the proposed Golden Triangle Station.
10. Referring to the Conceptual Engineering Layout for Segment 3, Sheet 9 of 15, as illustrated in Appendix F, we offer the following comments on the alignment and grading as it relates to our property at 6901 Flying Cloud Drive:
 - The alignment crosses a wetland at the northwest corner of this property that provides critical storm water detention volume identified in our PUD drainage design. The volume eliminated by filling for the Transitway needs to be provided in a fashion that can be utilized by Liberty.
 - The proposed grade for the alignment across the east end of this property occurs roughly eight feet above existing grade. The embankment required could affect the access to the planned parking ramp supporting the 128,000 square-foot office that is under construction at the site by reducing the space available between the Transitway and wetland and buffer areas already subject to long-term maintenance agreements and conservation easements. This access is critical as there are only two available access locations to serve this office development.
 - The embankment required for the proposed grade of the Transitway also reduces the amount of the existing parking area at the east end of this property that could be utilized as surface parking for the planned Park and Ride component of the Golden Triangle Station. If the Transitway were at, or close to existing grade, nearly all of the 100 planned Park and Ride spaces could be provided in this existing, paved parking area.
11. Referring to the Conceptual Engineering Layout for Segment 3, Sheets 8 and 9 of 15, as illustrated in Appendix F, we offer the following comments on the alignment and grading as it relates to our properties at 7075 Flying Cloud Drive and 10301 70th Street West:

- The proposed alignment for 70th Street was carefully considered to maximize development area south of the proposed roadway while meeting obligations for wetland protection and buffer requirements to the north of the roadway. The crossing elevation of the transit line at 70th Street as depicted in the Conceptual Engineering requires over ten feet of fill at the crossing point, and assumes grade transitions in the roadway profile that would need to extend several hundred feet in either direction from the crossing point, possibly requiring further loss of wetland and wetland buffer if the road stays within its planned corridor, or resulting in the loss of useable lot area if the roadway needs to shift south so that fill for the roadway can be placed without affecting the wetland or associated buffers.
- Further, ten feet of fill at the crossing point would eliminate existing access to the truck docks, service area, and parking adjacent to the northeast corner of the existing structure occupied by SuperValu, Inc. If this corner of the existing parking becomes essentially a dead-end area by shifting access from 70th Street to the west to accommodate fill for the roadway, then substitute truck circulation requirements will further reduce available parking in this area.
- This area of the site is also indicated as the location for the Golden Triangle Station Park and Ride, which again, is inconsistent with its existing use for truck docks and service support that is critical to the tenant at this property. Even if the area were elevated on a structure to match the proposed profile grades of the rail and station, there may not be sufficient clearance for the required truck use below.
- The proposed track alignment between these two properties has a profile grade that roughly matches the top of a large berm separating the two sites. The berm is roughly ten feet tall relative to 7075 Flying Cloud Drive and roughly 14-16 feet tall relative to the property at 10301 West 70th Street. At the proposed elevation the top of the berm is less than 25 feet in width so additional fill would be required on one or both sides to create enough width for the track separation required by the station, with possible impacts to both properties. The width required could be provided by lowering the profile grade to an elevation that allows an at-grade crossing near the existing grade for 70th Street, and reduced impacts to both properties by excavating the berm and establishing a profile eight to ten feet below that analyzed in the DEIS.
- Liberty would like to see the Preliminary Engineering phase of design analyze a revised profile that would lower the proposed track grade as described above from roughly Station 345+00 to Station 669+00 to determine if the potential for impacts can be reduced.

12. Referring to the Conceptual Engineering Layout for Segment 3, Sheets 7 and 8 of 15, as illustrated in Appendix F, we offer the following comments on the alignment and grading as it relates to our property at 7400 Flying Cloud Drive:

- The proposed alignment across this property has a very large impact on the existing parking supply for this property. We believe a substantial amount of additional parking could be preserved if the alignment could be adjusted to move further to the northwest as it crosses the property. It appears that this could be accomplished by more closely following the edge of

December 3, 2012

Page 6

Highway 212 between Stations 322+00 and 328+00 or 329+00 with tighter radii to move the alignment to the north from 329+00 to 336+00.

- Sufficient proximate and convenient parking is critical to the economic success of this site, so Liberty would like to see additional analysis of the alignment to determine if parking impacts can be reduced.

13. We share the City of Eden Prairie's concerns as expressed in their comment letter regarding the placement and potential impacts from ancillary structures and facilities such as Traction Power Sub-Stations, crossing gates, and traffic signal cabinets. The Preliminary Engineering phase and FEIS should incorporate all of these items into the design so that their effect on all properties along the corridor can be evaluated. Protection of the site's viewsheds and also its visibility from existing roadways is critical to its development.
14. Further, we share the City's concerns with the possible impact on nearby structures from vibration, noise and stray current associated with anticipated rail operations, and request that additional analysis of possible effects of vibration be completed for our properties with existing structures that are close to the proposed rail lines. Impacts on utilities, fiber pathways and existing structures during construction need to be analyzed and mitigated. This analysis is especially important in light of the differing soil conditions found on the site. Detailed analysis should be included for all of our properties to evaluate alternatives and determine solutions for mitigating the design and construction impacts of the project.

Thank you for the opportunity to comment on the DEIS. We look forward to the Preliminary Engineering Design phase of the project to work together to improve the interface of the Southwest Transitway with our affected properties.

Sincerely,

Liberty Property Limited Partnership



Richard A. Weiblen
Vice President Development



MIDTOWN GREENWAY COALITION
 2834 10TH AVENUE SOUTH
 MINNEAPOLIS, MN 55407
 612.879.0103

December 5, 2012

Hennepin County
 Housing, Community Works & Transit
 ATTN: Southwest Transitway
 701 Fourth Avenue South
 Suite 400
 Minneapolis, MN 55415

Re: Southwest Transitway Draft Environmental Impact Statement
 Dated October 12, 2012 (the "DEIS")

The Midtown Greenway Coalition (the "MGC") agrees with the evaluation of alternatives presented in the DEIS. The overall performance of option LRT 3A Locally Preferred Alternative (the "LPA") best supports the six goals of the Southwest Transitway — (1) to improve mobility, (2) to provide a cost-effective, efficient travel option, (3) to protect the environment, (4) to preserve and protect the quality of life in the study area and the region, (5) to support economic development, (6) to support economically competitive freight rail system.

We offer the following additional comments about the DEIS:

The Network Alignment: The LPA would leave the Midtown Greenway open for a low-cost cross-town rail transit connection between the Southwest LRT at West Lake Street and the Hiawatha LRT at East Lake Street (the "Greenway Line"). The MGC refers to this configuration as the "Network Alignment". Unlike options LRT 3C-1 and LRT 3C-2, the Network Alignment would serve the largest number of transit riders at the lowest cost, including Uptown, Lyn-Lake, major employment centers including Abbott Northwestern, Allina and Wells Fargo, and the transit dependent riders east of Nicollet Avenue. Metro Transit is currently conducting an Alternatives Analysis on the Midtown Corridor and the Greenway Line will be one of the alternatives included. The MGC favors a streetcar in the Midtown Greenway with turf tracks and a single-track gauntlet rail system to avoid retaining walls in the narrow parts of the corridor.

The West Lake Station: Two design improvements should be made to the West Lake Station:

- 1) The station should be constructed to anticipate the Greenway Line. Additionally, a direct rail connection should be made at the station between the Greenway Line and the Southwest LRT. This connection would permit rail traffic between the two lines and provide a means to store and service rail cars from the Greenway Line at the LRT yard and shops. This would eliminate the need for a separate small Greenway storage facility, reducing overall cost through economies of scale, and freeing more land along the Greenway for development. Both of these station design features would avoid costly remodeling of the West Lake Station when the Greenway Line was eventually constructed. The West Lake Station should anticipate the Greenway Line regardless of the outcome of the pending Alternatives Analysis. It is likely that a Greenway Line will be constructed eventually as development and population increases in the corridor.
- 2) The DEIS should more carefully address prospective parking, traffic and pedestrian circulation challenges at the West Lake Station. Traffic and circulation will be challenging at one of the busiest stations in the entire rail transit system. Last year, the intersection of West Lake Street, Minnetonka Boulevard and Excelsior Boulevard already was the busiest in the State with over 39,000 cars per day. The addition of the Lake Street Station will complicate this situation.

Cedar Lake Parkway Crossing: The DEIS refers to an overpass at Cedar Lake Parkway. We support a tunnel under Cedar Lake Parkway, rather than a rail overpass or at-grade crossing for the following reasons:

- 1) The noise for the trail users and surrounding homes would be abated in this very narrow section of the rail corridor.
- 2) An at-grade bicycle trail in the corridor would be more useable.
- 3) The ambiance and functionality of Cedar Lake Parkway would be significantly enhanced.
- 4) Traffic jams would be abated in this very congested area where there is limited street access to the neighborhood.

Neither an at-grade crossing nor a rail overpass is recommended at this location.


Mitigation in the Kenilworth Corridor: We strongly recommend significant landscaping, including trees, shrubs, berms, and other sound barriers to abate noise and environmental impact to the Kenilworth Trail users and surrounding residential neighborhoods.

Co-Location of Freight Rail: We oppose co-location of freight rail in the Kenilworth Corridor for the following reasons:

- 1) Co-Location would concentrate freight rail, light rail transit and the very popular Kenilworth bicycle trail all in the same corridor, which would significantly increase the adverse environmental effects of rail traffic including noise, reduced bicycle and pedestrian safety, and destruction of the park setting in the corridor.
- 2) Co-Location would require the taking of parkland, a very problematic legal maneuver, which would be strongly opposed by the community.
- 3) Co-Location would significantly affect nearby residential property. Freight and light rail traffic would proceed through the narrowest section of the entire Southwest light rail corridor. There does not seem to be room for the bike trail, light rail and freight rail without condemning property at Cedar Shores Town Homes. It would be challenging to condemn only part of this large condominium project.
- 4) The burden of light rail transit and the freight line should be shared, to the extent possible, throughout the community. Re-location of the freight line would spread the burden. Even without co-location, the Cedar Isles Dean Neighborhood would bear the adverse effects of the transit project more than most other communities because the corridor in this area is so narrow and so many single-family residences are located close to the rail corridor in a highly developed and densely populated community.
- 5) Transit-oriented development, a significant objective of light rail transit, would be discouraged with co-location.

Mitigation for the St. Louis Park Freight Rail Line: We recommend significant landscaping, trees, shrubs, berms, sound barriers, and pedestrian safety improvements to abate noise and environmental impact and increase safety in the residential neighborhoods where freight rail will be increased.

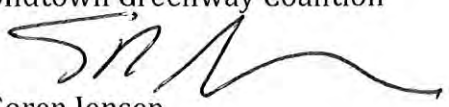
Thank you for the opportunity to comment on this important and valuable addition to our transit system. Please contact us with questions.



Michael Nelson
President
Midtown Greenway Coalition



John DeWitt
Chair
Greenway Improvements Committee
Midtown Greenway Coalition



Soren Jensen
Executive Director
Midtown Greenway Coalition



2834 10th Avenue South
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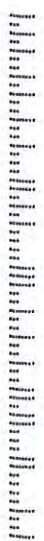
MINNEAPOLIS MN 554

06 DEC 2012 PM 2 L



Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South - Suite 400
Minneapolis, MN 55415

55415184300



MIDTOWNGREENWAY.ORG

12/3/2012



To Whom it may concern:

The following is my response to the DEIS for the freight rail re-route.

12.1.5 Freight Rail Relocation

In addition to the public involvement discussed above, a series of public meetings was held by the HCRRA and the Minnesota Department of Transportation (MnDOT) for the MN&S Freight Rail project, which is a part of four of the five build alternatives included in this Draft EIS. For the MN&S Freight Rail project, a Project Management Team (PMT) was established. PMT members were MnDOT, Hennepin County, City of St. Louis Park (staff and planning commission), St. Louis Park School Board, Canadian Pacific (CP), BNSF and TC&W rail companies, fifteen neighborhood representatives, and two representatives from Safety in the Park, a grassroots organization established in 2010.

The role of the PMT was to provide input and guidance that was representative of the various groups on the PMT, but that also works toward collaborative solutions that effectively and feasibly balance the interests of the various groups.

As a member of the PMT and representative of the Sorensen Neighborhood, I was able to see first hand how the public process was manipulated to make it look as though our neighborhood concerns were actually going to be considered in making a determination about the re-route. Prior to the meetings, PMT representatives were asked to get input from their neighborhoods regarding mitigation, should the reroute go through St Louis Park. In good faith, a neighborhood meeting was called and a list of concerns and possible mitigations was put together. This process put me in the position of getting our hopes up that our position would be heard, just to be dashed when exactly zero mitigations were revealed in the final document. I then needed to go back to my neighbors with this unhappy news and an explanation as to why I bothered them in the first place.

During PMT meetings, faulty results were given as proof we needed no mitigation for vibration, noise and safety. For example: an "expert" took a reading next to the current small train as it passed along the MN&S. He had beautiful charts and graphs all proving the noise was below any level of concern and therefore did not need to be mitigated. This certainly does not represent the noise of the mile long 2 or 3 engine train which will be passing through our neighborhood and by our schools. The same ploy was used to prove to that vibration would not be a concern to our homes and schools. Do they take us for fools? This is a waste of tax payer money and an insult to all of us who worked in good faith at our meetings.

When we raised safety concerns about students being on the tracks going to the football field or to lunch, we were told the trains cannot stop and if someone were killed it would be their fault for trespassing. Students will still be at risk simply by walking across a sidewalk crossing and there they will not be trespassing.

I was extremely disappointed to find that the SWLRT-DEIS was also a sham. Instead of a new study, the same faulty results were once again used to disprove our need for mitigation or colocation. Even though studies have clearly shown the MN&S is not suitable for the reroute and that colocation is a cheaper and more viable alternative, the powers that be inexplicably insist on going through on the MN&S in St Louis Park.

We do not want this hideous reroute through the middle of our city for which we have worked so hard to gain model city status as a top 100 city in the country to live. We are very disappointed by this process, which took so much of our time and energy, and we will continue to fight this egregious "mistake".

Respectfully submitted,



Lois Zander, Co-Chair Sorensen Neighborhood Association
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St. Louis Park, MN
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Henriepoin County Housing,
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701 4th Ave South, Suite 400
~~Memphis~~ Memphis, TN 38115



"Brady D. Busselman"
<BBusselman@mfra.com>

12/10/2012 01:33 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Southwest Transitway Project - DEIS Comment

To Whom It May Concern

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Brady Busselman
3021 Brunswick Ave S
St. Louis Park, MN 55416

Brady Busselman, PE (MN, ND, WI)
Project Manager | CPESC, CPSWQ, LEED AP™



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12/10/2012 02:52 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Support for 3A Alignment for SW LRT

I am a person of faith who is a member of ISAIAH's Transportation Equity task force. We have been following development of the Southwest LRT project almost from its inception and have been working closely with the Harrison neighborhood and other organizations in North Minneapolis. Our comments reflect our focus on racial equity and economic justice.

ISAIAH supports the 3A alignment for the Southwest LRT because of its great potential to connect environmental justice communities to opportunities in the form of jobs, education, cultural resources and other regional amenities. The 3A alignment will also be a catalyst for important redevelopment efforts in the Bassett Creek Valley, bringing jobs and affordable housing to those in Minneapolis who need them the most. Our comments will thus be focused on the 3A alignment proposal.

Harrison is an environmental justice community 8% people of color and 37% of their residents below the poverty level¹.

Bassett Creek Valley is home to one of the largest publicly owned underutilized parcel of land remaining near downtown Minneapolis. This land has historically been underused by the city, currently housing a concrete crushing facility, an impound lot and various light industrial structures. It has long been an eyesore and barrier to development near Harrison--an environmental justice community. There is also a creek that runs through this property. It has been covered in concrete and may have the potential for daylighting. Daylighting has occurred on other parts of the Bassett Creek. Daylighting could be an effort that brings together the neighborhood and the larger metro area. There is a bike path that goes by the concrete plant and a Bassett Creek that is daylighted could be a destination place instead of a bit of a rough neighborhood to bike through. There should be no displacing of residents currently living in the Harrison Neighborhood and as large a percentage as possible of residents should be employed in these local projects, including daylighting. Environmental education must also go along with any daylighting proposal in order for it to be successful. Daylighting has occurred across the country in similar situations and been successful. Daylighting of Bassett Creek has already occurred in the suburban part of the metro area, isn't it only fair that daylighting occur in the urban area. MN may have money available for daylighting from our Legacy fund. This fund has primarily been used to fund projects in Greater Minnesota but now may be the time for the state of MN to find money to assist in daylighting Bassett Creek.

This potential natural area also provides a crucial as-yet-to-be-developed link between economically struggling North Minneapolis and wealthier neighborhoods immediately to the south. As a result of 3A locally preferred alternative decision for the Southwest Light Rail Line, Bassett Creek Valley will now include the Van White Station a key connecting point to opportunity for residents of North Minneapolis, making this area even more strategic as an area to redevelop.

For over a decade the Harrison Neighborhood Association along with the Bryn Mawr Neighborhood Association has been involved in creating the Bassett Creek Valley (BCV) Master Plan. Over 650 residents and other stakeholders participated in this effort. This process also led to a set of redevelopment principles that embody the community's values and wishes for a strong, sustainable, vibrant and attractive home. The Bassett Creek Valley Master Plan of 2006[1], which was approved by the Minneapolis City Council on January 12th, 2007, calls for the redevelopment of Linden Yards East, West and the Impound Lot. These industrial use areas would be replaced with a mixed use development featuring a mix of housing densities and prices, retail and office spaces, green and open spaces, and other civic use spaces.

Following the City Council adoption of the Bassett Creek Valley Master Plan, the city proceeded with a rezoning study intended to make the neighborhood's zoning consistent with the Plan's vision of mixed use, higher density redevelopment. These zoning conversions went into effect on February 15th of 2008, and brought the neighborhood properties down from 65% to 6.5% industrial use-zoned. Two-thirds of all properties were rezoned. In addition to these zoning changes, the City of Minneapolis Comprehensive Plan then adopted the Bassett Creek Valley Master Plan and designated the Bassett Creek Valley area at Glenwood Avenue as a "growth center." [2]

Expected Redevelopment Outcomes Based on Bassett Creek Valley Master Plan:

- * More than 3,000 environmentally sustainable housing units
- * 2.5 million square feet of environmentally sustainable commercial space (office and retail)
- * 40 acres of new open, green space
- * 5000 to 6000 green jobs for the future

Development of the BCV Master Plan would revitalize the environmental justice community of the Harrison neighborhood and repair the decades of land use neglect and disinvestment at the Van White Station.

Section 1.4 Project Goals and Objectives

ISIAH supports SW LRT goals 1, 2 and 5, supporting economic development and new cost-effective, efficient travel options, particularly for residents of North Minneapolis.

The 3A alignment for SW LRT is an essential piece of the BCV Master Plan. The Van White and Penn Ave. stations are key connection points between economically depressed North Minneapolis and employment opportunities in the southwest Minneapolis suburbs. In addition, many students from North Minneapolis travel to schools along the route and the LRT service would greatly reduce travel time for them.

The Van White station in particular is the center of the BCV Master Plan. The BCV Master Plan and the SW LRT will work in concert, bringing economic opportunity to North Minneapolis while boosting ridership on the LRT.

Section 3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)] Land Use

ISIAH calls attention to the incomplete land use analysis. The rezoning of Bassett Creek Valley was approved February 2008 by the city of Minneapolis. This rezoning should be included in the SWLRT DEIS 3.1.2.4 Segment A Land Use.

Section 6. 3.1.3 Land Use Plans

ISIAH has serious concerns about the Station Area Planning at the Van White Station – see the letter to the Minneapolis planning office sent by the Harrison Neighborhood Association (attached to comments submitted by the Harrison Neighborhood Association). To summarize the attached Harrison Neighborhood Association February 28th, 2011 letter addressed to Adele Hall, Hennepin County senior planner:

The Harrison community requests for station area design without a commuter rail layover facility were never met. The final document clearly advocates for the siting of rail storage at Van White Station. The final document misrepresents the formal Minneapolis city council position on the sale of Linden Yards East at the Van White Station. The city directed city staff to explore joint development strategies at Linden Yards East and report back to city council.

The Van White Station Area Plans illustrations are misleading for policy maker by representing a platform (plinth) that could accommodate development above and rail storage below. This is misleading because the key feasibility work has not been complete and does not include the environmental assessment of siting a passenger rail storage yard and maintenance facility at the Van White Station.

The Van White Station Area plan does not adequately assess Harrison neighborhood property owners, renters and business owners. The Bassett Creek Valley is home to over 170 businesses and over 150 homes all of which are in the ½ mile radius of the Van White Station. The accessibility of this station to pedestrians, bicycles and automobiles were limited to the future improvement of Van White Memorial Boulevard. Increasing the accessibility to the Van White Station is critically important to our environmental justice communities access to jobs along the Southwest LRT.

ISIAH fully shares the concerns expressed by the Harrison Neighborhood Association. Destroying over a decade of active community participation in the areas' redevelopment would be a grave injustice.

3.1.5.1 Effects to Land Use and Socioeconomics; Segment A

ISIAH finds the Segment A description inadequate and should include a mention of the Bassett Creek Valley project area.

“The boundaries for the Bassett Creek Valley project area were established by the Minneapolis City Council in 1998. The Valley is a 230-acre, largely industrial area bound on the west by Cedar Lake Road, on the east by I-94, on the north by the Heritage Park redevelopment area and on the south by I-394.”[3]

The Van White station is at the center of the Bassett Creek Valley project. Because of its significant size and city of Minneapolis site control, this project area deserves mention in this section of the SWLRT DEIS.

Section 3.1.5.2 Operations and Maintenance Facility

ISIAH does not support locating the OMF at the Van White Blvd. Station site as this would be incompatible with the BCV Master Plan and would mortally wound neighborhood revitalization plans.

ISIAH does support the consultants recommendations on “Appendix H Page 53 OPERATIONS & MAINTENANCE FACILITY SITE EVALUATION; Eden Prairie 1; Eden Prairie 2, Eden Prairie 3, and Minneapolis 4”

Section 5.1 Economic Conditions

ISIAH comments that job linkage to North Minneapolis through the SW LRT corridor was highlighted as part of a SW LRT funding application by the Metropolitan Council to the Minnesota Department of Employment and Economic Development [4]. This point should be included in the description of the potential effects on the local economy.

Section 6.1.1 Methodology

In the Southwest Transitway Alternative Analysis Technical Memorandum #6 Travel Demand forecasting, the Van White Station is predicted to have an average weekday boarding of 600 riders by 2030. This ridership estimate is stated to be based on a version of the city of Minneapolis comprehensive plan that obviously does not include the Bassett Creek Valley Master Plan. Planners have stated repeatedly that the BCV Master Plan was not considered in ridership models. ISIAH would like to be assured that the SW LRT DEIS ridership model includes updated Van White Station ridership projections with the City of Minneapolis comprehensive plan adopted 10/2/09 which includes Bassett Creek Valley Master Plan.

Section 9.4 Reasonably Foreseeable Future Actions

ISIAH comments that the Interchange need for a rail layover/maintenance facility will have an impact on the economic development potential at the Van White Station if such a facility is sited on Linden Yards East, the stated preferred site of Interchange project partners. ISIAH emphasizes once again that repeated requests for an environmental assessment of such a facility have gone unanswered by local agencies.

ISIAH is very concerned about potential segmentation issues. Community members have repeatedly been told that the rail layover/maintenance facility cannot be considered as part of the SW LRT EIS analysis, yet the potential for this facility could seriously compromise ridership and the effectiveness of economic development and improved land use around the SW LRT project.

Section 10.4 Public Involvement

ISIAH notes that none of the public hearing locations selected by Hennepin County and/or the Metropolitan Council was transit-accessible for people in Harrison and other North Minneapolis environmental justice communities who worked normal day shift hours. In fact, suggestions to hold hearings or meetings in North Minneapolis were met with resistance. This created enormous burdens on transit-dependent, environmental justice communities of North Minneapolis.

Section 12.1.1.2 Community Advisory Committee

ISIAH calls attention to the fact that the Harrison Neighborhood representative to the CAC was removed as an official representative after the project entered the preliminary engineering phase, being demoted to alternate status. There is currently no official Harrison Neighborhood representative on the CAC. Efforts to have this changed have so far been unsuccessful. No adequate explanation of why this change occurred has yet been offered.

APPENDIX H - Land Use and Socioeconomic Analysis Methodology

- * Hennepin County Sustainable Development Strategy 2011
- * Downtown Minneapolis Intermodal Station Siting and Feasibility Study
- * The Interchange Environmental Assessment

Harrison Neighborhood Association has been told by Interchange (multi-modal station in downtown Minneapolis) project staff that Linden Yards East was the preferred site for the rail storage/layover facility that will accommodate the needs of the Interchange. The preference for this site is on page 53 of this submitted land use document. On June 22, 2011, HNA sent a letter requesting a comprehensive environmental justice analysis for the rail storage and maintenance facility (scoping) to FTA, EPA, MN Dept. of Transportation, Hennepin County, and city of Minneapolis. The FTA region 5 was the only responder.

In particular, a pending decision to locate the commuter train storage yard at Linden Yards East would substantially compromise the Bassett Creek Valley (BCV) Master Plan, by undermining the Master Plan strategy to use high intensity development in Linden Yards. This creates a threefold adverse impact. First, it effectively reduces or eliminates tax increment funding to finance redevelopment for the larger neighborhood. Second, it removes much of the potential to develop housing, both affordable and market

rate. Third, it dramatically reduces the potential for Linden Yards to create a catalytic effect for the larger area.

* The Minneapolis Plan for Sustainable Growth

ISIAH references page 1.24 in this comprehensive plan for the city of Minneapolis: "Bassett Creek Valley. Bassett Creek Valley is a designated Growth Center just outside of Downtown Minneapolis that is anticipated to experience intensive office and residential development. Guided by the approved Bassett Creek Valley Master Plan, and with large tracts of City-owned land that are available for development, the area is proposed to include a large new park along Bassett Creek, a neighborhood retail node at Glenwood Avenue and Van White Memorial Boulevard, and high-rise office and residential development along Interstate 394. Redevelopment priorities include ensuring affordable housing, creating living wage jobs, and promoting good design. The City is partnering with public and private entities to assist in this major redevelopment project."

* Bassett Creek Valley Master Plan

ISIAH supports the Bassett Creek Valley Master Plan and its implementation

* Minnesota Department of Transportation Comprehensive Statewide Freight and Passenger Rail Plan

Minnesota Department of Transportation is the lead agency in the Chicago-Minneapolis/St. Paul Corridor Work. MN DOT has stated that their preferred location for high speed rail storage and maintenance facility is at Linden Yards East at the Van White Station. Harrison Neighborhood Association is still awaiting response to their correspondence requesting an environmental justice analysis for the proposed high speed rail storage and maintenance facility at Linden Yards East.

References

[1] http://www.minneapolismn.gov/cped/planning/plans/cped_basset-creek

[2] "Revitalizing Bassett Creek Valley: Potential Costs and Opportunity Losses of Locating a Train Storage Facility in Linden

Yards vs. Mixed-Use Development", December 2009 Prepared for the Harrison Neighborhood Association at the HHH Institute by J. Armstrong, K. Maudal Kuppe, P. Stewart, K. Wayne

[3] Bassett Creek Valley Master Plan Executive Summary, Hoisington Koegler Group, Inc. with: SRF Consulting, Braun Intertec, Biko Associates, Maxfield Research; January 12, 2007

[4] <http://www.positivelyminnesota.com/capgrantdocs/MET01.pdf>, page 12

Thank you for your consideration of our positions,

Ann Mongoven

2104 Edgumbe Road

Saint Paul, MN 55116

651-216-2019

LIBERTY

PROPERTY TRUST



December 7, 2012

Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

**RE: Comments on the Southwest Transitway
Draft Environmental Impact Statement (DEIS)**

To Whom It May Concern:

Liberty Property Limited Partnership (Liberty) owns, leases, and manages multiple properties adjacent to the proposed Southwest Transitway LRT corridor as it passes through Segment 3 in Eden Prairie and Minnetonka. The subject property addresses are:

5400 - 5550 Feltl Road, Minnetonka
10301 – 10399 West 70th Street, Eden Prairie
6901 Flying Cloud Drive, Eden Prairie
7075 Flying Cloud Drive, Eden Prairie
7246 Flying Cloud Drive, Eden Prairie
7400 Flying Cloud Drive, Eden Prairie

Liberty has completed a review of the DEIS and offers the following comments for consideration:

1. Liberty generally supports the alignment option described in Section 2.3.3 Build Alternatives as Alternative 3A. This alternative includes Segment 3 with the proposed LRT alignment adjacent to, or through several of our properties noted above. While there will be impacts to these properties in order to implement transit that will need to be recognized and analyzed, we agree with the City of Eden Prairie that the 3A alignment offers the most potential to overcome transportation deficiencies in the Golden Triangle area.
2. Chapter 2 – Alternatives includes a description of the proposed Golden Triangle Station in Section 2.3.4. The station location adjoins three of the multiple properties listed above, and includes a proposed park and ride facility described as containing 100 surface parking spaces. There are a number of concerns related to this station that are not fully analyzed in the Conceptual Engineering Layout included with Appendix F of the DEIS. Concerns include proposed location, proposed access, proposed grades, and lack of coordination with existing conditions. The document indicates that a number of these issues will be more fully analyzed in the Preliminary Engineering Design Phase leading up to preparation of the Final EIS; we believe that additional detail is essential to avoid unnecessary impacts and project costs as the design evolves.

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3. Section 3.1.2 discusses Existing and Anticipated Land Use at a Macro, or policy level and misses some conditions along the corridor where prior land use planning and site-specific project approvals further define what landowners expect to occur on their properties. Future plans are addressed partially in Section 9.4 – Reasonably Foreseeable Future Actions, but the descriptions contained there don't include all of the vested development rights that have accrued to our properties at 6901 Flying Cloud Drive and 7075 Flying Cloud Drive which are subject to an approved PUD Development Plan. The future potential of 6901 and 7075 Flying Cloud drive is partially described in Table 9.4-1, but the approvals include more development than is described as an identifiable Future Action. The property at 7075 Flying Cloud Drive currently contains approximately 345,000 SF of office space currently occupied by SuperValu, Inc., and is approved for additional expansion on the site. As part of the same master planning effort, Liberty began construction of a 128,000 SF office building at 6901 Flying Cloud Drive that included several completed or ongoing commitments that could be affected by the LRT alignment and by the proposed Golden Triangle Station and associated Park and Ride Facility. Issues related to the development potential of these properties include:
- Liberty's PUD Master Plan illustrates the extension of West 70th Street from Flying Cloud Drive east to the current terminus of West 70th Street just to the east of the proposed LRT alignment. The configuration of the at-grade crossing and the vertical alignment of the LRT lines need to be coordinated with the proposed alignment of West 70th Street. This is critical to Liberty in order to maintain a major access to structured parking for 6901 Flying Cloud Drive, to maintain the existing parking and service dock area for 7075 Flying Cloud Drive, and to conform to planned wetland impacts and mitigation that have been approved and permitted by the City and by the Nine-Mile-Creek Watershed District (NMCWD).
 - The proposed LRT alignment may impact wetland and buffer areas that Liberty has already made a long-term commitment to manage and maintain. If there is an overlap in responsibility due to LRT development, Liberty would need to be released from their current commitments on any of the wetland or buffer areas subjected to further alterations.
 - As part of providing for the full level of development described above, Liberty funded improvements to a section of Flying Cloud Drive to provide the lane geometry needed to allow for the future intersection at West 70th Street with an intersection that would operate acceptably at full development with forecast background traffic growth. More detailed analysis of access and travel patterns due to the Golden Triangle Station and Park and Ride should be completed to determine possible impacts on potential redevelopment.
 - As part of its PUD master planning Liberty retained an existing surface parking area adjacent to 70th Street that could function as a Park and Ride facility. The area currently contains 102 parking spaces with direct access to West 70th Street. However, this area was not considered in the Conceptual Engineering layout which was the basis for the DEIS. We would like to see this area analyzed as an option to the location for the Park and Ride facility as identified in the Conceptual Layout.

- We agree with the City of Eden Prairie that the size of the facility must be balanced with the parking demand to assure adequate parking supply for Park and Ride users to avoid potential overflow issues that would impact the neighboring properties.

We also believe these issues should be addressed in the forthcoming Preliminary Engineering and any related impacts and mitigation should be analyzed in the Final EIS.

4. The property at 7400 Flying Cloud Drive has an approved parking expansion plan that would allow for greater flexibility of uses for the building. The proposed alignment in Segment 3 crosses this property and impacts areas where expanded parking has been approved, and also has significant impacts on existing parking. Ways to reduce the impact to existing and proposed parking on this parcel should be more fully explored in the Preliminary Engineering and Final EIS.
5. Section 3.3.2 – Methodology describes how the project limits were defined for analysis in the DEIS. As noted elsewhere in our comments, we feel that the actual influence or impact area may expand beyond the project limits depicted in the Conceptual Layout included in Appendix F of the DEIS. As an affected property owner we expect that the layout will be further refined in the Preliminary Engineering stage, and request that the specific issues outlined in our DEIS comments are fully designed and analyzed for the Final EIS.
6. Section 4.2 – Water Resources describes in general terms areas where depth to groundwater and surface water bodies might be impacted by the need for dewatering during construction. The areas near all of the Liberty properties along Flying Cloud Drive contain wetlands that could be affected by construction dewatering or by changes in natural drainage patterns where the LRT alignment passes through undeveloped open space. As described above, Liberty already has long-term commitments to ensure the viability of certain wetlands that is a part of our Development Agreement with the City of Eden Prairie and an obligation of permitting required for necessary wetland alteration. We believe that a more thorough analysis of potential impacts on surface water resources from construction phase dewatering and from permanent changes to existing drainage patterns that are tributary to water bodies on Liberty properties should be included in the Final EIS. Mitigation, if necessary, should include the appropriate assignment of responsibility for impacts that occur in areas where Liberty already has contractual maintenance and conservation obligations.
7. The traffic analysis completed for Chapter 6 went through a scoping process that limited the number of existing intersections for which detailed operational analysis was completed. We note that the intersections near the proposed at-grade crossing of the LRT alignment with Valley View Road in the vicinity of its intersection with Flying Cloud Drive all are forecast to have marginal Levels of Service for the 2018 and 2030 forecast periods. We join the City of Eden Prairie in support of a grade-separated crossing at this location to ensure that there is adequate intersection capacity to feed Flying Cloud Drive from the south end at Valley View Road as well as the north end at Shady Oak Road. As noted earlier, a more wide-spread analysis of travel patterns and potential impacts from the

proposed Golden Triangle Park and Ride facility is warranted to ensure that Liberty's development potential for its Flying Cloud Drive properties is maintained.

8. The intersection of Feltl Road with Smetana Lane at the north end of the Opus II development is proposed to be realigned to coordinate with the crossing of the LRT alignment at Smetana Lane. This intersection was apparently scoped out of detailed analysis by virtue of having daily traffic volumes below 5000 vehicles per day. The intersection is immediately adjacent to our property at 5450 Feltl Road. We would like to see a more detailed operational analysis of this intersection to confirm that the proposed change does not compromise accessibility to the property from Smetana Lane. Also, the realignment of the "T" intersection could require significant grading and tree removal at the north end of the property, which should be further analyzed for the Final EIS.
9. The Technical Memorandum dated March 21, 2012 that is contained in Appendix H describes the traffic analysis completed for the DEIS. In the introduction it states that "*Each station and the impacts on traffic operations and circulation will be analyzed in detail with the Final Environmental Impact Statement (FEIS)*". Liberty wishes to be involved with the Hennepin County design team and the City of Eden Prairie in determining the scope and extent of analysis of traffic impacts from the proposed Golden Triangle Station.
10. Referring to the Conceptual Engineering Layout for Segment 3, Sheet 9 of 15, as illustrated in Appendix F, we offer the following comments on the alignment and grading as it relates to our property at 6901 Flying Cloud Drive:
 - The alignment crosses a wetland at the northwest corner of this property that provides critical storm water detention volume identified in our PUD drainage design. The volume eliminated by filling for the Transitway needs to be provided in a fashion that can be utilized by Liberty.
 - The proposed grade for the alignment across the east end of this property occurs roughly eight feet above existing grade. The embankment required could affect the access to the planned parking ramp supporting the 128,000 square-foot office that is under construction at the site by reducing the space available between the Transitway and wetland and buffer areas already subject to long-term maintenance agreements and conservation easements. This access is critical as there are only two available access locations to serve this office development.
 - The embankment required for the proposed grade of the Transitway also reduces the amount of the existing parking area at the east end of this property that could be utilized as surface parking for the planned Park and Ride component of the Golden Triangle Station. If the Transitway were at, or close to existing grade, nearly all of the 100 planned Park and Ride spaces could be provided in this existing, paved parking area.
11. Referring to the Conceptual Engineering Layout for Segment 3, Sheets 8 and 9 of 15, as illustrated in Appendix F, we offer the following comments on the alignment and grading as it relates to our properties at 7075 Flying Cloud Drive and 10301 70th Street West:

- The proposed alignment for 70th Street was carefully considered to maximize development area south of the proposed roadway while meeting obligations for wetland protection and buffer requirements to the north of the roadway. The crossing elevation of the transit line at 70th Street as depicted in the Conceptual Engineering requires over ten feet of fill at the crossing point, and assumes grade transitions in the roadway profile that would need to extend several hundred feet in either direction from the crossing point, possibly requiring further loss of wetland and wetland buffer if the road stays within its planned corridor, or resulting in the loss of useable lot area if the roadway needs to shift south so that fill for the roadway can be placed without affecting the wetland or associated buffers.
- Further, ten feet of fill at the crossing point would eliminate existing access to the truck docks, service area, and parking adjacent to the northeast corner of the existing structure occupied by SuperValu, Inc. If this corner of the existing parking becomes essentially a dead-end area by shifting access from 70th Street to the west to accommodate fill for the roadway, then substitute truck circulation requirements will further reduce available parking in this area.
- This area of the site is also indicated as the location for the Golden Triangle Station Park and Ride, which again, is inconsistent with its existing use for truck docks and service support that is critical to the tenant at this property. Even if the area were elevated on a structure to match the proposed profile grades of the rail and station, there may not be sufficient clearance for the required truck use below.
- The proposed track alignment between these two properties has a profile grade that roughly matches the top of a large berm separating the two sites. The berm is roughly ten feet tall relative to 7075 Flying Cloud Drive and roughly 14-16 feet tall relative to the property at 10301 West 70th Street. At the proposed elevation the top of the berm is less than 25 feet in width so additional fill would be required on one or both sides to create enough width for the track separation required by the station, with possible impacts to both properties. The width required could be provided by lowering the profile grade to an elevation that allows an at-grade crossing near the existing grade for 70th Street, and reduced impacts to both properties by excavating the berm and establishing a profile eight to ten feet below that analyzed in the DEIS.
- Liberty would like to see the Preliminary Engineering phase of design analyze a revised profile that would lower the proposed track grade as described above from roughly Station 345+00 to Station 669+00 to determine if the potential for impacts can be reduced.

12. Referring to the Conceptual Engineering Layout for Segment 3, Sheets 7 and 8 of 15, as illustrated in Appendix F, we offer the following comments on the alignment and grading as it relates to our property at 7400 Flying Cloud Drive:

- The proposed alignment across this property has a very large impact on the existing parking supply for this property. We believe a substantial amount of additional parking could be preserved if the alignment could be adjusted to move further to the northwest as it crosses the property. It appears that this could be accomplished by more closely following the edge of

December 3, 2012

Page 6

Highway 212 between Stations 322+00 and 328+00 or 329+00 with tighter radii to move the alignment to the north from 329+00 to 336+00.

- Sufficient proximate and convenient parking is critical to the economic success of this site, so Liberty would like to see additional analysis of the alignment to determine if parking impacts can be reduced.

13. We share the City of Eden Prairie's concerns as expressed in their comment letter regarding the placement and potential impacts from ancillary structures and facilities such as Traction Power Sub-Stations, crossing gates, and traffic signal cabinets. The Preliminary Engineering phase and FEIS should incorporate all of these items into the design so that their effect on all properties along the corridor can be evaluated. Protection of the site's viewsheds and also its visibility from existing roadways is critical to its development.
14. Further, we share the City's concerns with the possible impact on nearby structures from vibration, noise and stray current associated with anticipated rail operations, and request that additional analysis of possible effects of vibration be completed for our properties with existing structures that are close to the proposed rail lines. Impacts on utilities, fiber pathways and existing structures during construction need to be analyzed and mitigated. This analysis is especially important in light of the differing soil conditions found on the site. Detailed analysis should be included for all of our properties to evaluate alternatives and determine solutions for mitigating the design and construction impacts of the project.

Thank you for the opportunity to comment on the DEIS. We look forward to the Preliminary Engineering Design phase of the project to work together to improve the interface of the Southwest Transitway with our affected properties.

Sincerely,

Liberty Property Limited Partnership



Richard A. Weiblen
Vice President Development



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Minneapolis, MN 55415



Rhea Sullivan
<rhea.sullivan@gmail.com>

12/11/2012 10:30 AM

To swcorridor@co.hennepin.mn.us

cc Kathleen Cobb <kathycobb70@gmail.com>, Meg Forney
<megf@visi.com>, David Rhees <Rhees@thebakken.org>

bcc

Subject The Edge of Lake Calhoun Business Association's
Comments on the DEIS

Dear Project Director,

Attached you will find a cover letter and comments on the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway from the Edge of Lake Calhoun Business Association.

Thank you,

Rhea Sullivan

Rhea Sullivan, Coordinator

West Calhoun Neighborhood Council

rhea.sullivan@gmail.com

612-386-6974

businesses
AT THE EDGE
of lake calhoun

Date: December 11, 2012

To: Hennepin County Housing, Community Works & Transit
Attention: Southwest Transitway Project Director

From: The Edge of Lake Calhoun Business Association

We are a group of more than 50 businesses located within a half-mile radius of, and in some cases immediately adjacent to, the Southwest Transitway's West Lake Station.

While we see the planned LRT line potentially creating more customers for our businesses, we also have some serious concerns, which are detailed in the attached comments on the Draft Environmental Impact Statement. But listed below are our main concerns.

Accessibility

The Edge businesses are concerned about accessibility to both Calhoun Village and Calhoun Commons malls during and after construction. The West Lake St./Excelsior Blvd. corridor is already congested, and lane closures during construction or traffic pattern alterations after construction could cause drivers to use other routes, bypassing our commercial area entirely.

Parking

Parking is already an issue in this heavily used neighborhood, especially during the warmer months when people drive to Lake Calhoun for recreational purposes. The parking lots for both Calhoun Commons and Calhoun Village are often full, especially on weekends, making it more difficult for those visiting our businesses to find a parking space.

Then if parking needs for users of the Southwest Transitway, even on weekends when riders may want to park near the West Lake Station to attend events at Target Field or the Metrodome/Bank Stadium, are added, it is clear that sufficient parking is a serious issue.

We feel that Preliminary Engineering plans need to include a parking study and serious mitigation efforts to avoid a shortage of parking spaces.

Thank you for the opportunity to have our concerns heard, and we look forward to the next steps in the Southwest Transitway project.

Sincerely,

The Ackerberg Group
BP Station
Barnes & Noble

Associated Clinic of Psychology
The Bakken Museum
Ben & Jerry's

Biderman Group
Burger Jones
The Calhoun Beach Club
Calhoun Fusion
Calhoun Vision Center
Center for Developmental Psychopharmacology
Chuck & Don's Pet Food Outlet
Coldwell Banker Burnet Realty
European Waxing Center
Fastframe
First Wok
H&R Block
Institute for Athletic Medicine
Jiffy Lube
Little Tel Aviv
Massage Envy
Minnesota Neurovascular and Skull Base Surgery
Moss Envy
Noodles & Co.
Orange Theory Fitness
PostNet
Rustica Bakery
Sports Clips
Subway
Tom Schmidt Salon
True Source IT, LLC
Twin Cities Medical Clinic
Urban Eatery
Wakame Sushi & Asian Bistro
West Lake Dental
Willows Massage

Body Restoration
Burnet Title
Calhoun Dental
Calhoun Natural Medicines
Caribou Coffee
Chipotle
Clothes Mentor
EagleVisions Energy
Fairview Uptown
Fire Station 22
Goddess Nails
Indulge & Bloom
Jamba Juice
Laurie Kottke Fine Jewelers
MGM Wines & Spirits
The Minikahda Club
Moksha Yoga
My Burger
North Beach Deli
PHH Home Loans
Punch Neopolitan Pizza
Salon Intrigue
Sprint Wireless
Sunwerks Tanning
Tonka Cleaners
Tryg's
Uptown Smile Dental Clinic
The Vitamin Shoppe
Walgreen's
Whole Foods
The Yogurt Lab

Comments on the Southwest Transitway DEIS from The Edge of Lake Calhoun Business Association

Chapter 3: Social Effects

Page 3-33

3.1.5.1 Effects to Land Use and Socioeconomics

Accessibility is an important consideration when making development decisions for various types of land use, including residential, office and retail commercial, health and community services, and recreation facilities. Improved accessibility will help the study area become more attractive to business and residential development opportunities, especially when linking major employment centers with rapid transit.

***Comment:** Due to existing parking saturation in the West Lake Station area, we expect that parking will be mitigated in order to accommodate the addition of projected transit riders who will drive to the station in order to board the LRT.*

People on foot must have ready and safe circulation in and around Calhoun Village, Calhoun Commons, Market Plaza, and the West Lake Station.

Page 3-38

3.1.7 Mitigation

Short-term construction effects can be mitigated by using standard construction best management practices (BMPs) such as the use of construction staging, dust and erosion control, proper mufflers on equipment, restricted construction times, optimum traffic re-routing measures, minimization of lane, sidewalk, or trail closures during construction, and maintenance and timely removal of temporary traffic control devices. Although specific plans for maintaining access and construction BMPs are not yet established, it is expected that a BMP construction plan will be developed prior to construction. This plan will specify construction staging and treatments to minimize impacts. The BMPs could include working with residents and merchants to provide alternative access to their neighborhoods, properties, and businesses, providing advance notice of construction plans and phasing, maintaining access to bus stops and school routes, and alerting the public to road, sidewalk, and trail closures and detour routes.

[...] Businesses and residences may experience difficulties with accessibility at certain times of day during the construction of the project, and minor detours for through traffic might be required. In general, these effects will not change the land use of the area during construction, but may affect the number of people using area businesses directly affected by access or construction traffic issues.

***Comment:** Due to the particularly challenging proposed location of the West Lake Station, mitigation during construction to the business area and adjacent residential properties is needed.*

3.2.2.1 Neighborhoods, Page 3-52

- West Calhoun: The West Calhoun neighborhood sits between Minneapolis' border with St. Louis Park and Lake Calhoun. The neighborhood is principally residential, although the commercial region of West Lake Street has developed into a thriving shopping area. The Grand Rounds Scenic Byway, encircling Lake Calhoun, is a heavily used parkway road system that includes the off-street trails of a portion of the Minneapolis Chain of Lakes Regional Park. In addition to Lake Calhoun and the interim use trails and park space, the neighborhood is also home to the Bakken Museum and the Minikahda Club golf course.

COMMENT: *The business area around Calhoun Commons is relatively newly developed. There is some concern about the curb cut onto Market Plaza and its effects on traffic currently. Increased auto and pedestrian usage at West Lake Station and the safety and access of Fire Station vehicles across from that curb cut need to be taken into account. Fire Department analysis of accessibility at Market Plaza is requested. The Southwest Transitway and West Lake Station fall within a half-mile radius of the Grand Rounds Scenic Byway and Lake Calhoun and may impact accessibility to both. User counts on the Chain of Lakes are the second highest in the state of Minnesota with 1.3 million at Lake Calhoun. The West Lake Station will serve as the gateway to the City of Minneapolis, and the Grand Rounds and the Chain of Lakes. An analysis of traffic flow and linkages to/from these assets and the commercial centers and the station is requested. In addition, safety and connections will need to be enhanced.*

Chapter 5 Economic Effects

Page 5-15

Table 5.2-2. Short-Term Station Area Effects

Environmental Metric: Traffic

LRT 3A (LPA) Low--During construction temporary closures or rerouting of traffic from at-grade intersections will be required. The area is well served by a mature integrated network of roadways so traffic diversions should have minimal affect upon the transportation system.

Comment: *Accessibility and disruption of traffic around the West Lake Station will occur during and after construction. In the planning and budgeting process, funds for mitigation need to be made available. Limited accessibility and heavy traffic loads, often approaching gridlock, already exist in this area, as several sources report.*

- *According to Hennepin County in 2011, the Lake Street/Excelsior Boulevard corridor was the busiest county state road in Hennepin County, with 39,500 cars daily.*
- *The Minneapolis Park and Recreation Board has reported that the Minneapolis Chain of Lakes, including Lake Calhoun (within a half-mile radius of the West Lake Station) is the second most-visited location in Minnesota (behind the Mall of America).*

- *Capstone studies by students from the Civil Engineering Department at the University of Minnesota have assembled existing data and background information from the city, county and state, and have conducted extensive traffic counts and other observations, including using digital video: “Traffic Assessment and Recommendations for Lake Street and Excelsior Boulevard Intersection and Adjacent Intersections.” See this and other student Capstone studies relating to the Lake St. and Excelsior Blvd. intersection online at www.pwpg.org/lake-st-excelsior-blvd/.*
- *A November 2012 parking study commissioned by the West Calhoun Neighborhood Council and conducted by Spack Consulting found that parking was near to or over capacity in some locations near the proposed West Lake Station. The study was conducted outside the busy lake and park recreation season on cool cloudy days. When the estimated 2,800 daily Southwest Transitway riders are added to the mix, parking spaces will be at a premium. (For the full report, go to www.westcalhoun.org.)*

Pages 5-19 and 5-20

Environmental Metric: Developmental Potential (station development potential and transportation)
LRT 3A (LPA) High--Segments 3, 4, and A all have high potential for development around station locations. The areas, with the exception of 21st Street in Minneapolis, are identified as areas for transit-oriented development consistent with the implementation of LRT.

For Segments 3, 4 and A, the expansion of the transportation system and service to areas designated for growth and redevelopment will equate to a positive economic effect in terms of development around station locations.

Comment: *The land use around the West Lake Station includes several commercial properties, including Calhoun Village and Calhoun Commons. There are few undeveloped parcels around this station and no plans to upgrade the current commercial parcels. Traffic flows are currently at saturation and private parking is fully utilized near this station, contrary to the statements made in Section 5.2.5.2 about parking and access to businesses. Two proposals to add residential apartment buildings on land zoned as residential, namely, the Bigos proposals for the vacant Weisman property on Lake St. and for vacant property behind Calhoun Commons. Hence, the prospects for economic development near the West Lake Station are minimal. In 2009 the city of Minneapolis retained R-1 zoning for properties near the station.*

Pages 5-21

5.2.5.2 Mitigation for Parking and Access

Parking

Build Alternatives LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative) are all anticipated to have a relatively modest impact on parking with the removal of 20 on-street parking spaces on Royalston Avenue. Mitigation of this effect may include working with staff from the City of Minneapolis to identify needs and opportunities for providing alternative parking solutions. However, based on adjacent land uses and long-term city plans for this area, the need for alternative parking solutions is believed to be low.

Access

Build Alternatives LRT 1A and LRT 3A (LPA) are not anticipated to have any long-term effects on business access; therefore, no mitigation is required.

Comment: While parking at Royalston Ave. is cited, there are also serious parking and access issues around the West Lake Station. With 2,800 riders predicted to enter this area daily, further study of how to mitigate these issues is requested. See below for further evidence of congestion issues that already exist.

- According to Hennepin County in 2011, the Lake Street/Excelsior Boulevard corridor was the busiest county state road in Hennepin County, with 39,500 cars daily.
- The Minneapolis Park and Recreation Board has reported that the Minneapolis Chain of Lakes, including Lake Calhoun (within a half-mile radius of the West Lake station) is the second most-visited location in Minnesota (behind the Mall of America).
- A study by students from the Civil Engineering Department at the University of Minnesota have assembled existing data and background information from the city, county and state, and have conducted extensive traffic counts and other observations, including using digital video: “Traffic Assessment and Recommendations for Lake Street and Excelsior Boulevard Intersection and Adjacent Intersections.” See this and other student Capstone studies relating to the Lake St. and Excelsior Blvd. intersection online at www.pwpg.org/lake-st-excelsior-blvd/.
- A November 2012 parking study commissioned by the West Calhoun Neighborhood Council and conducted by Spack Consulting found that parking was near to or over capacity in some locations near the proposed West Lake station. The study was conducted outside the busy lake and park recreation season on cool cloudy days. When the estimated 2,800 daily Southwest Transitway riders are added to the mix, parking spaces will be at a premium. (For the full report, go to www.westcalhoun.org.)

Chapter 6 Transportation Effects

6.2 Effects on Roadways

This section describes the potential effects associated with the construction and operation of the Southwest Transitway on the roadway network, including long-term and short-term impacts. This section will describe system-wide impacts to the roadway system, physical modifications to existing roadways, operational effects to intersections, transit station access, and access effects to buildings and facilities along the proposed alignments.

COMMENT: Effects on Roadways analysis is incomplete because the DEIS was issued

before station area plans were adopted for all station stops within the city of Minneapolis and without the benefit of authorized Preliminary Engineering studies. In light of that omission, it is important to take the following issues into account in future planning.

1. General Traffic Flow

The W. Lake St./Excelsior Boulevard vehicle thoroughfare is the sole primary east-west route between Interstate 394 and County Highway 62 (the Crosstown). There are three secondary east-west routes that can be used: Sunset Boulevard/Dean Parkway/S. Lake of the Isles Parkway and W. 28th St.; S. Calhoun Parkway and W. 36th St.; and W. 50th Street. None of these secondary routes carries even a fraction of the traffic on the W. Lake St./Excelsior Boulevard corridor. The W. Lake St./Excelsior Boulevard vehicle thoroughfare currently carries 39,000 vehicles per day, a number confirmed by Hennepin County at the October 9, 2012, charette on park improvements between Lake of the Isles and Lake Calhoun. A Capstone study conducted by University of Minnesota Civil Engineering students in 2010 and 2011 shows that this corridor is already over-congested, requiring 2 and 3/4 minutes to traverse the section of Excelsior Boulevard between Market Plaza and W. Calhoun/Dean Parkway, giving it an "F" rating for traffic flow at evening rush hour. This study did not include the effect of existing traffic lights at the Minikahda Club and Calhoun Commons entrances.

Hennepin County stated at the charette that there are no plans or funds allocated to improve traffic flows on this corridor in the next five years, during which the Southwest Transitway is scheduled for construction.

2. Traffic Flow on Excelsior Boulevard

The DEIS does not comment on the effect of a potential additional stoplight at the proposed traffic entrance to the W. Lake St. station and the impact of park-and-ride or kiss-and-ride vehicle traffic from Linden Hills, Edina and Uptown on the southern entrance to the W. Lake St. station. Nor does it comment on how the additional boardings/disembarkations at the W. Lake St. station will affect traffic flow on Excelsior Boulevard. The additional traffic on Excelsior Boulevard could have a negative impact on business users at Calhoun Commons and Calhoun Village, commuters who continue to use Excelsior Boulevard, park users crossing Excelsior Boulevard and neighborhood residents.

3. Traffic Flow on W. Lake Street

The DEIS does not comment on how traffic will access the W. Lake St. station from the W. Lake St. viaduct. By law, additional turn-out lanes on both the east and west bound lanes are prohibited because of reduced visibility for exiting from and merging onto Lake St.; hence, access to the W. Lake St. station for kiss-and-ride or park-and-ride LRT customers from the north side of Lake St. or from those coming east on Lake St. will be prohibitively restricted to using the south entrance to the station on Excelsior Boulevard, further exacerbating traffic congestion on that artery. There is no room to provide for exits and entrances to W. Lake St. without the taking of condominium property on the westerly approach to the viaduct or commercial property (Calhoun Village) on the easterly approach to the viaduct.

4. Lake Street /Excelsior Corridor

The Lake St/Excelsior corridor is already a very heavily used east-west commuting corridor, plus it is the major vehicle route for people whose destination is either Lake Calhoun for recreation or the businesses at Calhoun Commons or Calhoun Village. A serious exacerbating factor is that the Greenway also uses the same corridor for pedestrians and bikers who need to cross the Lake St. corridor or Excelsior Blvd. to reach Lake Calhoun for recreational purposes.

To move traffic and pedestrians safely and efficiently to destinations near the W. Lake St. station, further study and planning to mitigate the above traffic issues during and after construction are needed.

6.3.1.1 Parking

The majority of the parking spaces available along the alignment alternatives are provided in privately owned parking lots. Existing off-street parking spaces that are located along each of the potential alignment alternatives were counted. The count included all marked parking spaces on properties located immediately adjacent to the proposed alignment alternatives. Table 6.3-1 displays the number of parking spaces along each alignment segment. (Appendix H contains the detailed parking inventory including the property address, the property owner, and the number of private and public parking spaces available at each location.) Underground parking available only to private residential tenants was not included in the inventory, but surface parking lots at the same location were included.

COMMENT: *The Table shows 1,005 parking spaces in segment A, but it is important to take into account the need for parking by visitors to Lake Calhoun and the Grand Rounds, as well as the commercial properties near the West Lake Station. See University of Minnesota Capstone study at (<http://www.westcalhoun.org/uploads/2/5/1/3/251329/spring2011-capstonetrafficstudy-finalreport.pdf>) for further discussion of traffic and parking congestion.*



"Klemmensen, Todd"
<Todd.Klemmensen@mts.com>
m>

12/11/2012 10:38 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Extension for public comment?

Dear Sir or Madam,

Can you confirm whether the deadline to submit public comments has been extended to 31 December 2012? Thank you.

Todd

Todd Klemmensen
Director of Contracts & Senior Counsel
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"Eriksmoen, Marit"
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12/11/2012 02:08 PM

To "swcorridor@co.hennepin.mn.us"
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cc "Thompson, Tim" <TThompson@hppinc.org>
bcc
Subject Comments on SW LRT DEIS

Attached please find comments submitted on the Southwest LRT Draft Environmental Impact Statement, on behalf of the Housing Preservation Project and the Alliance for Metro Stability.

Thank you,
Marit Eriksmoen
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Please think before you print.

December 7, 2012



Housing Preservation Project
Public Interest Legal Advocates

Hennepin County
Housing, Community Works and Transit
ATTN: Southwest Transitway
701 Fourth Avenue South
Minneapolis, MN 55415

RE: Comments Regarding Draft Environmental Impact Statement for Southwest LRT

Dear Sir / Madam:

The Housing Preservation Project (HPP) and the Alliance for Metropolitan Stability submit this letter as comment upon the Draft Environmental Impact Statement (DEIS) for the Southwest Light Rail Transit project. HPP is a public interest law firm focused on preserving and expanding the supply of affordable housing, both in Minnesota and across the country. The Alliance is a coalition of grassroots organizations that advances racial, economic, and environmental justice in growth and development patterns in the Twin Cities Region. During the last several years, we have both done considerable work with local community groups and agencies to try to ensure greater equity, including affordable housing opportunities, along the Twin Cities' emerging network of transit corridors.

We write today to address one issue in the DEIS that has not been adequately addressed: the risk that gentrification will displace lower income households and minorities, thus depriving these residents of the opportunity to benefit from this public investment. The DEIS mentions several times the possibility of gentrification adversely affecting low income and minority groups, but concludes that gentrification is not an environmental justice issue, and therefore need not be addressed. We believe this conclusion is in error, and needs to be remedied in the final version of the Environmental Impact Statement. In addition, the DEIS fails to adequately consider mitigation measures or alternatives with respect to the adverse effects of likely gentrification, and this must also be addressed.

DEIS Discussion of Gentrification

The report periodically notes the possibility of gentrification, but then fails to address it consistently or address its implications.

The first point at which gentrification is mentioned comes in Chapter 3 of the DEIS at p. 3-41 and 42. Gentrification is defined as "the displacement of poorer economic populations by wealthier residents." p. 3-42. To determine whether gentrification has the potential to occur in the future, the DEIS examines past changes in neighborhood and community characteristics to see if this suggests potential gentrification in the future. The section concludes that "the analysis does not quantify nor qualify potential future changes to neighborhoods, community cohesion, social or cultural networks, or economic conditions." p. 3-42. From what we can tell, this is based upon an analysis of various neighborhoods in the following sections, and in the section on community cohesion on p.

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Dedicated to expanding and preserving the supply of affordable housing in Minnesota and nationwide

3-55, where the DEIS contrasts Eden Prairie, Minnetonka, Hopkins, and St. Louis Park from Minneapolis, noting that in the case of these suburbs, new job centers did not displace existing neighborhoods, nor substantially change those neighborhoods.

As discussed further below, we do not believe the inquiry should stop there, as the past conditions considered do not account for the current conditions on the ground, where significant minority and poor populations now live in circumstances made precarious by the likelihood of the LRT line. The substantial East African community which has recently burgeoned in Eden Prairie, for example, should be addressed in the Community Cohesion section, along with a similar situation in the many apartment buildings along the Blake Road station area. Yet the only reference in this section is to “details about race and ethnicity are provided in Appendix H.”

Also relevant is Section 9.0 on Indirect Effects and Cumulative Impacts. The possibility that the LRT line will lead to increased land values and increasingly unaffordable rents for lower income tenants forcing them to leave, meets the definition of indirect effects as “those that are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable.” p. 9-1. These outcomes are foreseeable both because the possibility of gentrification is repeatedly referenced in the DEIS, and because evidence from the SW Corridor and from around the country suggests increasing rents frequently follow construction of light rail. Attached is a recent report discussing the likelihood of escalating rents and resulting displacement among the apartment buildings concentrated along the Blake Road station area in Hopkins. *Affordable Rental Opportunities in a Changing Suburb* (2011).

In addition, according to the Dukakis Center for Urban and Regional Policy at Northeastern University, “Median gross rent increased faster than in their metro areas in 74% of TRNs [transit-rich neighborhoods].” *Maintaining Diversity in America’s Transit-Rich Neighborhoods* (October 2010). This is particularly the case when combined with cumulative impacts also addressed in this section. However, this gentrification risk is never mentioned in this section. On p. 9-3, changes in land use and intensity of development are noted as indirect effects, but the conclusion is simply “in most cases, these indirect effects are desired and the local and regional governments are planning for them.” What about those effects which are not desired, such as the involuntary displacement of low income and minority tenants?

Gentrification is addressed in Section 9.5 at p. 9-14 and 9-15. The DEIS observes that neighborhood composition could change and that “gentrification is possible as more affluent people are attracted to minority and low income neighborhoods.” In the section on Environmental Justice on p. 9-26, clusters of minority populations are noted, and the point is made that where development demand is strong along new station areas, “natural market forces in these areas will drive up property values.” Also: “low income persons may experience the expected increase in property values to a greater extent if rents or real estate taxes increase.” In Section 9.3, gentrification is considered a cumulative impact. Gentrification increases property values, “often displacing low income families and small businesses that can no longer afford the new rents.” Despite citing this evidence, the section ends with the following statement: “*Although gentrification is not an*

environmental justice issue, the potential for gentrification of urban areas is often associated with minority and low income community areas where major public investments have been made that attract developers and individuals to areas with convenient transit access and high quality service.” (emphasis added)

No explanation is given as to why gentrification would not be considered an environmental justice issue. The only other reference to this issue is on the chart at p. 9-40. The chart states that, “It is likely that continued development and redevelopment could change some of the ethnic, racial and income characteristics of established neighborhoods.” However, the chart then states, “The effects and impacts are expected and planned for. No further mitigation is necessary.” On p. 9-46, the statement amplifies slightly: “To benefit all populations in the study area, project partner cities have engaged in extensive land use planning activities to stabilize natural market forces.” It is unclear what this means. As best we can determine, however, nowhere in the DEIS is there any identification of any planning specifically with respect to potential displacement of low income and minority residents due to transit related gentrification.

Gentrification is an Environmental Justice Issue

As the DEIS notes, in determining environmental justice issues, the DEIS is to be guided by Executive Order 12898, USDOT Order 5610.2 (a), and FTA Circular 4703.1. We believe the application of this guidance to the gentrification risks along the SW LRT Line compel the conclusion that an environmental justice (EJ) issue is present here.

A guiding EJ principle “is to avoid, minimize or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low income populations.” FTA Circular, p. 17. The first step is to identify adverse effects. Such effects include the totality of significant individual or cumulative human health or environmental effects to human health, the natural and social environment, community function, etc. p. 17. Adverse effects also include the denial, reduction or delay in receiving benefits. *Id.* As discussed above, the report repeatedly makes the largely uncontested point that gentrification often occurs in circumstances such as this, and that when it does, low income and minority residents are often displaced by the increasing rents that follow. There can be little question this is an adverse effect for those displaced residents. It is also an adverse effect because it means that those residents will be denied the benefit of this public investment, that is, the opportunity to live in proximity to this valued transit service.

Once an adverse effect is identified, the next question is whether the effects are disproportionately high. Part of this analysis involves considering offsetting benefits to affected minority and low income populations. Circular, p. 18. While it is true that like others, minority and low income populations will benefit from access to the LRT line, those who are displaced and removed from access will not benefit, and those who manage to stay but pay greatly increased rents will see much of the economic benefit from LRT access cancelled out by their increased housing cost. The other element to determining whether the adverse effect is disproportionately high is whether the effect is (1) predominantly borne by an EJ population, or (2) will be suffered by the EJ population and

is appreciably more severe or is greater in magnitude than the adverse effect that will be suffered by the non-EJ population. p. 19. In this case, as the DEIS itself notes, low income populations—which often coincide with minority populations—will be more likely to be tenants and thus vulnerable to escalating rents, and will be less able to continue to pay those rents, thus forcing displacement. The adverse effect is clearly disproportionately high for low income and minority residents along the SW LRT corridor.

We believe the inescapable conclusion is that the likely risk of gentrification-related displacement resulting from the LRT Line is an EJ issue.

The DEIS must further address gentrification as an EJ issue, and mitigation measures or alternatives.

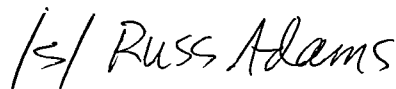
Finally, the analysis calls for consideration of whether further mitigation measures or alternatives are practicable, and if they are, take mitigation measures or alternatives before moving ahead with the activity. The only indication we have found that relates at all to this is the reference cited above to “partner cities having engaged in extensive land use planning activities to stabilize natural market forces.” It is unclear what this means, but if it is meant to apply to mitigation measures or alternatives to prevent gentrification related displacement, it must be addressed in much greater detail than is provided herein. We have closely followed land use planning activities along the SW corridor, and while we are aware that planning has begun to assess the inventory of current housing along the corridor, we are not aware of any work done yet to address how to minimize involuntary displacement due to escalating land values and rents.

The DEIS is legally defective until it specifically addresses mitigation measures or alternatives.

Sincerely,



Tim Thompson
President / Attorney
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Russ Adams
Executive Director
Alliance For Metro Stability
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Enclosure



AFFORDABLE RENTAL OPPORTUNITIES IN A CHANGING SUBURB

PREPARED BY PERCH CONSULTING

MARCH 7, 2011

This report aims to create a risk assessment measure that can predict likelihood of gentrification in rental property near an impending major transit improvement. The City of Hopkins, Minnesota, is preparing for the construction of the Southwest Light Rail line in 2014-2015. The light rail transit (LRT) line has three proposed stops within the city that would become operational around 2017. The stop on Blake Road is of particular interest due to the high level of blight, abandoned, vacant, and underutilized properties in the area. This neighborhood is expected to undergo major redevelopment over the next decade, and the transit improvement is a primary catalyst. Hopkins is located ten miles from downtown Minneapolis, and is served by several major highways. It has a fairly unique housing stock, with a more urban feel and smaller scale than the surrounding suburbs, as well as a major asset in its charming, traditional downtown business district. As of the study date, average rents in Hopkins are substantially less expensive than in the adjacent central cities. The Housing Preservation Project aims to identify properties that are particularly at risk of becoming too expensive for current residents as the transit improvement sets off a new period of redevelopment.

Gentrification is a troublesome side effect of otherwise positive changes in city infrastructure and housing stock. The reviving of interest in a neighborhood usually leads to rising property values, healthier business activity, improved curb appeal of residential and commercial areas, increased infill building and other redevelopment, along with corresponding decreases in crime and disinvestment in the physical building stock. While these are all considered positive changes, the term "gentrification" connotes a shift in neighborhood composition that prices out existing residents, and replaces them with higher-income people. Although most studies of this phenomenon focus on homeownership, it seems apparent that the rental market would be more sensitive to the effects of gentrification and demonstrate evidence of its existence more immediately. This is perhaps particularly the case when the effect grows primarily out of a single major improvement in a geographic area. In this report, a baseline for such an area is established in order to anticipate and measure the results of a major transit investment in a suburban area of Minneapolis.

EVIDENCE IN THE LITERATURE

The responsiveness of rental markets to reinvestment in an area is not a well understood phenomenon, but a recent study of a student dominated neighborhood in Winnipeg did ask a similar question. Changes in rents were documented over a five year period of property management company reinvestment in an area of concentrated government-sponsored urban renewal efforts. The authors indicate that the neighborhood change is in its infancy. Much more investment, additional physical improvements, and demographic shifts are anticipated in the area. Even with that caveat, rents in the area had already increased between 30% for 1-bedrooms to over 50% for two-bedroom units over the five year study period. The Dukakis Center for Urban and Regional Policy studied gentrification effects in a number of US cities between 1990 and 2000. Their findings showed that in some cities rents near new Light Rail stops rose 50% faster over the

decade compared to the larger Metropolitan Statistical Area in which they were located. In this context, concern about the loss of natural affordability in the city of Hopkins appears to be fully justified.

The arrival of LRT in the city is part of a larger body of research that examines the impact of transit. The academic literature suggests that proximity to fixed route transit stops can contribute greatly to increasing property values. A study of property values in Chicago demonstrated that in most economic climates over a thirty year study period, the growth in property values for units near rail lines had a 20 point advantage over property values beyond 0.5 miles from the stop (Lin, 2002). A recent study in the Twin Cities demonstrated similar effects on property values around the Hiawatha Light Rail line. Where sales prices prior to the introduction of LRT lagged 4% below the surrounding area, after the train became operational, sales prices surged ahead to 16% *above* average for the larger neighborhood (Goetz, 2010).

One surprising side note to research regarding transit is an examination of the actual transportation choices made by new residents. A timeline developed by the Dukakis Center report outlines a number of common unintended consequences of transit improvements. As land value increases, rents also go up, and current populations are replaced by families with higher incomes that tend to be car owners. This can result in lower ridership than would be anticipated with the existing resident profile. In another study, the values of the gentrifying class of a certain area were examined at length. While their political beliefs favor public transit, their actual usage of that mode was lower than average. This is important to remember when considering the desired results of the location of a transit stop. While much of the decision making is under practical constraints, such as site control, a high priority in the selection of stop locations is to benefit future users of the resource. If the less wealthy, including zero-car households, are a large share of the likely group of users, a gentrification process that replaces them with middle-class residents who *value* transit, but rarely actually use it, is a poor outcome for the transit asset itself. Preserving opportunities for heavy transit users to live near stops is valuable across sectors.

METHODOLOGY

A telephone survey was conducted with property managers of as many rental units as could be reached in the winter of 2010-2011. Property managers included in the survey oversee a total of 381 rental townhomes and 2,836 apartments were contacted. This constitutes 68% of registered apartment licenses and 82% of townhouses. Although there are a fair number of unsampled converted condos, duplex, triplex and single family home rentals in Hopkins (about 1000 in total) the overall sample is a fairly valuable representation at 57% of the total number of units. In addition, intervention and advocacy efforts will likely be more effective if focused on companies and individuals that own multi-family developments and buildings. In addition, the vast majority of triplex, duplex and single-family rentals are beyond a mile away from the three station areas.

The survey gathered information about unit composition of buildings and current rents, and property managers were asked their opinions about what type of effect the LRT line might have on the demand for their units and the rents they are able to charge. Although a few subsidized properties were included in the study, information about units where rent is income-based are not factored in to any averages. The loss of affordability in units with subsidy is considered a different issue than the out-pricing of working-class residents from market-rate rental housing and is not the focus of this study. Results for a senior building that includes some high-end amenities specific to their resident population were also not included in averages.

PROPOSED FORMULA

The situation that Hopkins faces in its immediate future is not unique. If the federal government continues its commitment to rail transit in the upcoming years, it is very likely that low-cost suburbs will receive the benefits and face the challenges that major improvements can bring. There are a couple of strategic advantages of using Hopkins as a test case. First, there is a similar study that examined shifts in property values as LRT was introduced in another part of the metropolitan area. The culture and market variables that can color the impact of a transit investment are thus

This formula is nearly pure conjecture, intended primarily for the purposes of helping the city of Hopkins and interested non-profit organizations to target their resources strategically at preserving affordable housing opportunities near the new LRT line. Its secondary purpose is to provide a suggestion that can be tested as the transitions actually take place in a real life setting. As the study may have an impact on how resources are allocated, it will not be possible to evaluate it as a controlled experiment, but institutional knowledge about efforts to preserve affordable rental opportunities can help to mitigate this problem as long as the idea stays in the sights of local advocates and city officials and efforts are recorded so that they can be considered in an ultimate evaluation of the accuracy of the risk assessment formula laid out in this section.

FORMULA COMPONENTS

This formula is designed to help identify the level of risk that an individual property will become unaffordable, defined as exceeding Fair Market Rent. Components of the formula should include all items that are demonstrated in the literature to have an impact on gentrification, such as proximity to a stop.

PROXIMITY to BLAKE ROAD and OTHER STATION AREAS

The area around the Blake Road station is of particular interest to this study as a focus for intervention. This area is also currently the most distressed. Proposals for the Shady Oak stop suggest extending the street grid for new development and the downtown stop is set to capitalize on the existing asset of the thriving Mainstreet business district without competing with it. In contrast, the Blake Road corridor is currently struggling with underuse and blight. Just beyond the main corridor is a large amount of multifamily rental housing, much of which is among the lowest rent amounts. This is the most important category, given the existing research about property values and transit. The units in the closest range to the Blake Station are put in the highest risk bracket.

Downtown and Shady Oak Station Areas

Beyond 0.75 miles: 0

0.5 to 0.74 miles: 4

0.25 to 0.5 miles: 6

Zero to 0.25 miles: 8

Blake Road Station Area

Beyond 0.75 miles: 2

0.5 to 0.74 miles: 6

0.25 to 0.5 miles: 8

Zero to 0.25 miles: 10

RELATIVE RENTS

There are a number of ways that rents in a small area, such as a transit stop, could be compared with the broader community. For most housing programs, either Fair Market Rent or Area Median Income (AMI) could be a starting point. Median income is calculated for the three-county suburban area on an annual basis and various percentages of this median are used to determine the relative status of lower-income families. The standard calculation for rent affordability is 30% of income. Using the 2010 AMI statistics, rent that is determined “affordable” for the following categories are listed below. Unaffordable rents are highlighted in grey.

Household Size	Unit Size	Hopkins Average	80% AMI		50% AMI		30% AMI	
			Affordable Rent	% of Hopkins Average	Affordable Rent	% of Hopkins Average	Affordable Rent	% of Hopkins Average
1	0	\$655	\$1,128	172%	\$735	112%	\$441	67%
2	1	\$740	\$1,289	174%	\$840	114%	\$505	68%
3	2	\$932	\$1,450	156%	\$945	101%	\$568	61%
4	3	\$1,214	\$1,610	133%	\$1,050	86%	\$630	52%

Despite being the industry standard, this method of determining who is considered low-income has some setbacks in this context. Typically, 80% AMI is called “low-income,” 50%, “very low income,” and 30% is considered “extremely low-income.” It is helpful to see that, using this perspective, Hopkins averages are well within reach of all but the lowest income families. However, the translation of household size to unit size is problematic on its own. The Section 8 program does not award a larger bedroom-size voucher for families with opposite gender or age differentiated children to have their own space. However, as an example, a single parent may find that it is untenable for a teen to share a room with a small child, causing a three person household to require a three bedroom unit. Housing Authorities do use AMI to determine eligibility and family composition effects the voucher size, but the dollar amount of a family’s subsidy is based on Fair Market Rent.

Fair market rent (FMR) is determined on an annual basis by HUD for different geographic areas. There are several calculations that could be used in this model.

FAIR MARKET RENT OPTIONS					
	OBR	1BR	2BR	3BR	4BR
55305	\$890	\$1,050	\$1,270	\$1,660	\$1,870
55343	\$730	\$860	\$1,040	\$1,360	\$1,530
Average Small Area	\$810	\$955	\$1,155	\$1,510	\$1,700
Metropolitan Statistical Area	\$646	\$761	\$924	\$1,210	\$1,359
Metro HRA Payment Standards	\$671	\$790	\$960	\$1,294	\$1,454

There are several considerations involved in making this selection. The Metropolitan Statistical Area is the broadest geography for which HUD calculates Fair Market Rent. In the Minneapolis-St Paul-Bloomington MSA, depressed rent amounts in exurban, rural and less desirable inner city

neighborhoods have kept this value low. In contrast, looking at the small area FMR for zip codes that cover Hopkins and some of the surrounding suburbs demonstrates the relative desirability of the area, and the associated higher rents.

In an inner city gentrification assessment, it would be logical to use the fair market rents for the city itself. The results of this study would look much more dire if we used that measure, as the suburbs that share Hopkins's zip codes are significantly more expensive. However, renters are more mobile than homeowners. Although suburban and urban markets are by no means fully distinct, it seems logical that renters have selected the type of neighborhood where they want to live. More specifically, suburbs are interpreted as competing primarily against one another for renters who prefer to live outside the central city. This assumption makes the Metro HRA Payment Standards the best candidate for comparison. Metro HRA has Section 8 jurisdiction over most Anoka, Hennepin and Ramsey County suburbs. The payment standards they use are based on FMRs for the communities in which they operate, and which ostensibly share a market of suburban renters.

This factor is slightly less important than proximity to a stop. One critical aspect of this category is the transition of properties out of the range that Section 8 Housing Choice Voucher holders can afford. For this reason, emphasis is on the units right on the margin. Increasing of the lowest rents does have the potential to become unaffordable to existing tenants without rental subsidies, but there are not defined ways to specifically evaluate this issue, so it is rated as a lower concern for the purposes of the formula. Similarly, increasing rents that are above FMR is somewhat undesirable, although slightly less relevant to this study, hence its lower point value.

70% to 79% FMR: 2
80% to 89% FMR: 3
90% to 99% FMR: 4
100% to 140% FMR: 1

Vacancy Rate

Increasing demand will result in filling vacancies before property managers begin raising rents. As a result, points are inversely related to vacancy rate.

0%: 5
1-3%: 4
4-6%: 3
7-9%: 2
10%+: 1

Opinion of Property Manager

This is given a relatively lower score. Many property managers were surprised to hear about the upcoming improvement, and it is far enough in the future that only a few had concrete impressions about the potential impact. It is likely that if this survey is repeated in two years that these questions may be more revealing.

Confident the LRT will increase demand: 2
Believes it may have that effect: 1.5
Unsure of the result: 1
Believes it unlikely that it will increase demand: 0.5
Confident the LRT will have no effect: 0

Year Built and Renovation

A dummy variable was created for this element giving a single point for buildings built since 1990 or substantially renovated since 2000. Even the potential increase in rents resulting from the transit improvement is not likely to be enough to dramatically transform renovation schedules. If the mid-2000s boom did not spur reinvestment in these properties, it is unlikely that access to light rail would do so.

Section 8 Vouchers Accepted

Housing Choice Vouchers are a federal strategy specifically aimed at helping to eliminate concentrations of poverty. Almost all properties with high proportions of subsidized renters in the sample are on the cusp of exceeding payment standards. Although landlords routinely lower rents by a small amount to meet those standards, it is feasible that sufficient increased demand for units could make those compromises untenable and eliminate those housing opportunities.

50+ voucher holders: 4
 30-49 voucher holders: 3
 10-29 voucher holders: 2
 1-9 voucher holders: 1

The total number of points is simply tabulated for every individual property

RESULTS

Total scores range from 5 to 23, with the bulk of properties in the Blake Road area scoring in the high teens into the twenties. Although this is somewhat by design, variables besides location certainly contributed to the higher level of risk perceived in properties in this area. As seen in this first chart, townhomes are not perceived to be a high risk category, as their prices are already high in most cases. Auburn is the only complex that is closer to Blake Road than either of the other stops.

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	NUMBER OF UNITS				AVERAGE PERCENT OF FMR	DISTANCE FROM NEAREST PROPOSED LRT STOP (MI)	VACANCY RATE	SECTION 8 TENANTS	TOTAL RISK LEVEL
	0 BR	1 BR	2 BR	3 BR					
TOWNHOUSES									
Raspberry Woods Townhomes	0	32	32	0	141%	0.5	3%	-	7
Brentwood Park Townhomes	0	0	143	3	98%	1.3	0%	58	14
Westbrook Patio Homes	0	0	17	18	111%	0.6	0%	2	12
Auburn North and South	0	27	63	46	124%	0.6	2%	-	14

Apartments show a wide range of scores that reflect the current diversity in the Hopkins rental market. There are five complexes that score at 20 or above, and all are in the Blake Road category. These very risk properties constitute well over 1,000 units, as the list includes a few of the city's largest developments

If this formula's predictions turn out to be even somewhat accurate, a full 20% of the city's rental stock could be at risk of gentrification. This calculation is conservative – it does not include any unsampled unit types, such as the duplexes along Lake Street, whose rents would likely face the same type of upward pressure.

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NUMBER OF UNITS									
0 BR : 1 BR : 2 BR : 3 BR									
MARKET RATE APARTMENTS									
NEAREST to DOWNTOWN and SHADY OAK STATIONS									
Loon Apartments	0	6	6	0	81%	0.2	17%	-	15
Lamplighter Apartments	0	12	12	0	81%	0.2	3%	1	18
Town Terrace	0	28	80	0	82%	0.3	3%	7	19
110 11th Ave S	0	20	0	0	78%	0.3	0%	-	15
Parkside	1	6	21	0	77%	0.4	0%	-	14
33 6th Avenue N	0	24	24	0	83%	0.4	4%	2	15
Viking-Hopkins Apartments	0	9	3	0	83%	0.4	8%	1	14
Hopkins Park Plaza	110	0	0	0	115%	0.4	0%	-	15
922 ½ Mainstreet	2	2	0	0	72%	0.6	0%	-	11
Central Park Manor	0	103	6	0	83%	0.6	6%	-	10
Chapel View Apartments	8	44	4	0	134%	0.7	0%	-	11
Rosewood West	0	70	85	0	94%	0.9	0%	-	11
Trailside	0	8	8	0	77%	1.0	0%	-	8
Golden Apartments	0	15	8	0	81%	1.2	17%	2	5
Greenfield Apartments	0	117	181	27	116%	1.2	6%	-	6
Brentwood Apartments	5	75	0	0	83%	1.3	3%	32	10
NEAREST to BLAKE ROAD STATION									
Westside Village I and II	6	51	153	60	93%	0.1	0%	16	22
Knollwood Towers East	50	79	0	0	84%	0.2	4%	-	18
2nd Street Station	0	150	0	0	88%	0.2	0%	-	21
Creekview Apartments	2	35	0	0	80%	0.3	8%	4	18
Hiawatha Court	0	60	0	0	83%	0.3	3%	6	21
Creekwood Estates	110	106	70	2	91%	0.4	1%	58	22
Cambridge Towers	52	52	6	0	93%	0.5	3%	-	19
Ramsgate Apartments	0	180	180	0	99%	0.5	2%	54	23
Carriage House	0	13	22	2	118%	0.6	1%	3	15
Plantation Apartments	0	14	47	2	111%	0.6	0%	2	16
SUBSIDIZED APARTMENTS									
41 8th Ave N	0	14	0	0	N/A				
Hopkins Village Apartments	0	130	31	0					
Sonoma Apartments	0	18	2	0					
SENIOR APARTMENTS									
The Terraces	32	45	9	0	N/A				
The Towers Retirement Living	0	129	95	0					

The data were aggregated for easy comparison with future studies, by bedroom size. As with the other data, the high-end senior building with included services and the buildings with income-based rent are not included in the averages.

APARTMENTS				
	0 BR	1 BR	2 BR	3 BR
Total Units	378	1615	1053	93
Grand Total	3139			
Avg Rents	\$655	\$740	\$932	\$1,214

TOWNHOUSES				
	0 BR	1 BR	2 BR	3 BR
Total Units	-	59	255	67
Grand Total	381			
Avg Rents	-	\$1,023	\$1,098	\$1,411

LIMITATIONS

This report was compiled for the express purpose of providing the Housing Preservation Project and the City of Hopkins with a practical target list of properties that face gentrification. This is still not a complete list, and there are several properties very near the Blake Station area that could be included in a continuing study.

Given the state of the housing market in 2011, it is likely that rent prices are still depressed, and as the economic situation improves overall, it will be difficult to isolate the causes of rent increases. However, if rents increase more quickly or in greater amounts for properties very close to the station areas, the effect could be teased out statistically.

RECOMMENDATIONS

The major finding that many properties in the Blake Area exhibit other risk factors is cause for some city and non-profit discussions on courses of action that could help prevent full gentrification, such as inclusionary zoning for new development, a replacement policy for demolition permits, or other planning tools. Reaching out with a more extensive survey to property managers and to residents could also help assess the risks, by determining factors such as rent-to-income ratios for at risk buildings. This study has been completed enough in advance of the transit improvement that there is time to follow up with additional research as well as to plan adequately for the future. The 2nd Street Station apartment complex, however, shows that that ball is already rolling. The major redevelopment of that property and its rechristening that nods to the coming stop across the street is a glimmer of the future of the area – and the granite countertops that might come with it.

Reinterviewing property managers for the same buildings immediately after the Southwest LRT commences operation, and then again in 2021 would provide the opportunity to examine a real life test case, and to evaluate the effectiveness of the risk assessment formula postulated in this report.

There is a tremendous amount to be gained from further research into this area, both in informing future decisions about transit improvements and aiding affordable housing advocates and city planners in anticipating unintended consequences of gentrification around transit hubs. Comparisons with the existing Hiawatha Line and the coming LRT connection between Minneapolis and downtown Saint Paul will offer invaluable context.

APPENDIX

Property by Property Alphabetical Index

110 11 th Avenue South	City
2 nd Street Station	Blake
33 6 th Avenue North	City
41 8 th Avenue North	Special
922 ½ Main Street	City
Brentwood Apartments	City
Cambridge Towers	Blake
Carriage House	Blake
Central Park Manor	City
Chapel View Apartments	City
Creekview Apartments	Blake
Creekwood Estates	Blake
Golden Apartments	City
Greenfield Apartments	City
Hiawatha Court	Blake
Hopkins Park Plaza	City
Hopkins Village Apartments	Special
Knollwood Towers East	Blake
Lamplighter Apartments	City
Loon Apartments	City
Parkside Apartments	City
Plantation Apartments	Blake
Ramsgate Apartments	Blake
Rosewood West	City
Sonoma Apartments	Special
The Terraces	Special
The Towers Retirement Living	Special
Town Terrace (lines 11 and 22)	City
Trailside Apartments	City
Viking-Hopkins Apartments	City
Westside Village I and II	Blake

BLAKE AREA PROPERTIES
INCLUDED IN THE STUDY

- 0.1mi Westside Village & Westside Village II**
97-107 Blake Road North
270 Units, Mostly 2-Bedroom
Rents average 7% lower than FMR
- 0.2 mi Knollwood Towers East**
320 Blake Road North
129 Units, Slightly more 1-Bedrooms than Studios
Rents average 16% lower than FMR
- 0.2 mi 2nd Street Station**
1005-1121 2nd Street North
150 1-Bedroom Units
Rents average 12% lower than FMR
- 0.3 mi Creekview Apartments**
434 Blake Road North
37 Units, Primarily 1-Bedroom
Rents average 20% lower than FMR
- 0.3 mi Hiawatha Court**
1105-1125 Hiawatha Avenue
60 1-Bedroom Units
Rents average 17% lower than FMR
- 0.4 mi Creekwood Estates**
1328 Lake Street
288 Units: 110 Studios, 106 1-Bedroom, 70 2-Bedrooms, 2 3-Bedrooms
Rents average 9% lower than FMR
- 0.5 mi Cambridge Towers**
1301 Cambridge Street
110 Units, Mostly split between Studios and 1-Bedrooms
Rents average 7% lower than FMR
- 0.5 mi Ramsgate Apartments**
700 Cambridge, 725 Lake, & 401-421 Van Buren Avenue North
360 Units, Half 1-Bedroom and half 2-Bedroom
Rents are almost exactly at FMR – there are many Section 8 tenants here. Voucher holders may not rent units that exceed FMR with their subsidy, so this could be a factor.
- 0.6 mi Carriage House**
400 Cambridge Street
37 Units, Mostly 2-Bedroom
Rents average 18% higher than FMR
- 0.6 mi Plantation Apartments**
500 Cambridge Street
61 Units, Mostly 2-Bedroom
Rents average 11% higher than FMR

SHADY OAK AND DOWNTOWN STATION AREAS

- 0.2 mi Loon Apartments**
57 6th Avenue South
12 Units, Half 1-Bedroom and half 2-bedroom
Rents average 19% lower than FMR
- 0.2 mi Lamplighter Apartments**
28, 38 6th Avenue South
24 Units, Half 1-Bedroom and half 2-Bedroom
Rents average 19% lower than FMR
- 0.3 mi Town Terrace Apartments**
19 – 49 5th Avenue South, 9850-9930 Excelsior Boulevard
108 Units, Primarily 2-Bedroom
Rents average 9% lower than FMR
- 0.3 mi 110 11th Avenue South**
20 Units, All 1-Bedroom
Rents average 22% lower than FMR
- 0.4 mi Parkside Apartments**
115-129 13th Avenue South
28 Units, Primarily 2-Bedroom
Rents average 23% lower than FMR
- 0.4 mi 33 6th Avenue North**
48 Units, Half 1-Bedroom and half 2-Bedroom
Rents average 17% lower than FMR
- 0.4 mi Viking-Hopkins Apartments**
105 13th Avenue
12 Units, Mostly 1-Bedroom
Rents average 17% lower than FMR
- 0.4 mi Hopkins Park Plaza**
10-36 5th Avenue North & 517 Main Street
110 Studio Apartments
Rents average 15% higher than FMR
- 0.6 mi 922 ½ Main Street**
4 Units, Half studio and half 1-Bedroom
Rents average 28% lower than FMR
- 0.6 mi Central Park Manor**
1510 Main Street
109 Units, Primarily 1-Bedroom
Rents average 17% lower than FMR
- 0.7 mi Chapel View Apartments**
605 Minnetonka Mills Road
56 Units, Primarily 1-Bedroom
Rents average 33% higher than FMR

- 0.9 mi Rosewood West**
460 5th Avenue North
155 Units, Half 1-Bedroom and half 2-Bedroom
Rents average 6% lower than FMR
- 1.0 mi Trailside Apartments**
335 17th Avenue North
16 Units, Half 1-Bedroom and half 2-Bedroom
Rents average 23% lower than FMR
- 1.2 mi Golden Apartments**
529 17th Avenue North
23 Units, Primarily 1-Bedroom
Rents average 19% lower than FMR
- 1.2 mi Greenfield Apartments**
920-1030 Feltl Court
325 Units: 117 1-Bedrooms, 181 2-Bedrooms, 27 3-Bedrooms
Rents average 16% higher than FMR
- 1.3 mi Brentwood Apartments**
614-626 Robinwood Lane
80 Units, Primarily 1-Bedroom
Rents average 17% lower than FMR

SPECIAL CATAGORIES

41 8th Avenue North

13 1-Bedroom Apartments

This PRAC 811 property has a waiting list for income-based rents. Existing tenants are looking forward to the improvement, but there would be no other meaningful impact for this property.

Hopkins Village Apartments

161 Units, Primarily 1-Bedroom

64 units are project-based section 8, and 97 are Section 42 and restricted to 60% AMI. This property serves the elderly disabled population and typically has a 3% vacancy rate. Between the special population, the vacancies and the income restriction, the LRT would not make a material difference for this property.

Sonoma Apartments

20 Units, Primarily 1-Bedroom

Units are assisted with project-based section 8.

Many residents of this property are in wheelchairs, and all are disabled in some way. The property manager believed that these residents are unlikely to use the train.

The Terraces & The Towers Retirement Living

910 & 1011 Feltl Court

310 Senior Units, Studio, 1-Bedroom and 2-Bedroom Units

Leases at this building include some special services, such as an on-site nurse and a shuttle. Rents are up to three and four times FMR and are a significant outlier for the area, but the property managers stated in the interview that despite the close proximity to a proposed stop, the population of this building is very unlikely to use public transit.

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Ann Beuch
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12/11/2012 04:59 PM

To swcorridor@co.hennepin.mn.us, marisol.simon@fta.dot.gov,
Cathy Maes <director@icafoodshelf.org>
cc
bcc
Subject Southwest Transitway DEIS - Comments attached

Hello,

Please accept the attached comments in response to the Southwest Transitway DEIS.

Thank you,
Ann Beuch

--

Ann Beuch
Community Organizer
Blake Road Corridor Collaborative

Direct: 952-279-0287

12990 St. Davids Road
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December 11, 2012

To: Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415
swcorridor@co.hennepin.mn.us

cc: Marisol Simon
Regional Administrator
Region V Federal Transit Administration
200 West Adams Street Suite 320
Chicago, Illinois 60606
marisol.simon@fta.dot.gov

ICA Food Shelf is located in Minnetonka, MN and serves the communities of Hopkins, Minnetonka, Excelsior, Shorewood, Greenwood, Deephaven, and Woodland. Our clients are neighbors who find themselves struggling to make ends meet. ICA offers a food distribution program; financial assistance for rent, mortgage, and utilities; and employment assistance. Since 2008, ICA Food Shelf has been the lead agency of the Blake Road Corridor Collaborative (BRCC). This collaborative is a partnership of community and governmental organizations working to engage with residents of the Blake Road area of Hopkins to improve the quality of life in the neighborhood through projects related to increasing safety, supporting positive activities for youth, and improving neighborhood infrastructure. Over the past year, with support from a Corridors of Opportunity Outreach and Engagement grant, this work has included outreach activities around the development of the Southwest Transitway.

The Blake Road neighborhood is an Environmental Justice Community located along the Southwest Transitway. It is slated to be a station location. The corridor contains primarily medium density housing that serves low-income families. A large majority of the housing, over 80%, is rental. About 4,000 people or 2,000 households live within this area and large immigrant populations including East African, Indian, and Latino are represented. Over 40 languages are spoken in the corridor. Since the neighborhood is divided between two separate Census tracts, exact demographic characteristics are difficult to capture. However, some demographic data are known about the two elementary schools that serve many families from the neighborhood. Of the 819 students enrolled in Eisenhower Elementary, 46.5% receive free and reduced price meals. This number increases to 70.6% when not including XinXing Academy, a Chinese immersion program. At Alice Smith, 55% of the 608 students enrolled receive free and reduced price meals. Additionally, 56.7% of students at Eisenhower and 48.4% at Alice Smith are students of color. We recommend that Environmental Justice Communities along the Southwest Transitway, particularly the Blake Road neighborhood, be duly noted within the Southwest Transitway DEIS.

ICA Food Shelf supports the construction of the Southwest Transitway. The light-rail has the potential to bring numerous benefits to the area. Not only will it provide community members with greater mobility and access to a regional transit system, resulting in better access to jobs, educational and recreational opportunities, it will also provide opportunities to enhance economic development and to increase affordable housing in the area. For these reasons, ICA Food Shelf supports the project.

At the same time, there are several areas of concern to note. In the Blake Road neighborhood, over 80% of the housing is market-rate rental. While this housing had been affordable for lower-income families, rents have already been increasing due to the tight rental market, and residents are finding fewer opportunities to utilize Section 8 vouchers. There is a concern that construction of the light-rail will result in displacement of this naturally occurring affordable housing in the station area. Therefore, we recommend that construction of permanent quality affordable housing be included in station area plans.

There is also concern about increased traffic in the Blake Road area with the addition of an LRT station. Blake Road already maintains high levels of traffic, has few crosswalks and no bike lanes. This makes it difficult to cross and to walk or bike along and creates a barrier within the neighborhood. Unless addressed, the increased traffic due to the addition of the Southwest LRT stop will likely increase the difficulty of navigating the neighborhood. Therefore, we recommend that Blake Road be developed as a Complete Street - not only to ensure pedestrian, bicycle, and bus access to the station, but also to improve mobility within the neighborhood. Along with this, we recommend ensuring that the Cedar Lake LRT Regional Trail remains as is in its entirety since it provides neighborhood residents with valuable access to safe and convenient recreation and transportation.

Another related concern is the station location. Currently, the Blake Station is slated to be located on Second Street NE at the site occupied by 43 Hoops Basketball Academy. The DEIS mentions a parking facility is intended to be located at this station. For drivers to access this site from the south (the closest exit from Hwy 169), they would need to either take Jackson Avenue to Second Street NE or to turn onto Blake Road from Excelsior Boulevard and then turn left onto Second Street. Since neither Jackson Avenue nor Second Street are accustomed to as much traffic as Excelsior or Blake, neither of these options would be convenient for drivers and both would likely increase congestion in the area. It is also important to note the valuable role 43 Hoops Basketball Academy has played in the neighborhood in terms of community cohesion. With few places for community members to gather in the neighborhood, 43 Hoops has acted as a community center – partnering with the school district to offer a free summer lunch program to neighborhood families and providing meeting space for community groups. Given this important role 43 Hoops has played and given the concerns about increased traffic, we recommend that the station be located on the south side of the tracks which would allow traffic to enter the station area directly from Excelsior Boulevard. We also recommend that any parking facility added at this site be integrated with development that includes affordable housing and space for small businesses. If the station location is to remain at the current site under consideration north of the tracks, we recommend that the station development incorporates 43 Hoops so that this valuable community asset is not lost.

Along with an interest in affordable housing, community members have also expressed an interest in small business development. Although a business advisory committee has recently been established, there is a lack of involvement by small businesses along the line. We recommend engagement of small business owners and not only additional opportunities for these businesses to prepare for the impact of construction, but also opportunities to support small business development along the line.

By participating in outreach activities over the past year, we have seen the importance of building relationships with community members through one-to-one and small group meetings as well as the importance of bringing information, meetings, and events directly to neighborhood residents. We recommend that these types of activities continue in order for community members to be more fully engaged in the process, to voice concerns such as those listed above, and to create outcomes that benefit all members of the community to the greatest extent possible.

Sincerely,



Cathy Maes, Director
ICA Food Shelf

12990 St. Davids Road, Minnetonka, MN 55305



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12/14/2012 12:42 PM

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cc

bcc

Subject I really like the plan!

I like the route and the approach.

Thank you for working through these details with a disparate group of stakeholders!

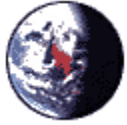


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12/17/2012 03:31 PM

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Subject Southwest Transitway DEIS response

Attached please find the response to the Southwest Transitway DEIS from a joint neighborhood task force representing three of the most heavily impacted Minneapolis neighborhoods (West Calhoun, Cedar-Isles-Dean and Kenwood) along the "Locally Preferred Alternative" 3A route of the proposed transitway, as well as the citizen-run Cedar Lake Park Association.

Thank you,

Monica Smith
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Southwest Transitway Draft Environmental Impact Statement Comments

Submitted by the joint neighborhood task force:

Sponsor- Cedar Isles Dean Neighborhood Association (CIDNA)

West Calhoun Neighborhood Council (WCNC)

Kenwood Isles Area Association (KIAA)

Cedar Lake Park Association (CLPA)

Calhoun Isles Condominium Association (CICA)

Cedar Lake Shores Townhome Association (CLSTA)

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Craig Westgate	CIDNA

Abbreviations

CIDNA	Cedar Isles Dean Neighborhood Association
CICA	Calhoun Isles Condominium Association
CLPA	Cedar Lake Park Association
CLSTA	Cedar Lake Shores Townhome Association
KIAA	Kenwood Isles Area Association
WCNC	West Calhoun Neighborhood Council

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Introduction

The joint neighborhood task force represents the residents and homeowners of the three most heavily impacted Minneapolis neighborhoods along the “Locally Preferred Alternative” 3A route of the proposed Southwest Transitway, as well as the citizen-run Cedar Lake Park Association.

We speak on behalf of the Kenilworth Corridor where vibrant bicycle and pedestrian trails pass by wooded lakes and quiet residential areas and continue on to access lively business and recreational districts. Fast, frequent rail transit in the Kenilworth Corridor will bring change to this much-loved place, and we call on Southwest Transitway designers and engineers to keep the change from degrading our area. We ask them to plan to protect and enhance our area’s vital natural and recreational resources, our existing housing stock (much of which is “smart development”), and our local businesses services.

Our primary concerns relate to noise, aesthetics, traffic, safety, and wildlife impacts. These impacts come together particularly around the following issues:

1) Freight Rail Relocation

The joint neighborhood task force welcomes the DEIS finding that freight trains currently using the Kenilworth Corridor should be relocated to accommodate light rail. Freight and light rail are not compatible in this area.

2) Southwest Transitway Intersection with Cedar Lake Parkway

In addition to being part of the Minneapolis Park and Recreation Board’s (MPRB) Historic Grand Rounds, Cedar Lake Parkway is one of only two roads that allow east-west travel for motorized vehicles between much of the Cedar Lake and Lake of the Isles areas and points west.

The DEIS proposes a bridge over the Parkway to address the problems that would be caused by frequent LRT crossings. Such a bridge, however, would create enormous vibrations, noise, and visual impacts for area residents and park and trail users, only some of which the DEIS documents. Townhomes and condominiums abut the narrowest part of the Kenilworth Corridor where the increased noise would greatly affect the residents’ quality of life. A massive elevated structure with catenary poles and wires simply does not fit with the area’s look and feel; it would violate the Minneapolis Shoreline Overlay District zoning code and damage our neighborhoods and parks. (See Appendix 1 for photos and architect’s renderings.)

While we agree that grade separation at Cedar Lake Parkway is essential to solving some of the problems caused by the introduction of light rail, an aerial overpass would create even more

problems. In November 2012, the MPRB conducted an initial examination into the feasibility of creating a tunnel or underpass for the LRT. We strongly support this approach and urge the Met Council to work closely with the MPRB through Preliminary Engineering to address this intersection. A tunnel or underpass at Cedar Lake Parkway would best meet the needs of our neighborhoods and the goals of the Southwest Transitway project.

3) Station Areas

The two proposed station areas of greatest concern in our area are the West Lake Station and the 21st Street Station. These station areas share a number of concerns, though they manifest differently since the first is in a heavily populated housing and commercial district and the second is in a low-density residential area next to a park. The DEIS documents some impacts, but is silent on others of critical importance.

The DEIS describes some of the noise and visual impacts that will occur at LRT stations; these are especially great at 21st Street where very low ambient noise level and wooded surroundings are found. These impacts must be mitigated to the satisfaction of the community. Refer to Appendix 2 - ESI Engineering Report.

LRT stations will also bring increased traffic, parking demands, and public safety pressures. Without proper planning, this will create problems for the quiet residential area around 21st Street and could be a calamity for the already saturated West Lake area. We urge the Metropolitan Council to work cooperatively with the City of Minneapolis, the MPRB, and adjacent neighborhood associations to undertake a comprehensive circulation study that includes emergency vehicle, automobile, bicycle, and pedestrian needs in the proposed West Lake Station vicinity.

4) Parks and trails

Without excellent design, the heavily used trails and parks adjacent to the proposed Southwest Transitway will be seriously impacted by noise, visual impacts, and light pollution, especially near station areas. The DEIS does not document all the impacts, and the joint neighborhood task force insists that the quality of park and trail space be protected to the greatest extent possible during construction and operation of the LRT. This includes preserving or enhancing wildlife habitat, including at such locations as Cedar Lake Park and Park Siding where mature trees and shrubs provide shelter for migrating birds.

Thank you for the opportunity to comment on the Southwest Transitway Draft Environmental Impact Statement. We look forward to a continuing relationship with the Metropolitan Council as the Southwest Transitway project advances.

Chapter 2 Alternatives Considered and Chapter 11 Evaluation of Alternatives

The DEIS considered the co-location alternative as indicated in Chapter 2, Section 2.1 Alternatives Considered and is described in detail on pg. 2-41 LRT 3A-1 (Co-location Alternative). It is concluded in the final paragraph of Chapter 11, pg. 11-11, 11.2.5 Evaluation of Alternatives that this alternative does not meet the project's purpose and need and is not a practicable alternative. It is not recommended as the environmentally preferred alternative.

The joint neighborhood task force agrees with this conclusion and offer our reasons to reject the 3A-1 Co-location Alternative. The Segment A in the 3A-1 Co-location Alternative between the West Lake Street Bridge and Cedar Lake Parkway is undesirable because of a number of factors. First, it currently has potential noise problems attributable to wheel squeal (114 db) and bell noise approaching the West Lake Station (90 db) and approaching the narrowest portion of the Kenilworth Trail. This condition would be exacerbated with the introduction of freight trains (estimated 4 to 8 per day) and LRT (on a high frequency schedule) and is not tolerable to the many residential dwellings in close proximity to the Kenilworth Trail.

In addition, reference is made to the R.L. Banks & Associates report of December 2010, which cited that there is insufficient space within the existing right of way (ROW) to accommodate both freight and LRT at grade level. In consideration of seven different scenarios reviewed in that document, one option would require acquisition of between 33 and 57 housing units and disruption of an entire townhouse community. Another option considered re-routing the Kenilworth Trail outside the Kenilworth Corridor, which eliminates a link in the commuter bicycle trail and would require the acquisition of up to 117 housing units.

It is evident from these reviews that the conclusion recorded in 11.2.5 that the 3A-1 Co-location is rejected is proper and is supported by the joint neighborhood task force.

Furthermore, the following analysis of Chapters 3, 4, and 5 of the DEIS supports freight rail relocation:

Section 3.1.3 Land Use Plans contains a Table 3.1.2 listing Hennepin County plans, including an HCRRRA Staff report on Freight Rail Relocation, August 2011, which "concludes that the most viable and therefore preferred route for freight rail is the MN&S line in St. Louis Park and that the preferred location of LRT is in the Kenilworth Corridor along with the Kenilworth Bike Trail without freight rail." Co-location is the least desirable of the two freight rail options considered for Segment A for reasons enumerated in the rest of this commentary. Table 3.1-3 lists the co-location option as incompatible with Hennepin County Transportation Systems plans. However,

the Metropolitan Council should re-open the study of other freight rail alternatives, as neither relocation nor co-location has acceptable social, environmental, or economic effects for the Southwest Transitway proposal.

Section 3.2.2.6 Community and Neighborhood Cohesion states on pg. 58 that "with the co-location alternative, the largest disruption in community cohesion would be the acquisition of 60 housing units." These are mostly in the Cedar Lake Shores Townhome Association, but also include residences to the northeast of Cedar Lake Shores Townhome Association up to the Burnham Boulevard bridge and a multi-story apartment building on Sunset Boulevard at Cedar Lake Parkway. As stated in Table 3.2-2, "The presence of freight rail in...Segment A may limit land use change to TOD [Transit Oriented Development]. The acquisition of 57 multi-family housing units for placement of the freight rail line near the West Lake Street Station will diminish TOD potential for the West Lake Street Station area and is inconsistent with local and regional plans which promote TOD including multi-family residential in proximity to LRT stations." In addition, these additions will reduce the property tax base for the City Of Minneapolis and reduce its tax revenue by over \$400,000 per year.

Section 3.3.3 Long-Term Effects shows the property acquisitions required (Table 3.3-1). Co-location will require acquisition of 72 commercial/industrial, 67 residential and 3 government properties, while freight relocation will require acquisition of 79 commercial/industrial, 11 residential and no government properties. These properties and their value have not been defined, but the impact of acquisition will be clearly more costly for co-location.

Section 3.5.4 Temporary and Long-Term Impacts compares the potential park and conservation area impacts (Table 3.5-4). Co-location will take 1.12 acres of land compared to 0.23 acres for freight re-location, which means that there will be a more significant reduction of potential and existing parkland along the Kenilworth Corridor. "Mature vegetation buffers the corridor for the length of the segment (A), screening views to/from residential areas and parklands," per Section 3.6.2.4. This provides a habitat for migratory birds and other wildlife.

Section 3.6.6 shows an example of a bridge type for a proposed overpass for the LRT at Cedar Lake Parkway. The DEIS does not describe the configuration of this intersection if freight rail and the LRT are co-located on the Kenilworth Corridor, along with bike and pedestrian trails. Not only is such a bridge in violation of the Minneapolis City Ordinance Shoreline Overlay District, for this bridge will rise 46 feet above grade including train and catenary, whereas the ordinance restrict such heights to 35 feet, but the increased width of the intersection for co-location has not been addressed in the DEIS report. The report also does not address the increased width for multiple bridges over the Cedar/Isles Channel for the co-location alternative.

Section 3.7.1 Legal and Regulatory Review states that "a distance of 50 feet has been used to assess the proximity of habitable, or dwelling, structures to the centerline of the tracks," based on other rail studies. For co-location, the closest of the freight rail or the LRT track centerline to the Calhoun Isles Condominium grain elevator tower, where the corridor is now only 62 feet wide, would only make 12 feet of the existing corridor available for tracks, assuming the acquisition and demolition of the Cedar Lake Shores Townhomes. This same safety consideration would apply to Park Siding Park, where children at play will be within 50 feet of the tracks.

Other safety considerations are covered in Section 3.7.3, including derailments. Since there is no cap on how many trains TC&W railroad can route on the corridor; a derailment of ethanol and other toxic or flammable chemicals cars when LRT trains are running side-by-side on co-located freight and LRT tracks becomes ever more hazardous to the neighboring community as well as to passengers on the LRT. The increase in the use of biofuels mandated by the federal government is likely to add to ethanol car traffic on the corridor and increase the risk of fatalities, fires, spills, and safety of adjacent neighborhoods.

The DEIS fails to analyze the effect of co-location on station design and costs, station safety, or station access at Wooddale, Belt Line, West Lake, W. 21st., or Penn Avenue. This needs to be addressed before a Met Council decision on relocation vs. co-location is made.

Section 4.3.2.4 Migratory Birds. This section states that the Minnesota Ornithologists Union's checklist for Hennepin County contains 353 species. Many of these species are evident seasonally along the Kenilworth Corridor, and would be more heavily affected by co-location of freight rail and the LRT than with relocation of freight. The Hennepin County Park list published by the United States Geological Survey of United States Bird Checklists contains 280 bird species observed within the Park Reserve since 1968. The habitat codes shown for designation "S" (shrubs, small trees-fencerows, forest edges, overgrown fields) during the spring season show 16 species that are abundant or common in all the Hennepin County Parks. These species exist within the Chain of Lakes corridor and constitute a rich natural entity that merits preservation in this environment.

Section 4.6 Air Quality. This section fails to deal with the increase in air toxics that will result from increased traffic congestion in and around the West Lake Station, where traffic is already at saturation with 39,500 vehicles daily on the W. Lake St./Excelsior Boulevard corridor. Increased vehicle traffic to the West Lake Station from Uptown, Linden Hills, and Edina, and increased vehicle idling will add to air pollution around the station.

Section 4.7 Noise. This section does not deal with the simultaneous passage of freight and LRT trains for the co-location alternative. Sound exposure due to adding light rail vehicle warning

horns (99dBA) and light rail vehicle curve squeal (114dBA) needs to be estimated for simultaneous passage.

Section 4.8 Vibration. The cumulative vibrational impacts for the simultaneous passage of freight trains and the LRT under the co-location alternative has not been assessed and needs to be.

Chapter 5 Economic Effects cites the total cost comparison of Routes 3A (with relocated freight) and 3A (with co-located freight and LRT); the first alternative will have capital costs of \$1.295 billion vs. \$1.289 billion for the co-location alternative, a minimal \$6 million difference.

Chapter 3 Social Effects

Page 3-16

3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)]

In addition to the specified zoning districts for individual parcels or areas, Minneapolis has adopted several overlay zoning districts in which Segment A would be located. Northwest of Lake Calhoun and between Cedar Lake and Lake of the Isles the city has established the Shoreland Overlay District that specifies development guidelines within a half-mile radius around each of these lakes. Although the ordinance does not prohibit transportation uses or facilities, it does specify guidelines for controlling both point source and non-point source pollutant discharge within the Shoreland Overlay District.

Comment: *Excelsior Blvd/West Lake Street/Dean Parkway/West Calhoun Parkway is the highest traveled highway corridor in Hennepin County with counts of 39,500 cars. Run-off would potentially increase in this vicinity. Further in-depth environmental analysis is required for projected future use of this confluence within the half-mile radius of the West Lake Station.*

Page 3-17

3.1.2.5

In addition to the general zoning districts established adjacent to Segment C-1, zoning overlay districts have been established for specified regions. East of the West Lake Station, an alignment following Segment C-1 would cross through a Pedestrian Overlay District (PO) established by the City of Minneapolis for the Uptown region.

Comment: *A Pedestrian Overlay District is needed to connect station users to the Historic Grand Rounds at Lake Calhoun to promote street level activity by creating a pleasant and unique pedestrian environment.*

Page 3-20

3.1.3 Land Use Plans

Table 3.1-2 Summary of Local and Regional Comprehensive Plans and Studies

Plans and Studies	Available at Project Website	Date adopted	Summary
METROPOLITAN COUNCIL			
Metropolitan Council 2030 Regional Development Framework	http://www.metrocouncil.org/planning/framework/documents.htm	2004 2006 2012	Addresses regional growth in transportation, housing, and employment. Identifies Southwest Transitway as LPA.

Comment: *The joint neighborhood task force feels strongly that Southwest Transitway plans need to work in harmony with the Regional Development Framework and other local planning documents. For example, see excerpt below from Appendix H-1 (pg. 7), which cites Land Use Plans, The Metropolitan Council Plans and Studies, 2030 Regional Development Framework (RDF) adopted in 2004:*

Appendix H-1, Page 7

The RDF addresses four primary policies:

1. Working with local communities to accommodate growth in a flexible, connected, and efficient manner;
2. Planning and investing in multi-modal transportation choices, based on the full range of costs and benefits, to slow the growth of congestion and serve the region's economic needs.
3. Encouraging expanded choices in housing location and types, and improved access to jobs and opportunities; and
4. Working with local and regional partners to reclaim, conserve, protect, and enhance the region's vital natural resources."

Page 3-33

3.1.5.1 Effects to Land Use and Socioeconomics

Accessibility is an important consideration when making development decisions for various types of land use, including residential, office and retail commercial, health and community services, and recreation facilities. Improved accessibility will help the study area become more attractive to business and residential development opportunities, especially when linking major employment centers with rapid transit.

Comment: *Due to existing parking saturation in the West Lake Station area, we expect that parking will be mitigated in order to accommodate the addition of projected transit riders who will drive to the station in order to board the LRT.*

People on foot must have ready and safe circulation in and around Calhoun Village, Calhoun Commons, Market Plaza, and the West Lake Station.

Page 3-34

Segment A

In Minneapolis, land use changes are anticipated along each of the planning segments. Residential land uses surrounding the Segment A alignment are mainly low- to medium-density, single-family detached housing near Cedar Lake and Lake of the Isles. [...] Implementation of LRT service and stations along the Segment A alignment would likely result in some land use changes surrounding the stations, particularly north of the lakes where tracts of undeveloped land are being considered for development.

Comment: *While we support consideration of redevelopment within the Basset Creek Valley area, the respondents express concern that existing park, trail, and open green space in the Kenilworth Corridor between Lake Street and I-394 be preserved to the greatest extent possible. The existing land use represents an important neighborhood, city, and regional amenity. The City of Minneapolis' Resolution 2010R-008 by Minneapolis City Council Member, Sandy Colvin*

Roy, titled “Supporting the Southwest Transitway Locally Preferred Alternative” reflects this priority:

“Be It Further Resolved that the current environmental quality, natural conditions, wildlife, urban forest, and the walking and biking paths be preserved and protected during construction and operation of the proposed Southwest LRT line.

Be It Further Resolved that any negative impacts to the parks and park-like surrounding areas resulting from the Southwest LRT line are minimized and that access to Cedar Lake Park, Cedar Lake Regional Trail, Kenilworth Trail and the Midtown Greenway is retained.”

Zoning in the area should remain R1 and R2, with the exception of the R4 and R5 areas south of Cedar Lake Parkway, and Shoreland Overlay District restrictions should be respected.

Page 3-38

3.1.7 Mitigation

Short-term construction effects can be mitigated by using standard construction best management practices (BMPs) such as the use of construction staging, dust and erosion control, proper mufflers on equipment, restricted construction times, optimum traffic re-routing measures, minimization of lane, sidewalk, or trail closures during construction, and maintenance and timely removal of temporary traffic control devices. Although specific plans for maintaining access and construction BMPs are not yet established, it is expected that a BMP construction plan will be developed prior to construction. This plan will specify construction staging and treatments to minimize impacts. The BMPs could include working with residents and merchants to provide alternative access to their neighborhoods, properties, and businesses, providing advance notice of construction plans and phasing, maintaining access to bus stops and school routes, and alerting the public to road, sidewalk, and trail closures and detour routes. [...] Businesses and residences may experience difficulties with accessibility at certain times of day during the construction of the project, and minor detours for through traffic might be required. In general, these effects will not change the land use of the area during construction, but may affect the number of people using area businesses directly affected by access or construction traffic issues.

Comment: *Due to the particularly challenging proposed location of the West Lake Station, mitigation during construction to the business area and adjacent residential properties is needed.*

Pages 3-49

3.2.2.1 Neighborhoods

Minneapolis

Each Build Alternative would operate through several geographically defined neighborhoods in the City of Minneapolis.

Comment: *While the proposed LRT 3A (LPA) route would travel through the defined boundaries of nine Minneapolis neighborhoods, it will have the greatest impact on Kenwood, CIDNA, and*

West Calhoun due to the geography and existing land use of the area. The Kenilworth Trail and Cedar Lake Park – vital local and regional amenities – are both part of the Kenwood neighborhood, with the Kenilworth Trail continuing through CIDNA and West Calhoun.

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West Calhoun: The West Calhoun neighborhood sits between Minneapolis' border with St. Louis Park and Lake Calhoun. The neighborhood is principally residential, although the commercial region of West Lake Street has developed into a thriving shopping area. The Grand Rounds Scenic Byway, encircling Lake Calhoun, is a heavily used parkway road system that includes the off-street trails of a portion of the Minneapolis Chain of Lakes Regional Park. In addition to Lake Calhoun and the interim use trails and park space, the neighborhood is also home to the Bakken Museum and the Minikahda Club golf course.

Comment: *The Calhoun Commons business area is newly developed. There is concern about the curb cut onto Market Plaza, which slows traffic flow. Increased traffic at the West Lake Station could exacerbate the situation. A traffic study in this area is required.*

In building Calhoun Commons, the street was vacated and is now private parking. In-depth study of access routes to the station is needed, including the feasibility of reopening the vacated street.

The Fire Station at Market Plaza will be impacted by its proximity to the West Lake Station. We request a Fire Department analysis of accessibility at Market Plaza.

The West Lake Station will serve as the gateway to the City of Minneapolis and the Grand Rounds and the Chain of Lakes. User counts on the Chain of Lakes are the second highest in the state of Minnesota; the count is 1.3 million at Lake Calhoun. Further in-depth analysis of traffic flow and linkages to and from these two assets and the station is required. Safety and connections should be enhanced. Most recent data shows the daily traffic count on Lake Street to be 39,500 cars.

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3.2.2.6 Neighborhoods and Community Cohesion

Segment A [LRT1A and LRT 3A (LPA)] and Freight Rail Relocation

However, the operation of LRT service along Segment A is not anticipated to adversely affect community cohesion because Segment A is currently bisected by a freight rail line and adding LRT service does not alter the existing barrier. [...] The operation of LRT service along Segment A is not anticipated to adversely affect community cohesion.

Comment: *The infrequency and slow speeds of the current freight trains means tracks are easily crossed, as evidenced by the many informal pathways across the tracks that provide access from residences to parks, trails, and retail stores. LRT, on the other hand, would run every 7.5 minutes in each direction at high speeds. This change clearly alters the existing linkages within and among neighborhoods. Also, the Kenilworth Trail now functions as a community connector where neighbors meet in a recreational context. So while the joint neighborhood task force*

agrees that new transit services and linkages would become available to neighborhood residents, we disagree that there would be no impact on community cohesion. We urge Southwest Transitway designers to consider a full range of measures, in consultation with the community, to mitigate this impact.

At the West Lake Station, there is high-density residential housing adjacent to the proposed line. Casual walking connections need attention to safety measurements for pedestrians on either side of the tracks and enhanced connections to new or existing service, activity centers, or social amenities (parks and open spaces) in the study area. Barriers should not impede safe pedestrian circulation.

Page 3-64

3.2.2.8 Community Facilities and Resources: Places of Worship, Schools, and Public Housing

Summary of Potential Impacts to Community Facilities by Build Alternative

The study area contains several community facilities and neighborhood amenities that provide public services (see Summary Table of Potential Impacts). These facilities include law enforcement, fire stations, public health, education, recreation, libraries, post offices, community facilities, and religious institutions. Implementation of any of the Build Alternatives considered would improve access to community facilities and resources, places of worship, schools, and public housing in the study area.

Comment: *We request more information about the access to the Fire Station at Market Plaza. Further in-depth analysis is required to evaluate the impact of West Lake Station on the response time to emergencies. In addition, the effects of increased traffic on Excelsior at the Fire Station ambulance entrance needs to be studied.*

Page 3-66

3.2.5 Summary

Table 3.2-2. Summary of Neighborhood, Community Services, and Community Cohesion Impacts by Build Alternative

Environmental Metric	Build Alternative				
	LRT 1A	LRT 3A (LPA)	LRT 3A-1 (Co-location)	LRT 3C-1 (Nicollet Mall)	LRT 3C-2 (11th/12th Street)
Connections or movement between land uses maintained	Yes	Yes	Yes	Yes	Yes
Neighborhood character maintained	Yes: Segment 4 follows HCRRA ROW. No: Segment 1 High intensity, high density station areas and park-and-ride lots in residential areas of Segment 1 could change character.	Yes: Segment 3 is mostly commercial and industrial. Yes: Segment 4 follows HCRRA ROW. No: Segment A May have aesthetic and traffic impacts in historic areas.	Yes: Segment 3 is mostly commercial and industrial. Yes: Segment 4 follows HCRRA ROW. No: Segment A May have aesthetic and traffic impacts in historic areas.	Yes: Segment 3 is mostly commercial and industrial. Yes: Segment 4 follows HCRRA ROW. Yes: Segment C: High density land uses are compatible along this segment.	Yes: Segment 3 is mostly commercial and industrial. Yes: Segment 4 follows HCRRA ROW. Yes: Segment C: High density land uses are compatible along this segment.

Comment: Mitigation for the aesthetic and traffic impacts in the historic area is needed.

In Table 3.2.2., we disagree with the conclusions of both environmental metrics as they affect Segment A. The table asserts that connections or movement between land uses will be maintained. The table also indicates that neighborhood character will be maintained, with the exception of some aesthetic and traffic impacts to historic areas. It strains belief that such unremarkable outcomes are possible when two tracks of LRT will travel through this corridor at, roughly, 7.5 minute intervals, permanently severing communities on either side of the corridor. This is not the case today, as the freight trains are few and infrequent.

Not only will the neighborhood character be impacted by sheer number and frequency of trains, but Segment A should also be given extremely high consideration for mitigation of noise. The section of LRT between West Lake Station and 21st Street Station has 87.5% of the total properties severely impacted by noise on the entire LRT line.

These are but two of the destructive impacts to this residential area that leads the joint neighborhood task force to suggest tunneling as the only means of mitigation in Segment A.

Page 3-70

3.3.3.3 Build Alternatives

LRT 1A has would require the least number of parcels of all of the Build Alternatives. LRT 3A would require almost twice the number of parcels LRT 1A. LRT 3A-1 (co-location alternative) would require almost three times the number of parcels as LRT 1A.

Comment: The joint neighborhood task force requests that the 79 individual commercial and 11 residential properties proposed for acquisition be identified. The joint neighborhood task force opposes the taking of Cedar Shores Townhomes and other Minneapolis residences for the co-location alternative.

Page 3-79

3.4.5.3 Build Alternatives

Segment 4 [LRT 1A, LRT 3A (LPA), LRT 3A-1 (Co-location), LRT 3C-1(Nicollet Mall), and LRT 3C-2 (11th/12th Street)]

Other potential effects to historic properties in Segment 4 relate to station area development in the Hopkins, Wooddale, and West Lake Station areas, access issues, and potential vibration issues.

[...]

Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (Co-location)]

Architectural properties in Segment A which are listed in or eligible for the National Register include seven individual properties and five historic districts. The segment also includes three individual architectural properties and one historic district which are under evaluation for eligibility. [...]

Potential long-term effects may occur at the following properties:

- Cedar Lake Parkway, Grand Rounds (potential effects of the changes to the intersection of the LRT corridor with the historic parkway, including the LRT overpass bridge, and, under the co-location alternative, the effects of widening the trail/rail corridor; these changes may affect the parkway itself and may alter its setting)

- Kenilworth Lagoon/ Channel, Grand Rounds (potential effects of the construction of new bridge structures within the historic district; the design and footprint of these structures may affect the banks of the historic channel and may affect the district's overall feeling and setting)

Other potential effects to historic properties in Segment A relate to station area development in the West Lake, 21st Street, Penn, and Van White Station areas, traffic issues and potential noise and vibration issues.

Comment: Kenwood Isles Area Association looks to participating as a consulting party to the Section 106 Review process. We urge Southwest Transitway designers and engineers to adopt the highest design standards to protect our local, regional, and national cultural assets including, but not limited to, Cedar Lake Parkway and the Historic Grand Rounds. We expect that these critical urban resources will be honored and preserved for future generations.

Page 3-85

3.5.3 Existing Conditions

Public parks, conservation areas, and recreation areas are owned and maintained by the municipalities in which they are located. In the City of Minneapolis, these properties are owned and maintained by the independent Minneapolis Park and Recreation Board.

and

Pages 3-91 and 3-92

Section of Table 3.5-1. Public Parks, Recreation Areas, and Conservation areas within the Study Area by Segment

Park Name	Jurisdiction or Ownership	Segment	Park Resources
Lake of the Isles segment of the Minneapolis Chain of Lakes Regional Park	Minneapolis Park and Recreation Board	A and C	Lake with 2.86 miles of shoreline, bike path, display fountain, fishing dock, hockey rink, ice rink, , soccer field, walking path, wells, off-leash recreation area
Kenwood Parkway	Minneapolis Park and Recreation Board	A	Parkway, open space
Bryn Mawr Park	Minneapolis Park and Recreation Board	A	50.84-acre park; 2 baseball fields, biking path, 2 broomball rinks, cricket field, ice rink, 10-table picnic area, restroom facilities, soccer field, 11 softball fields, sports facility, tennis court, tot lot/playground, wading pool, and walking path
Dean Parkway segment of the Minneapolis Chain of Lakes Regional Park	Minneapolis Park and Recreation Board	C	Parkway with 17.5 acres of parkland, 0.6 mile of bicycle and walking paths
Lake Calhoun Parkway segment of the Minneapolis Chain of Lakes Regional Park	Minneapolis Park and Recreation Board	C	Parkway; scenic drive that circles Lake Calhoun; beach, boat dock, eatery/concessions, fishing dock, picnic area, restroom facilities, soccer field, walking path
Lake Calhoun segment of the Minneapolis Chain of Lakes Regional Park	Minneapolis Park and Recreation Board	C	3.2-mile bike/skate path, 3.1-mile walking path, three supervised beaches, archery, boat dock, eatery/concessions, fishing dock, parkway, picnic area, restroom facilities, soccer field, softball field, volleyball court, wells

Comment: Note these are all a part of the Historic Grand Rounds National Scenic Byway. These elements of the Historic Grand Rounds need to be taken into consideration when designing the Southwest Transitway and related adverse impacts.

Pages 3-94 and 3-95

Segment A [LRT 1A and, LRT 3A (LPA)]

Temporary direct impacts

The conceptual engineering completed for the project identifies approximately 0.016 acre of potential temporary impact to land from Park Siding for grading associated with future trail reconstruction. However, this is not directly associated with the project, as HCRRA would not conduct the grading unless requested to do so by the Minneapolis Park and Recreation Board (MPRB) to allow the reconstruction of the interim use trail. Completion of the trail would be conducted by MPRB or others. Should MPRB choose not to accept HCRRA's offer of grading for trail reconstruction, there would be no impact to Park Siding.

Comment: The joint neighborhood task force expects bicycling and pedestrian trails to remain open during construction to the largest degree possible.

Page 3-104

3.6.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)]

Segment A is located on existing rail ROW owned by HCRRA that is currently used as a pedestrian and bike trail and parallels existing freight lines (Photo 3.6-4). The corridor travels through the Cedar-Isles-Dean and Kenwood neighborhoods, the Minnesota Chain of Lakes Regional Park, and travels between a pair of lakes (Cedar Lake and Lake of the Isles) in Minneapolis. Land uses adjacent to the segment between West Lake Street and I-394 include transportation uses for freight, parkland, and single- and multi-family residential land uses.

Comment: Please note the heavy use of bicycle and pedestrian trails along the Kenilworth Corridor. According to information provided to the Minneapolis Park and Recreation Board's Community Advisory Committee, the Kenilworth Trail received 617,000 visits in 2009 and use has only grown since then. The Regional Park Visitor Survey 2008 indicates that 63% of these visits were non-local, meaning that more than six out of ten users came from outside Minneapolis.

Page 3-104

3.6.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)]

[...]

Mature vegetation buffers the corridor for the length of the segment, screening views to/from residential areas and parklands. Mature vegetation exists between the parkland north of I-394 and the segment. The majority of the vegetation located along the segment is deciduous, so screening is diminished during seasonal leaf-off conditions. Freight trains of varying lengths travel in the corridor during the daytime and at night.

Comment: Current freight trains are infrequent and very rarely run at night.

Page 3-115

3.6.3.3 Build Alternatives

Segment 4 [LRT 3A-1 (Co-location alternative)]

[...] Visual impacts on sensitive receptors located in the multi-family residential development areas on both sides of the corridor as it approaches the West Lake Station would generally not be substantial because of mature vegetation buffers and the presence of an existing freight rail corridor where the LRT, freight rail, and trail would be co-located.

Seven at-grade center-track platforms are proposed for each station in the segment, but no sensitive receptors (in addition to the trail users aforementioned) are located adjacent to the station sites; therefore no visual impacts are anticipated except at West Lake Station, where sensitive receptors in a multi-family residential tower would have views from upper floors to the station. However visual impacts would not be substantial because the proposed station would fit the current urban context.

***Comment:** In paragraph two above, visual impacts to residents in West Lake Station multi-family residential towers are noted but considered as not substantial because this is a built urban environment and the proposed station would fit the current urban context. Respondents disagree on this point; there is no current equivalent to the visual impact of two tracks of light rail passing through this area every 7.5 minutes. Significant engineering and landscape design is required to mitigate the sizable visual impacts.*

Page 3-115

Segment A [LRT 1A and LRT 3A (LPA)]

The project elements in Segment A corridor would be located on HCRRA property. Although the segment is located in an existing transportation corridor (Kenilworth Regional Trail), the project would introduce new visual elements—the fixed guideway, including track, catenary poles, and wires—into the area. Catenary poles and wires could have substantial visual impacts on trail users who would share the corridor with the fixed guideway.

Visual impacts on sensitive receptors located at single-family and multi-family parcels throughout the corridor would generally not be substantial because of mature vegetation buffers and the presence of an existing freight rail corridor. Visual impacts may be substantial where the alignment is not screened by vegetation. Visual intrusion and privacy impacts of the project elements on the sensitive receptors may be substantial where views from the alignment into previously private spaces are created. Visual intrusion and privacy impacts on the outdoor living areas of residential properties could be substantial where vegetation or landscape buffers do not exist.

***Comment:** The joint neighborhood task force agrees that there will be substantial visual effects on trail users and residences not screened by well-designed landscape and hardscape elements, including land berms and evergreens. We agree that privacy impacts to indoor and outdoor living areas of residential properties will also be significant without excellent landscape design. We urge project engineers to employ the highest standards of creativity and design as they attempt to preserve the quality of this vital urban green space.*

Page 115, cont. (Cedar Lake Parkway)

The proposed alignment is on a bridge over Cedar Lake Parkway. Visual impacts on sensitive receptors adjacent to the corridor in the multi-family residential parcel and Cedar Lake Parkway could be substantial. Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment where it is bridged structure could be substantial.

Comment: *The joint neighborhood task force agrees that a bridge over Cedar Lake Parkway clearly would have substantial visual impacts on residences from Lake Street to the Kenilworth Channel. (See Appendix 1.) It would also have substantial impacts on users of the Historic Grand Rounds (drivers, bicyclists, pedestrians), as well as Cedar Lake Park and beach users, a fact not mentioned in the present study. Such a bridge is also likely to violate the Shoreland Overlay District zoning requirements, which state:*

“Except for structures subject to a more restrictive maximum height limitation in the primary zoning district, the maximum height of all structures within the SH Overlay District, except for single and two-family dwellings, shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less.”

Source: Minneapolis, Minnesota, Code of Ordinances; Title 20 – Zoning code; Chapter 551. – Overlay Districts; Article VI. – SH Shoreland Overlay District

We do not see any evidence in the present study that the feasibility of trenching, tunneling, or depressing the LRT below Cedar Lake Parkway was examined. We strongly request that a thoughtful and serious study of these options be undertaken, since a bridge would have such grave quality of life impacts on area residents and users, and an at-grade crossing is likely to have significant traffic and safety impacts. KIAA also looks forward to participating as a consulting party during Section 106 consultation.

Page 3-116

A BNSF flyover bridge proposed in the conceptual engineering plans would not have impacts on any sensitive receptors.

Comment: *The joint neighborhood task force requests information about this proposed fly-over bridge. The text on page 3-116 does not make clear what and where this would be.*

Page 3-117

Four at-grade center-track platforms are proposed for each station in the segment. No sensitive receptors, with the exception of the aforementioned trail users, are located adjacent to the station sites; therefore no additional visual impacts are anticipated.

Comment: *The present study indicates substantial visual effects on trail users, residential areas, and recreational users. The joint neighborhood task force agrees that this will be the case. It is also clear that the station area will also substantially affect residences near the proposed 21st Street station.*

Page 3-123

3.6.5.3 Build Alternatives

The need for additional landscaping to mitigate potential visual intrusion/privacy impacts following clearing and grubbing activities during construction will be addressed in the Final EIS. Station design and aesthetics will be addressed during Preliminary Engineering and Final Design. Mitigation treatments for visual impacts would be developed during the Final Design process through discussion with affected communities, resource agencies, and stakeholders. Measures would be taken to ensure the design and construction of the Build Alternative considers the context of the corridor and that sensitive receptors receive adequate mitigation. Possible mitigation measures could include:

- Landscaping vegetation such as shrubs and bushes to supplement existing vegetation buffers
- Evergreen vegetation screening to supplement deciduous vegetation buffers in leaf-off conditions
- Fencing
- Tunneling

***Comment:** Appreciating the present study's approach that mitigation treatments would be developed through discussion with affected communities, the joint neighborhood task force requests definition of "measures [that] would be taken to ensure that the design and construction of the Build Alternative considers the context of the corridor and that sensitive receptors receive adequate mitigation." We assume that consideration of placement and screening/mitigation of Traction Power Substations would also be done in cooperation with affected communities and stakeholders.*

Page 3-125

3.6.6 Summary

LRT 3A (LPA) would have the second highest effects on visual quality in the project area because of substantial impacts on sensitive receptors located on trails, which are present in three (4, A, and FRR) of the alignment's segments. Further, LRT 3A (LPA) would have possibly substantial effects on the visual quality of one of its three segments, which includes sensitive receptors in residential land uses adjacent to the segment (A) where the alignment is on a bridge.

***Comment:** We agree that LRT 3A will have huge visual quality impacts to the Segments 4, A, and FRR area. In particular, the visual impacts of the proposed aerial bridge at Cedar Lake Parkway will impact not only residents but also all users of the Historic Grand Rounds.*

Page 3-128

3.7.1.1 Light Rail Transit

Safety and security aspects of the Southwest Transitway would be developed in accordance with the Metropolitan Council's policies and procedures. At this time, specific safety and security policies and procedures have not been developed for the Southwest Transitway; policies, procedures, and any mitigation measures required for safety and security will be specified at an appropriate level of detail in the Final EIS.

***Comment:** The adjacent neighborhoods will be stakeholders in the development of Southwest Transitway Safety and Security Policies.*

Page 3-129

3.7.2 Existing Conditions

Public safety and security within the study area is provided by the police departments, fire departments and emergency response units of the cities of Eden Prairie, Minnetonka, Hopkins, St. Louis Park, and Minneapolis. Emergency medical services are located in each city.

Comment: Please note that the Minneapolis Park Police also provide service within Minneapolis. The joint neighborhood task force requests that the MPRB Police be consulted on security issues related to the impact of a proposed station at 21st Street on Cedar Beach East (Hidden Beach). In the summer 2012, Hidden Beach generated more police actions than any other park in the MPRB system. For the last several years, KIAA has provided supplementary funding to the Park Police to allow for increased patrols in this area. The neighborhood has expressed concerns that an inadequately managed station would increase opportunities for illegal behavior.

Page 3-129, cont.

Primary safety concerns associated with the freight rail relocation segment of the proposed project, as expressed by the community, are derailments, chemical spills, the accessibility and safety of pedestrians (particularly near schools), and vehicular and traffic safety at grade crossings. These issues are addressed in the discussion below.

Comment: Please note that residents of the co-location corridor option have no less concern about issues such as derailments, chemical spills, pedestrian and bicyclist safety, and traffic safety.

Page 3-131

3.7.3.3 Build Alternatives

The project would be designed in a manner that would not compromise the access to buildings, neighborhoods, or roadways, and would not compromise access to the transitway in the event of an emergency.

Comment: Please note that operation of LRT 3A could hamper access by emergency service providers to Cedar Lake Park, Cedar Beach East (Hidden Beach), and residences in the 2000 block of Upton Avenue South. The current difficulty of access was illustrated in October 2012 when firefighters tried to access a grass fire burning in Cedar Lake Park. A freight train approached as they carried their hoses across the rails into the woods, which caused them to have to retreat. The joint neighborhood task force requests that the Minneapolis Fire Department and emergency medical responders be consulted in development of safety and security plans in our area. Furthermore, the adequacy of existing hydrants and other emergency infrastructure needs to be examined.

Chapter 4 Environmental Effects

General comment: *Presently, the LPA corridor from the West Lake Station to I 394 is a high quality residential area with many parklands that are low noise, vibration and light, and with abundant native plants including ongoing community restoration efforts such as 40+ acres of native prairie within or adjacent to the proposed rails and station. There is abundant wildlife and dark night skies. More detailed analysis of multiple variables is necessary to determine mitigation options to preserve, even enhance, the status quo.*

General comment: *There is no examination and discussion in this DEIS about the impact of LRT light on the corridor between the West Lake Station and the Intermodal Station. There is nothing about train light, corridor light, quantitative measurements, impacts on presently dark areas of neighborhoods and parklands. There is nothing about light scatter, color, distortion, or pollution. There is nothing about the effects of new constant and intermittent light sources on animals and people. More in-depth analysis is necessary to determine mitigation.*

Page 4-13, 4-41

Segment A (Figure 4.1-11): Concern exists for the areas near Lake Calhoun, the channel between Cedar Lake and Lake of the Isles, and the low areas beginning near the 21st Street station and extending through the areas near the Penn and Van White stations to I-94.

Comment: *The joint neighborhood task force expects groundwater resources, wetlands, and public waters to be protected during construction and operation of the Southwest Transitway. The Southwest Transitway project needs to conduct more detailed analysis before beginning construction and report its findings to the public.*

Page 4-55

4.3-2 Summary Table

Removes riparian habitat and unique or sensitive areas: LPA states: Least amount of impact on native habitats; already fragmented non-native habitats would be further fragmented.

Affects migratory birds: LPA states: Lack of quality habitat – no impact

Comment: *The Minneapolis Chain of Lakes, including the LRT area south of Cedar Lake and north to I-394 is a designated Important Bird Area (IBA). See <http://mn.audubon.org/important-bird-areas-3>*

All along the Kenilworth Trail, there are a large number of evergreens plants (estimated 15 to 29 ft. high) and mature trees (30 to 40 feet high). This area is a stop-over for birds during the spring and fall migration periods. Preservation of existing trees and shrubs or replacement with substitutes of equivalent type and height should be part of the mitigation plan.

For more detail on the flora and fauna within the LRT area, including other threatened species, descriptives of the variety of ecosystems contained within the LRT area, see:
http://mn.audubon.org/sites/default/files/documents/minneapolis_chain_of_lakes_theowirth_park_iba_nomination_form_biotics_version_0.pdf

More detailed analysis is needed for the EIS in this area.

Page 4-53

4.3.5 Mitigation

Impacts to regulated resources, such as wetlands, threatened and endangered species, and water resources/water quality, would be mitigated in accordance with the appropriate permits as discussed in other sections of this Draft EIS. This mitigation would also benefit biota and habitat.

Increased habitat fragmentation could be expected from the construction of required safety/security barriers to separate the light rail tracks from adjacent bicycle/pedestrian trails and freight rail lines. This fragmentation could be mitigated through the use of wildlife underpasses and modified bridges over water features that would allow for the movement of terrestrial species beneath the bridge.

Comment: *More detailed analysis is necessary to determine species present, movement patterns, and mitigation options.*

Page 4-59

4.4.4 Long-Term Effects

Following is an analysis of potential long term effects to federal- and state-listed threatened, endangered, and special concern species that have been documented within 1 mile of the Build Alternatives

Comment: *This analysis is shallow, incomplete, inconclusive, and dated. More detailed analysis is necessary.*

Page 4-75

4.6.4 Long Term Effects

Queuing of vehicles when freight trains block at-grade crossings would be similar with or without the Freight Rail Relocation Segment and would not adversely affect air quality. Therefore, detailed air quality modeling using available traffic model data has not been completed at this time. The long-term effects presented in this section provide a general understanding of potential changes to traffic patterns, and a general expectation that air quality will generally improve as applicable mobile source regulations require and technology allows.

Comment: *Freight rail passes through the corridor with approximately 2-8 trains per day (varies by season). The Southwest Transitway, at 260 trains per day, will cause increased traffic backup and idling at Cedar Lake Pkwy. The joint neighborhood task force strongly favors grade separation at this crossing.*

Page 4-75

4.6.4 Long Term Effects

The traffic analysis completed for this Draft EIS indicates that several intersections are anticipated to degrade to LOS D, E, or F as a result of at-grade crossings... LRT stations, specifically those with park and ride, will cause localized increases in traffic along adjacent roadways.

***Comments:** Studies have not been conducted about future traffic patterns on the already saturated streets surrounding the proposed West Lake Station. Presence of small businesses in the area as well as visitors who have a destination of Calhoun Lake Parkway and other park and trail facilities contribute to current traffic congestion and overload within the half-mile radius of the proposed West Lake Station. Please refer to the Capstone Project (online at <http://pwp.org/lake-st-excelsior-blvd/>) that discusses traffic and trail usage in Minneapolis. Currently, automobile traffic is frequently gridlocked in the area surrounding the proposed West Lake Station. It is expected that the West Lake Station will attract additional automobile use in this area.*

No degree of degradation of the air quality should occur in this already saturated area as a result of the West Lake Station. We request additional study of the current traffic flow and projected traffic flow increase related to LRT use.

The 21st St. Station will also cause localized increases in traffic along residential streets in Kenwood and needs further analysis.

Page 4-76 through Page 4-77

4.7.1 Methodology

Airborne noise effects associated with the proposed Southwest Transitway Project were evaluated using the FTA's Detailed Noise Assessment methods (FTA 2006). The methodology included identifying noise-sensitive land uses, measuring existing outdoor noise levels in the project area, using the existing noise levels to identify noise impact thresholds, calculating project-related outdoor noise levels, and determining if project-related noise levels exceed FTA noise impact thresholds. FTA noise impact thresholds vary depending on land use and existing noise exposure. Two types of noise impacts are included in the FTA criteria. The type of impact affects whether noise mitigation is implemented.

- Severe Impact. A significant percentage of people are highly annoyed by noise in this range. Noise mitigation would normally be specified for severe impact areas unless it is not feasible or reasonable (unless there is no practical method of mitigating the impact).
- Moderate Impact. In this range, other project-specific factors are considered to determine the magnitude of the impact and the need for mitigation. Other factors include the predicted increase over existing noise levels, the types and number of noise-sensitive land uses affected, existing outdoor-indoor sound insulation, and the cost-effectiveness of mitigating noise to more acceptable levels. Refer to Appendix H for details on the noise impact criteria.

***Comment:** Noise at high frequency and high decibel levels like wheel squeal and low frequency like train movement sway and rumble are not included in Table 1 (pg. 4-78). Noise monitoring locations listed in the table on pg. 4-82 do not include study of noise levels at elevations higher*

than the ground. Residents in high-rise condos near the proposed LRT report that noise at the ground level is amplified at higher levels. Sound travels in buildings and the frequency is changed and becomes more audible. Noise monitoring locations should include higher elevations so that appropriate mitigation can be implemented.

Noise monitoring at locations 30 and 31 (see pg. 4-82, Figure 4.7-1) is inadequate due to the complexity of our neighborhoods, especially at the narrowest point of the corridor.

Refer to Appendix 2 - ESI Engineering Report for further noise impact analysis.

Page 4-83

Figure 4.7-2 Noise Sensitive Land Use

Comment: *Cedar Lake Parklands, directly adjacent to the LRT, have no noise-sensitive land use category. Presently, the Cedar Lake Parklands have low noise, and are prized for the quiet natural experience. More study is necessary to determine what noise levels are acceptable to maintain a high quality natural experience, and to determine what engineering solutions are necessary in the corridor to mitigate the impact of the increased noise on a 24-hour basis. More sound study locations are necessary to acquire a better understanding.*

Page 4-84

Table 4.7-2. Sound Exposure Levels used in the Noise Analysis

Comment: *Operational assumptions include number of trips/day, speed, vehicle bells, horns, stationary bells but does not mention the long-term effect of frequency of the noise levels from, for example, high frequency wheel squeal and low frequency train rumble from train sway. When the Southwest Transitway is operational, the sound will increase from approximately one locomotive train per 8 hours to approximately 250 LRT trains per day. A final analysis of the long-term effects should include recognition and study of the effects of noise exposure from over 250 trains per day. This noise affects 520 living units (87% of these are in Segment A), some as close as 40 ft. from the current single track that are severely impacted by noise well above the 55dB.*

Table 4.7-2. Sound Exposure Levels used in the Noise Analysis

Airborne noise impacts were determined using Detailed Noise Assessment methods from the FTA (May 2006) guidance document. The following operational assumptions were incorporated into the assessment.

- 198 LRT trips during the day (7:00 a.m. to 10:00 p.m.).
- 60 LRT trips during the night (10:00 p.m. to 7:00 a.m.).
- 16 trips during each peak hour of operation (6:00 a.m. to 9:00 a.m., 3:00 p.m. to 6:30 p.m.).
- Three articulating cars per transit train.
- Speeds range from 20 to 50 miles per hour (mph), and vary in different segments of the project corridor.
- Light Rail Vehicle bells are used for five seconds as vehicles approach grade crossings, crosswalks and station platforms.

- Light Rail Vehicle horns are sounded at grade crossings and crosswalks where vehicle speeds exceed 45 mph (not including 45 mph).
- Stationary bells are used at preemptive grade crossings and crosswalks for five seconds at each passing of a train.
- This analysis modeled each segment-specific speed to accurately account for proposed operational conditions. Additionally, the acoustical shielding effects of intervening buildings were applied where more than one row of buildings existed. The analysis applied ground attenuation where applicable.

***Comment:** The monitoring stations were inadequately placed in their number and location relative to parklands, residences, and topographical features. More detailed analysis and mitigation is necessary.*

Page 4-93

Table 4.7-8. Potential Noise Impacts in Segment A [LRT 1A and LRT 3A (LPA)]

Segment A with Freight Rail Co-location (LRT 3A-1): West Lake Station to Intermodal Station
Under Build Alternative LRT 3A-1 (co-location alternative) light rail and TC&W freight traffic would be co-located on the Kenilworth Corridor. Existing TC&W traffic on the Kenilworth Corridor would continue normal operations under the freight rail co-location alternative. Airborne-noise impacts associated with Segment A, with the freight rail co-location, were calculated based on existing noise exposure, including existing TC&W freight rail traffic.

Category 1

There are no noise impacts to Category 1 land uses in this segment.

Category 2

There are a total of 73 Moderate Noise Impacts and 183 Severe Noise Impacts to Category 2 land uses in this segment. The estimated number of impacted residential units is 85 Moderate and 406 Severe. Many of the impacts are due to low existing ambient noise levels combined with proximity of residential neighborhoods to the alignment and high anticipated speeds of operation. Some impacts are due to low existing ambient noise levels combined with light rail vehicle-mounted audible warning signal (bell) use at the 21st Street Station and the nearby 21st Street at-grade crossing.

Category 3

There is one moderate impact to a Category 3 land use. The impact is due to very low ambient background noise levels found in the walking-trails of the Cedar Lake portion of the Minneapolis Chain of Lakes Regional Park combined with close proximity to the tracks and bell use at grade crossings and crosswalks. This may not apply to the entire Cedar Lake portion of the park, especially in areas where park-goers themselves create higher noise levels, and in areas of the park farther from the tracks.

***Comment:** More detailed analysis is necessary to identify impacts to parklands and residences. The Minneapolis Park and Recreation Board's Community Advisory Committee determined that parkland immediately adjacent to the Kenilworth corridor should be considered a Category 1 land use. The joint neighborhood task force strongly supports this position.*

Page 4-102

4.7.6 Long-Term Mitigation

Whether mitigation is warranted is based on the severity of potential impacts. Project noise levels that result in a “Severe Impact” to a receptor pose a compelling need for mitigation. Most of the severe impacts are due to warning signals such as horns and bells near at-grade crossings, crosswalks, and stations. Use of these signals is required for safe operation of the LRT system, but this does not exclude mitigation options for these impacts.

***Comment:** The impact of noise level and noise incident frequency has not been properly assessed.*

As stated in Table 4.7-8 on pg. 4-93, noise level of the 250 LRT trains will have a severe impact on 406 living units between the West Lake Station and Penn Station, especially the concrete/stucco structures like the Calhoun Isles Towers. While most of the severe impacts will be due to warning signals associated with the West Lake Station and the 21st Street Station, noise from high frequency like wheel squeal and low frequency from train movement and sway will also contribute to the noise impact.

The Kenilworth Trail is adjacent to the proposed LRT route. The Kenilworth Trail is a well-used neighborhood area that connects the Chain of Lakes and intersects with the Historic Grand Rounds. Users of Cedar Lake Park, South Beach, Hidden Beach, Park Siding, and boaters and many other recreational destinations are impacted by the noise from the LRT. No specific mitigation is listed to address this impact on the densely populated and heavily utilized area north of the West Lake Station.

Further study needs to include mitigation such as tunneling, trenching, or a covered trench like the trench on the Hiawatha line that goes under Minnehaha Park. Neighborhood associations should be stakeholders in planning the mitigation for the severe noise levels.

Refer to Appendix 2 - ESI Engineering Report.

Page 4-107

4.8.2 Existing Conditions

In most cases, the existing environment does not include a notable number of perceptible GBV or GBN events. The FTA methodology prescribes comparing project-related vibration to existing vibration only in those cases where the project follows an existing rail corridor with at least 5 trains per day and the proposed operational changes will not substantially increase the number of vibration events. While most of the project either is not in an active rail corridor, or is in a rail corridor with fewer than 5 trains per day; portions of the build alternatives experience vibration from existing rail corridors along the BNSF Wayzata Subdivision and Kenilworth Corridor.

Existing transit-related vibration along Segment 4 and Segment A includes current train activity operating on the Kenilworth Corridor. Existing rail operations in Segment 4 include approximately 3 freight pass-by events per day. TC&W locomotive pass-by events are less than 5 per day therefore are considered infrequent. Vibration events due to TC&W rail cars are greater than 100 per day therefore are considered a heavily used corridor. The build alternatives will more than double the amount of train pass-by events

therefore the FTA vibration criteria presented in Table 4.8-2 and Table 4.8-3 were utilized in the vibration assessment.

From Penn Avenue Station to Glenwood Avenue, the project follows the BNSF Wayzata Subdivision, which carries approximately 15 trains per day. With this number of trains, the existing train pass-by events would have to exceed 80 VdB before the project-related vibration events are compared to existing train vibration events at the two assessed receptors. Therefore the project-related vibration assessment is compared to the standard FTA vibration criteria at the vibration-sensitive land-uses.

***Comment:** The number, duration, and locations of vibration receptors through the above area are inadequate to determine a true picture of the conditions throughout the corridor as they effect residences and parklands. More study is necessary to determine the need and kinds of appropriate mitigation.*

High-rise buildings are especially vulnerable to structural damage from vibrations. Vibration studies should be performed in high-rise living units prior to construction and after construction has been completed and the trains are operational.

Page 4-118

4.8.6 Mitigation

Detailed vibration analyses will be conducted during the Final EIS in coordination with Preliminary Engineering. The Detailed Vibration Assessment may include performing vibration propagation measurements. These detailed assessments during the Final EIS/preliminary engineering phase have more potential to reduce project related effects than assessments of mitigation options at the conceptual engineering phase of the project. Potential mitigation measures may include maintenance, planning and design of special trackwork, vehicle specifications, and special track support systems such as resilient fasteners, ballast mats, resiliently supported ties, and floating slabs.

***Comment:** As design of mitigation of vibration impacts occurs, the range of frequencies must be taken into consideration. Segment A will experience high frequency vibrations, for example when brakes are applied, to low frequency as the trains rumble along the tracks' curves.*

Neighborhood associations should be included in the alternative design of this mitigation. Alternatives may include tunneling or trenching in areas with severe impact from noise and vibration.

Page 4-130

4.10 Electromagnetic Interference and Utilities

This section provides general information regarding existing electromagnetic fields (EMF), electromagnetic interference (EMI), and utilities, and identifies potential effects that may result from the proposed Southwest Transitway project.

Comment: *There is no mention of potential health hazards for persons living in close proximity, that is 40 feet or less, to the exposed overhead wires. That information should be made available to the public and the potential health hazard could be avoided, for example, by using a tunnel for a shield.*

More study is necessary to determine the need and kinds of appropriate mitigation. Refer to Appendix 2 - ESI Engineering Report.

Chapter 5 Economic Effects

Page 5-15

Table 5.2-2. Short-Term Station Area Effects

Environmental Metric: Traffic

LRT 3A (LPA) Low--During construction temporary closures or rerouting of traffic from at-grade intersections will be required. The area is well served by a mature integrated network of roadways so traffic diversions should have minimal affect upon the transportation system.

***Comment:** Accessibility and disruption of traffic around the West Lake Station will occur during and after construction. In the planning and budgeting process, funds for mitigation need to be made available. Limited accessibility and heavy traffic loads, often approaching gridlock, already exist in this area, as several sources report.*

- *According to Hennepin County in 2011, the Lake Street/Excelsior Boulevard corridor was the busiest county state road in Hennepin County, with 39,500 cars daily.*
- *The Minneapolis Park and Recreation Board has reported that the Minneapolis Chain of Lakes, including Lake Calhoun (within a half-mile radius of the West Lake Station) is the second most-visited location in Minnesota (behind the Mall of America).*
- *Capstone studies by students from the Civil Engineering Department at the University of Minnesota have assembled existing data and background information from the city, county and state, and have conducted extensive traffic counts and other observations, including using digital video: “Traffic Assessment and Recommendations for Lake Street and Excelsior Boulevard Intersection and Adjacent Intersections.” See this and other student Capstone studies relating to the Lake St. and Excelsior Blvd. intersection online at www.pwpg.org/lake-st-excelsior-blvd/.*
- *A November 2012 parking study commissioned by the West Calhoun Neighborhood Council and conducted by Spack Consulting found that parking was near to or over capacity in some locations near the proposed West Lake Station. The study was conducted outside the busy lake and park recreation season on cool cloudy days. When the estimated 2,800 daily Southwest Transitway riders are added to the mix, parking spaces will be at a premium. (For the full report, go to www.westcalhoun.org.)*

Page 5-19

5.2.4 Long-Term Station Area Effects

Environmental Metric: Displacement Parking/Access Regulations

LRT 3A (LPA) Low--Parking and access to businesses along this route are unlikely to be affected.

Business parking is provided off site and is not anticipated to be affected by the LRT project. Permanent access restrictions for businesses are not anticipated. 20 on-street and 11 off-street parking spaces will be eliminated.

Comment: Business parking is already at saturation point around the West Lake Station. See November 2012 parking study at www.westcalhoun.org and the University of Minnesota Capstone Studies at pwp.org/lake-st-excelsior-blvd/.

It is essential to maintain the viability of businesses in the two shopping centers (Calhoun Village and Calhoun Commons on Lake St. and Excelsior Blvd., respectively) adjacent to the West Lake Station. The irregular configuration of streets adjacent to these commercial centers already presents some parking and accessibility problems; with the addition of the Lake Street Station those problems will be exacerbated.

In addition, residential parking is limited, especially with the addition of 187-unit Dwell apartments at 3129 Ewing, built by Bigos Development Corp., which also manages the adjacent 151-unit Calhoun Greenway Apartments. Only 322 parking stalls will accommodate this increase in residences. The complex is near the West Lake Station and will increase parking congestion.

The goal of the joint neighborhood task force is that in conjunction with the creation of the West Lake Station, parking issues in this area will be addressed to the satisfaction of the neighborhood.

Pages 5-19 and 5-20

Environmental Metric: Developmental Potential (station development potential and transportation)

LRT 3A (LPA) High--Segments 3, 4, and A all have high potential for development around station locations. The areas, with the exception of 21st Street in Minneapolis, are identified as areas for transit-oriented development consistent with the implementation of LRT.

For Segments 3, 4 and A, the expansion of the transportation system and service to areas designated for growth and redevelopment will equate to a positive economic effect in terms of development around station locations.

Comment: *The land use around the West Lake Station includes several commercial properties, including Calhoun Village and Calhoun Commons. There are few undeveloped parcels around this station and no plans to upgrade the current commercial parcels. Traffic flows are currently at saturation and private parking is fully utilized near this station, contrary to the statements made in Section 5.2.5.2 about parking and access to businesses. Two proposals to add residential apartment buildings on land zoned as residential, namely, the Bigos proposals for the vacant Weisman property on Lake St. and for vacant property behind Calhoun Commons. Hence, the prospects for economic development near the West Lake Station are minimal. In 2009 the city of Minneapolis retained R-1 zoning for properties near the station.*

The land use around the 21st Street Station is entirely single family residential, parks and open spaces, and water features. As state in Table 5.2-4, Long-Term Station Effects, no change in land use is anticipated around this station; it will remain a low-density residential and recreational area. The joint neighborhood task force supports this approach.

Page 5-21

5.2.5.2 Mitigation for Parking and Access

Parking

Build Alternatives LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative) are all anticipated to have a relatively modest impact on parking with the removal of 20 on-street parking spaces on Royalston Avenue. Mitigation of this effect may include working with staff from the City of Minneapolis to identify needs and opportunities for providing alternative parking solutions. However, based on adjacent land uses and long-term city plans for this area, the need for alternative parking solutions is believed to be low.

Access

Build Alternatives LRT 1A and LRT 3A (LPA) are not anticipated to have any long-term effects on business access; therefore, no mitigation is required.

Comment: While parking at Royalston Ave. is cited, there are also serious parking and access issues around the West Lake Station. With 2,800 riders predicted to enter this area daily, further study of how to mitigate these issues is requested. See below for further evidence of congestion issues that already exist.

- According to Hennepin County in 2011, the Lake Street/Excelsior Boulevard corridor was the busiest county state road in Hennepin County, with 39,500 cars daily.
- The Minneapolis Park and Recreation Board has reported that the Minneapolis Chain of Lakes, including Lake Calhoun (within a half-mile radius of the West Lake station) is the second most-visited location in Minnesota (behind the Mall of America).
- A study by students from the Civil Engineering Department at the University of Minnesota have assembled existing data and background information from the city, county and state, and have conducted extensive traffic counts and other observations, including using digital video: “Traffic Assessment and Recommendations for Lake Street and Excelsior Boulevard Intersection and Adjacent Intersections.” See this and other student Capstone studies relating to the Lake St. and Excelsior Blvd. intersection online at www.pwpg.org/lake-st-excelsior-blvd/.
- A November 2012 parking study commissioned by the West Calhoun Neighborhood Council and conducted by Spack Consulting found that parking was near to or over capacity in some locations near the proposed West Lake station. The study was conducted outside the busy lake and park recreation season on cool cloudy days. When the estimated 2,800 daily Southwest Transitway riders are added to the mix, parking spaces will be at a premium. (For the full report, go to www.westcalhoun.org.)

Chapter 6 Transportation Effects

Comment: We have grave concerns that Transportation Effects were inadequately analyzed, especially around the West Lake and 21st Street Stations. Our concerns are outlined below:

1. General Traffic Flow

The most important contextual factor regarding transportation in the West Calhoun and CIDNA neighborhoods is the over-saturated W. Lake St./Excelsior Boulevard vehicle corridor. This thoroughfare is the sole primary east-west route through our neighborhoods.

The W. Lake St./Excelsior Boulevard vehicle thoroughfare currently carries 39,500 vehicles per day, a number confirmed by Hennepin County at the October 9, 2012, MPRB charette on park improvements between Lake of the Isles and Lake Calhoun. This makes this corridor the most heavily traveled in Hennepin County. Capstone studies conducted by University of Minnesota Civil Engineering students in 2010 and 2011 ([go to pwpg.org/lake-st-excelsior-blvd/](http://go.to/pwpg.org/lake-st-excelsior-blvd/)) show that this corridor is already over-congested, requiring 2.75 minutes to traverse the section of Excelsior Boulevard between Market Plaza and W. Calhoun/Dean Parkway, giving it an "F" rating for traffic flow at evening rush hour. The studies did not include the effect of existing traffic lights at the Excelsior Boulevard/W. 32d St. intersection (the Minikahda Club intersection) and at the main Calhoun Commons entrance on Excelsior.

Hennepin County stated at the MPRB charette meeting that there are no plans or funds allocated to improve traffic flows on this corridor in the next five years, during which the Southwest Transitway is scheduled for construction. The W. Lake St./Excelsior corridor will remain uniquely vulnerable to any and all impediments to traffic flow, including the impact of Southwest Transitway construction near the corridor.

Southwest Transitway construction will surely impede traffic through the corridor. How this will be mitigated is not specifically addressed in the DEIS. We fully understand that Southwest Transitway is designed to alleviate the saturation problem that is due to heavy drive-through traffic, but this can only happen over the long run. The joint neighborhood task force is concerned with how the disruptions of transitway construction will be mitigated in the meantime. It is important to mitigate these potential problems with careful planning and involvement of neighborhood residents. In particular, we seek assurance that construction is not disruptive to the point of true gridlock. Further, any additional major construction abutting the corridor may have to be put on hold for better traffic flow and neighborhood livability.

NOTE: Both a fire station and an ambulance station are located on Market Plaza close to the convergence of Lake St. and Excelsior Blvd. These critical emergency services are hindered on

occasion by the traffic congestion that exists on Lake and Excelsior. The joint neighborhood task force requests that clear steps for mitigation be outlined.

The joint neighborhood task force is disappointed that the DEIS relies on referencing “standard practices” for mitigating construction effects on parking and traffic flow (i.e. diverting traffic, mitigating parking problems, etc.). This approach is not satisfactory given the unique features of the critical W. Lake St./Excelsior corridor. It is particularly vulnerable to further impediments that would be caused by construction. There is no mention of staging out construction to assure reasonable traffic flow and adequate parking in the neighborhood for its residents. The W. 32d/Chowen/Abbott area is especially vulnerable to disruption by heavy construction traffic. Further, hundreds more people will soon be living in this area when the six-story 185-unit Dwell is completed next year.

2. Traffic Flow on Excelsior Boulevard

The DEIS does not comment on the effect of an additional stoplight at the proposed traffic entrance to the West Lake Station and the impact of park-and-ride or kiss-and-ride vehicle traffic from Linden Hills, Edina, and Uptown on the southern entrance to the West Lake Station. Nor does it comment on how the additional boardings/disembarkations at the West Lake Station will affect traffic flow on Excelsior Boulevard. The additional traffic on Excelsior Boulevard will take an over-congested artery and transform it into a parking lot, having a negative impact on business users at Calhoun Commons and Calhoun Village, commuters who continue to use Excelsior Boulevard, park users crossing Excelsior Boulevard, and neighborhood residents.

3. Traffic Flow on W. Lake Street

The DEIS does not comment on how traffic will access the West Lake Station from the W. Lake St. bridge. By law, additional turn-out lanes on both the east- and west-bound lanes are prohibited because of reduced visibility for exiting from and merging onto Lake St.; hence, access to the West Lake Station for kiss-and-ride or park-and-ride LRT customers from the north side of Lake St. or from those coming east on Lake St. will be prohibitively restricted to using the south entrance to the station on Excelsior Boulevard, further exacerbating traffic congestion on that artery. There is no room to provide for exits and entrances to W. Lake St. without the taking of condominium property on the westerly approach to the bridge or commercial property (Calhoun Village) on the easterly approach to the bridge.

4. Traffic in Residential Neighborhoods

In addition to the busy arteries around the West Lake Station, residential streets in West Calhoun and Kenwood will be impacted by traffic. If 1,000 people per day are expected to board at the 21st Street Station, there will be significant traffic impacts that need to be mitigated.

5. Parking

The full range of parking options (and combinations thereof) need to be evaluated and openly discussed, including (but not limited to) paid district parking with validation, meters on nearby streets, residential permit parking on surrounding neighborhood streets, as well as additional structured parking (at some reasonable distance from the station platform, preferably with some ground-level commercial space).

Given the complexity of the West Lake area, to maximize the positive influences that a new transit station can produce, it is critical that the Preliminary Engineering work (managed by the Southwest Project office) and the Transitional Station Area Action Planning (TSAAP) work (managed by Hennepin County) include well-devised and executed stakeholder involvement and public outreach. This will entail a far greater level of effort than that contemplated in the TSAAP consultant's contract. It is essential that the staff and elected/appointed officials of the various governmental entities collaborate constructively with each other in a manner that is transparent to the public.

Chapter 7 Section 4(F) Evaluation

Comment: Missing from this chapter of the DEIS:

- *The Historic Grand Rounds is a nationally designated urban scenic byway. It appears detailed information for this area where the LRT corridor is proposed to be located has not received appropriate documentation.*
- *Concerns for placing the transit corridor in or adjacent to a nationally designated urban scenic byway to include:*
 1. *Would the area lose its designation?*
 2. *Would it cause an economic loss due to the impact of transit corridor?*
 3. *Could mitigating measures justify the location of the transit corridor in this area/corridor of the Ground Rounds and the outcome be justifiably and acceptably appropriate?*

Page 7 – 2

For *de minimis* findings for historic properties, FTA is required to notify Minnesota State Historic Preservation Officer (SHPO) of the intent to conclude that the impact to the historic property is *de minimis* and Minnesota SHPO must concur, in writing, with the Section 106 determination.

Comment: Because of the unique situations and conditions in this area, further in-depth analysis is needed.

Page 7-3

7.1.1 Section 6(f)

In addition to the protection provided by Section 4(f), Section 6(f) of the Land and Water Conservation Fund Act of 1965 (LAWCON) stipulates that any land or facility planned, developed, or improved with LAWCON funds cannot be converted to uses other than parks, recreation, or open space unless land of at least equal fair market value and reasonably equivalent usefulness is provided. Anytime a transportation project would cause such a conversion, regardless of funding sources, such replacement land must be provided. At this time, no Section 6(f) protected property has been identified within the study area. Therefore, no permanent conversion of Section 6(f) park property is proposed and a Section 6(f) review is not required.

Comment: The joint neighborhood task force asks that further investigation into the possible existence of Section 6(f) property in our area is needed. A number of local residents in the Calhoun Isles Town Homes in the CIDNA neighborhood observe key bird species flying in the Kenilworth Trail corridor area. It is imperative to protect the flyway and habitat. Eagles and cranes, among other birds, live in these flyways. This alternative travels through mature growth of deciduous urban woodland and large surface water acreages.

The LRT trains use electrical power. Do the overhead electrical power and guide way lines negatively impact these species or any other species?

Is there an electrical, magnetic, or static electrical field emitted from the system that would disturb these species' flyway and habitat pattern essential to their existence?

Has a detailed bird species conservation survey been conducted to substantiate which bird species may be critically impacted by the construction corridor alignment?

Has the HCRRA contacted the MN Department of Natural Resources, The State of Minnesota's Audubon Society's City Bird Conservation Program, and the Minneapolis Park and Recreation Board to determine if bird species will be critically impacted or will die from the transitway's electrical field? Please see http://mn.audubon.org/sites/default/files/documents/minneapolis_chain_of_lakes_theowirth_park_iba_nomination_form_biotics_version_0.pdf

It would appear the information that would answer the above questions is missing, and further in-depth analysis is needed.

Impacted neighborhoods and residents need to be notified how the ongoing preliminary design and engineering is incorporating these unique conditions to avoid habitat disruption in the design and construction plans for the transitway alignment.

Page 7-4

7.3.1 Project Location and Description

[...]

The Southwest Transitway would add system capacity in an area of high travel demand, respond to travel demand created by existing and planned residential and employment growth, and provide a competitive travel option that would attract choice riders² and serve transit dependent populations.

² A choice transit rider is one that has a private vehicle available to make a given trip, but chooses to take transit. The number of choice riders is increasing in and around downtown Minneapolis.

Comment: *Re: "Choice Transit Rider." Request measured statistics to back up this definition. What are the numbers of "choice transit riders" today? What measures or influences will make the number of "choice transit riders" become regular transit riders? When will that occur? It appears this term "is a convenient variable" that may be utilized to obtain "desired outcomes" for the transitway project.*

Page 7-5

The Southwest Transitway would operate in a combination of environments including in abandoned freight rail right-of-way (ROW), at-grade in street and trunk highway ROW, and in new ROW that would be acquired from public and private entities. In addition, the line would operate in very limited sections of elevated structure and tunnel.

Comments: *The joint neighborhood task force requests a definition of those "measured sections" so the impacts of visual and acoustical aspects of any "structures" and the passenger*

train cars being seen and assessed in order to determine if they are detrimental to the neighborhood and its surroundings. Standard practices are not acceptable because of the unique situations and conditions in this area; further in-depth analysis is needed.

Key existing condition photographs have been taken on the site adjacent to and/or near the transitway proposed construction alignment where the transitway rail bridge over Cedar Lake Parkway would be constructed. See Appendix 1.

Page 7-8

Table 7.4-1. Potential Use of 4(f) Properties by Alternative

Comment: Cedar - Isles - Dean Neighborhood has properties of the Section 4(f) designation within 350 feet of the proposed project segment. Alternative Segment A goes through the Historic Grand Rounds.

Park Siding Park, Cedar Lake, the historic lagoon bridge crossing, and the scenic byway and trail system within the Historic Grand Rounds are in this area of influence from the proposed transitway routing.

MPRB properties are within the designated width of 350 feet are referenced to Section 3.5 of the DEIS.

For additional information refer to:

- http://www.pps.org/great_public_spaces/one?public_place_id=495 and,
- <http://byways.org/explore/states/MN>



Diagrammatic Plan of the Grand Rounds from the above mentioned websites.

Historic properties exist along this portion of the segment routing through significant Minneapolis neighborhoods: West Calhoun, Cedar - Isles - Dean, Kenwood, and Bryn Mawr. Refer to Section 3.4; at the time of preparing these review comments, those structures and properties anticipated to be qualified for the National Register of Historic Places (NRHP) and with the State of Minnesota SHPO need to be listed and assessed for their historical significance in this DEIS.

Standard practices are not acceptable because of the unique situations and conditions in this area, and further in-depth analysis needed.

Page 7-7

7.4.1.2 Summary by LRT Alternative

[...]

As Table 7.4-1 shows, only direct or temporary uses are anticipated; no constructive uses of Section 4(f) properties have been identified at this time. This summary is preliminary because design is not sufficiently advanced to conclude that avoidance and minimization measures have been exhausted. Additional efforts will be made during Preliminary Engineering to avoid or minimize the use of any of these Section 4(f) properties. [...]

Table 7.4-1. Potential Use of 4(f) Properties by Alternative

Comment: *More detailed information is needed listing properties and demonstrating how they may be impacted. Overall, further in-depth analysis is needed because of the unique conditions in this area.*

Page 7-19

7.4.1.3 Alternative LRT 1A (Segments 1, 4, A and Freight Rail Relocation

[...]

Cedar Lake Parkway and the Cedar Lake-Lake of the Isles Channel have been determined eligible for inclusion on the NRHP as part of the Grand Rounds. It should be noted that the two timber bridges across the Kenilworth Channel are listed as non-contributing elements within the Grand Rounds. The proposed removal of these non-contributing bridges would, in and of itself, not constitute an adverse effect and therefore would not be considered a Section 4(f) use.

Comment: *The joint neighborhood task force requests that any bridge replacement be architecturally compatible with the NRHP's Historic Grand Rounds and its surrounding settings.*

Page 7-19

The conceptual engineering completed for the project identifies the potential for a temporary use of approximately 0.016 acre of Park Siding Park for grading associated with future trail reconstruction.

Comment: *Where does this re-grading occur in relationship to homes in the Dean Court area and/or the homes on St. Louis Avenue? Could a vegetated screen berm that borders the Kenilworth Trail/proposed transitway route be used?*

Will re-grading impact the removal of a landscaped berm screen between Dean Court and the Southwest Transitway?

More detail information is required here to know how this impacts the residences in this segment.

Chapter 8 Financial Analysis

Comment: The joint neighborhood task force requests a more detailed analysis of the cost of the project elements as early as possible in the Preliminary Engineering.

Page 8-2, Table 8.1-1 shows \$218,044,000 for Guideway and Track Elements and \$122,810,000 Stations, Stops, Terminals, Intermodal for LRT 3A. The video released by the Southwest Transitway entitled, "A Virtual Ride from Eden Prairie to Target Field" illustrates the following infrastructure:

- I494 Flyover (at interchange with Highway 212)*
- Highway 212 Flyover*
- Highway 62 Flyover*
- 3000 foot bridge over Minnetonka wetland*
- Highway 169 Underpass*
- T&CW Freight Relocation to St. Louis Park*
- W. Lake St. Station Access Roads*
- Cedar Lake Parkway LRT/Trail Tunnel*
 - (Note that cut and cover tunnel is substituted for overpass)*
- 2 New Bridges over Cedar/Isles Channel*
- Cedar Lake Trail Underpass*
- LRT Flyover of BNSF Tracks*
- LRT Flyover of N. 7th St.*
- Park and Ride Ramps (Eden Prairie/Hopkins/Wooddale/Belt Line)*
- 15 Station Stops (W. Lake and Penn Av. @ \$15 million each)*
- Track and Webguide (16.4 miles)*
- Environmental Requirements:*
 - Safety/Security Fences*
 - Pedestrian/Bicycle Flyovers*
 - Noise Barriers*
 - Vegetation Replacement*
- Penn Av. Station Vehicle Access*
- Royalston Station Commercial Offstreet Parking*
- Excelsior Boulevard Traffic Congestion Relief*
- Contingency (for Mitigation)*

Based on costs of other projects, including \$5.1 million for the Martin Sabo pedestrian/bicycle flyover at 29th St. and Hiawatha and \$100 million for the bored tunnel underneath the airport from the VA building to the Humphrey terminal, the joint neighborhood task force believes that further work on Preliminary Engineering could result in an increase of the total project cost by up to 40%.

Environmental Effects of Aerial Bridge

Comment: This comment proposes that alternative plans be considered in the 3A (LPA) alternative for the aerial bridge overpass at Cedar Lake Parkway. Included in the suggested alternatives is a tunnel in the path from the Lake Street Bridge to beyond Cedar Lake Parkway or a trench for the LRT beneath Cedar Lake Parkway.

While we agree that grade separation at Cedar Lake Parkway is essential to solving some of the problems caused by the introduction of light rail, an aerial overpass would create even more problems. In November 2012, the MPRB conducted an initial examination into the feasibility of creating a tunnel or underpass for the LRT. We strongly support this approach and urge the Met Council to work closely with the MPRB through Preliminary Engineering to address this intersection. A tunnel or underpass at Cedar Lake Parkway would best meet the needs of our neighborhoods and the goals of the Southwest Transitway project.

Page 3-115

Segment A [LRT 1A and LRT 3A (LPA)]

The project elements in Segment A corridor would be located on HCRRA property. Although the segment is located in an existing transportation corridor (Kenilworth Regional Trail), the project would introduce new visual elements—the fixed guideway, including track, catenary poles, and wires—into the area. Catenary poles and wires could have substantial visual impacts on trail users who would share the corridor with the fixed guideway.

Visual impacts on sensitive receptors located at single-family and multi-family parcels throughout the corridor would generally not be substantial because of mature vegetation buffers and the presence of an existing freight rail corridor. Visual impacts may be substantial where the alignment is not screened by vegetation. Visual intrusion and privacy impacts of the project elements on the sensitive receptors may be substantial where views from the alignment into previously private spaces are created. Visual intrusion and privacy impacts on the outdoor living areas of residential properties could be substantial where vegetation or landscape buffers do not exist.

Visual impacts on sensitive receptors at Park Siding, located on the east side of the corridor, would generally not be substantial because of mature vegetation buffers and an existing freight rail corridor.

The proposed alignment is on a bridge over Cedar Lake Parkway. Visual impacts on sensitive receptors adjacent to the corridor in the multi-family residential parcel and Cedar Lake Parkway could be substantial. Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment where it is bridged structure could be substantial. Photo 3.6-6 shows an example of the structure

Comment: Of concern to all of our neighborhoods is the proposal for much needed grade separation at Cedar Lake Parkway. What the HCRRA has proposed and the FTA report does not challenge is a behemoth concrete and steel overpass, which will rise 46 feet from grade.

It will be visible to residences on Lake of the Isles and Cedar Lake (and even Lake Calhoun); it will create very significant noise and vibration, disrupting the tranquility of our neighborhoods, parks and lakes. It will rise from grade some several hundred feet (estimated 830 feet south of Cedar Lake Parkway and 880 feet north of Cedar Lake Parkway) on both sides of the crossing, blocking views from many residential properties.

Photographic Depiction of Aerial Bridge at Kenilworth Trail Crossing Cedar Lake Parkway

We have provided photos of a typical aerial bridge as depicted in Chapter 3, pg. 3-116, superimposed as a 3D model on the actual sites in the vicinity of the crossing of the Kenilworth Corridor and Cedar Lake Parkway. The bridge is scaled according to the drawing and shows views with 3-car LRT trains passing over the bridge (all elements are to scale according to HCCRA and standards described in the DEIS).

The information we have indicates it would have an overall height including rail cars and catenary poles of about 46 feet. The extent of the bridge is estimated to be 1710 feet (830 feet south and 880 feet north of Cedar Lake Parkway). The bridge is next to residences on both sides of Cedar Lake Parkway with a high density of town homes on the south side.

We object to the visual as well as noise reflections of the structure and the interference with Burnham Rd. The Park Board may address affected parkland as well as the visual effects on the Historic Grand Rounds.

There is a viable alternative: a tunnel from the Lake St. viaduct to north of the Cedar Lake-Lake of the Isles Channel that will eliminate visibility and noise issues and reduce vibration substantially. It would return the Kenilworth Corridor to almost the same pristine condition that existed before the temporary accommodation of freight rail.

One of our objections is that alternatives are not cited to the aerial bridge. This would include tunneling and different aspects of a trench for LRT under Cedar Lake Parkway.

Images with Overpass at Cedar Lake Parkway and Kenilworth Trail and Aerial View Superimposed on Existing Site

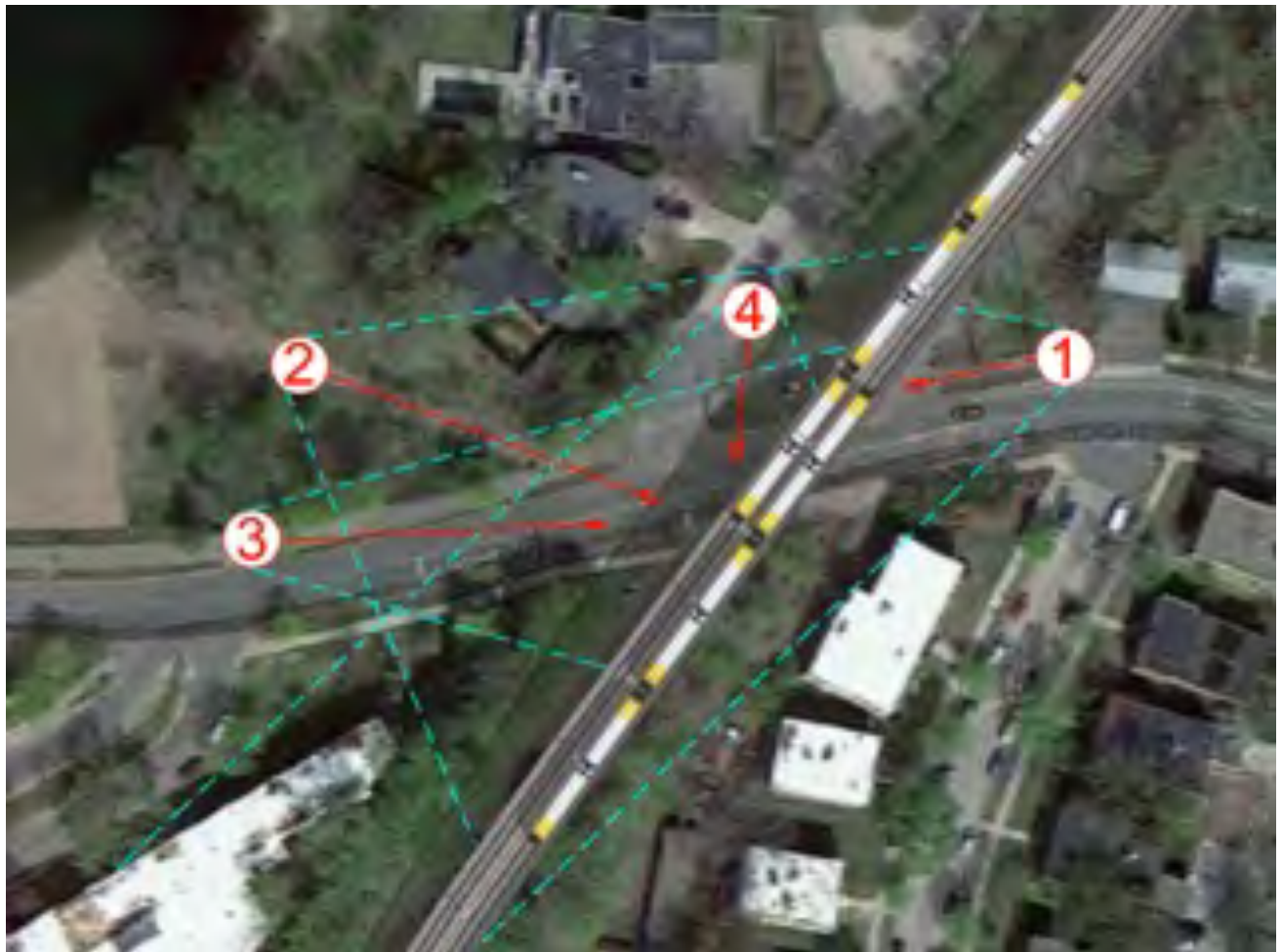


Photo of Cedar Lake Parkway and Kenilworth Trail. The number indicate the location of the photos taken around the intersection.



Existing Site View Location No. 1

View is looking west on Cedar Lake Parkway as seen from the sidewalk at the northwest corner of Benton Boulevard and Cedar Lake Parkway.



Proposed Site View Location No. 1

Aerial Bridge superimposed on view looking west on Cedar Lake Parkway as seen from the sidewalk at the northwest corner of Benton Boulevard and Cedar Lake Parkway.



Existing Site View Location No. 2

Looking southeast from Cedar Lake, South Beach. Cedar Lake Parkway on the right.



Proposed Site Location No. 2

Superimposed Aerial Bridge looking southeast from Cedar Lake, South Beach.
Cedar Lake Parkway on the right.



Existing Site View Location No. 3
Looking east to the Kenilworth Trail and railroad crossing from Cedar Lake path
along Cedar Lake Parkway.



Proposed Site View Location No. 3
Aerial Bridge superimposed on view going up the path from South Beach looking easterly
towards the trail, railroad and transit way crossing



Existing Site View Location No. 4

Viewing south across Cedar Lake Parkway into the Kenilworth Trail and the existing freight railroad line (a portion of Burnham Road is in the right foreground)



Proposed Site View Location No. 4

Arial Bridge superimposed on view looking south from across Cedar Lake Parkway into the Kenilworth Trail and the existing freight railroad line (a portion of Burnham Road is in the right foreground)



Aerial view of superimposed bridge on existing site



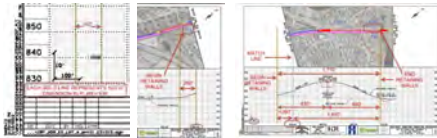
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November 25, 2012

CIDNA
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3D Visualization Process

The Following is a description of the work process employed to create the visual representations the proposed Cedar Lake Parkway overpass bridge. Nvizeon was provided with PDF copies of the Southwest Transitway Conceptual Design (LRT Alternative Segment A) Plan and Profile STA: 938+00 – 955+00 Sheet 1 of 10 and STA: 955+00 – 972+00 Sheet 2 of 10. Nvizeon was provided with (4) photographs in JPEG format representing existing conditions. Nvizeon used AutoCAD, Sketchup, and Photoshop to prepare (4) images corresponding to the (4) provided photographs and (1) aerial view illustrating the proposed bridge.



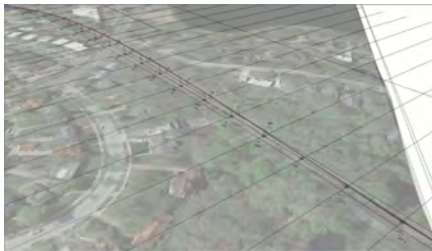
1. The horizontal and vertical scale of the concept drawings was denoted on the drawings as seen in this image and used for determining the length, height, and placement of the bridge.



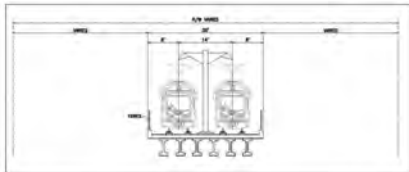
2. The concept drawings were imported into AutoCAD and heights at each corresponding horizontal/vertical intersection along the proposed profile were established.



3. In AutoCAD the STA horizontal lines were drawn and extended to determine where they intersected the proposed profile path in plan. Each intersection can be given a vertical elevation above grade based on the established "Z" height or vertical height provided in the concept drawings.



4. With the "X" and "Y" (plan) path and the "Z" (height) vertical height at each node established, the profile arc can be drawn in 3D modeling software and geo-referenced to the specific geographic area. Trimble Sketchup was used to import the CAD data and the Topography of the area. The proposed profile arc was drawn and is shown in this illustration with a red dashed line.



Page 2-46 October 2012
Chapter 3 Southwest Transitway
Social Effects Draft Environmental Impact Statement

Photo 3.6-6, Example Bridge Type

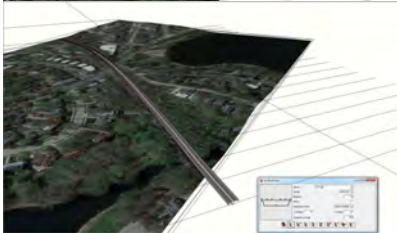


5. The next step is to model the proposed structure based on information provided in the Draft Environmental Impact Statement (DEIS). On page 2-46 a section of a proposed elevated track is provided with clarifying dimensions. This drawing is used as a basis for creating the 3d profile (shape) to be extruded along the proposed profile path (red dashed line) in SketchUp.

6. Although the above section shows exposed beams the Example Bridge Type in Chapter 3 Social Effects (Photo 3.6-6) shows the structure enclosed in concrete. The type of structure shown in photo 3.6.6 was used as the basis for design for the illustrations prepared by Nvizeon.



7. The profile based on a combination of the drawings from page 2-46 and photo 3.6-6 was drawn to scale in SketchUp and positioned at the beginning of the proposed path (red dashed line)



8. The section profile is extruded along the proposed path to create the solid structure representing the elevated bridge and ground between proposed retaining wall start and end points established on the concept drawings.



9. Additional details are added to the 3D model including the retaining walls beginning and ending at the points established in the concept drawings and allowing for a bridge over Cedar Lake Parkway. A mid span support was added to resemble the design in photo 3.6-6. Electrical poles, electrical wires, trains, and fencing were added to the 3D model in SketchUp.



10. Fencing for the 3D model was based on the illustrations provided in the DEIS shown in Elevation B.

Elevation B



(Before) Photograph provided by CIDNA representative (After) with proposed Cedar Lake Parkway Overpass Bridge

11. After the proposed bridge structure was built in the 3D computer model, photo matching techniques were used in the modeling software to create camera views in the 3d modeling software that were similar to each of the (4) existing conditions photographs. Images of the proposed bridge and retaining wall were exported from Sketchup and overlaid on to the existing photographs. Foreground objects like street signs, trees, telephone poles were removed from the layer representing the proposed bridge to create a representational composite image showing a proposed bridge in the context of (4) existing photographs. Scale figures and cars were added for height referencing.

In my opinion the (4) "after" images are an accurate representation of the proposed Cedar Lake Parkway Overpass Bridge, using the information contained in the Draft Environmental Impact Statement and photographs provided by CIDNA.



Phil Rader, CEO

Nvizeon, Inc.

ESI Engineering Report

December 5, 2012

Mr. Ed Ferlauto
Co-chair - Transportation Committee
Cedar-Isles-Dean Neighborhood Association
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Summary Report Southwest Transitway Light Rail Noise and Vibration Cedar-Isles-Dean Neighborhood Association – Minneapolis, Minnesota

Introduction

We understand the Cedar-Isles-Dean Neighborhood Association (CIDNA) is reviewing the Federal Transit Administrations and Hennepin County Regional Rail Authority's Draft Environmental Impact Statement (EIS) for the Southwest Light Rail Transit (LRT) project. The Southwest Transitway LRT is planned to operate along a 15-mile route between downtown Minneapolis and Eden Prairie. The route passes through the CIDNA neighborhoods, as shown in Figure 1 below. CIDNA has concerns about several issues related to this alignment, including the LRT noise and vibration impacts.



Figure 1 – Map showing the CIDNA neighborhood and inset of the Southwest Transitway route through the Kenilworth Corridor.

The DEIS includes an assessment of noise and vibration related to the construction and operation of the LRT system. ESI Engineering was asked to review the predicted noise and vibration impact as presented in the DEIS. This letter summarizes our findings.

The CIDNA neighborhood is in project segment A, as shown in Figure 2. Segment A is part of the "Locally Preferred Alternative", a route that is being recommended as the final alignment. Figure 3 is a compilation of drawings from the DEIS that show the preliminary plans in more detail.

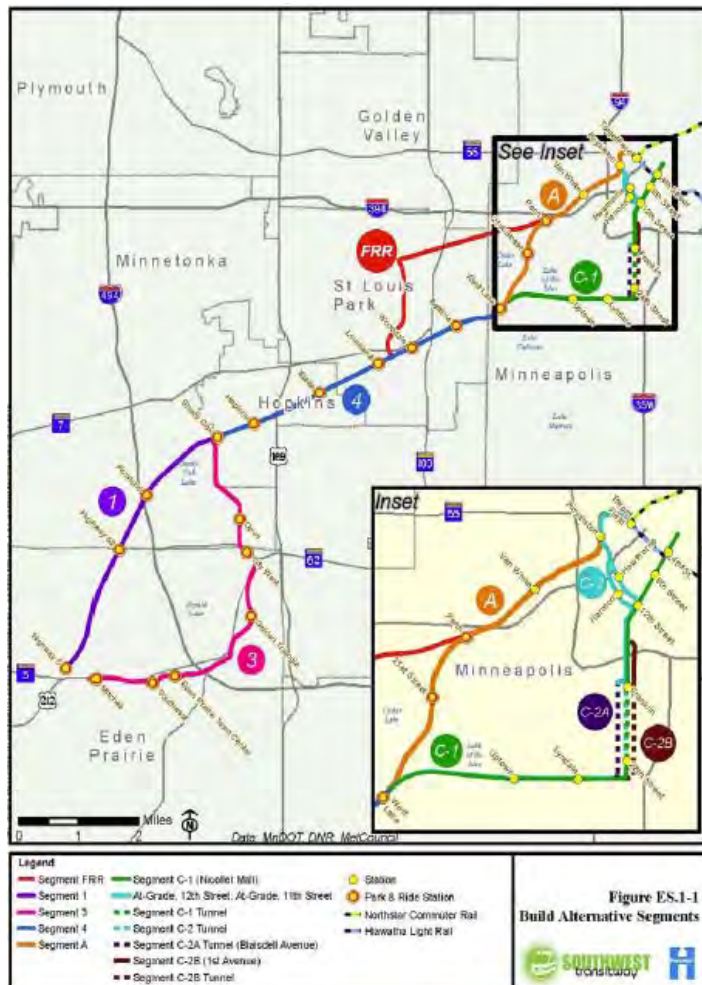
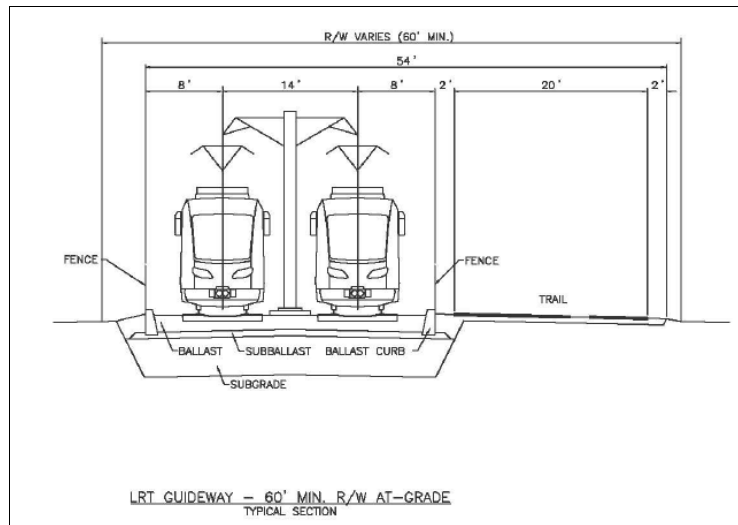




Figure 3 – Compilation of the LRT alignment through the Kenilworth Corridor.

Figure 4 is a section from the DEIS that shows the preliminary rail layout adjacent to a bike/walking trail, such as that along the Kenilworth Corridor. Figure 5 shows this section on an aerial photograph of the existing Kenilworth Corridor freight rail and bike/walking trail in an area that is very narrow. The nearest homes are approximately 30 feet from the centerline of the alignment.



**Figure 4 – A section showing the guideway adjacent to a bike / walking trail
(from the DEIS).**



Figure 5 – Photograph showing the proposed alignment in the Kenilworth Corridor.

Noise Impact

The FTA's Transit Noise and Vibration Impact Assessment (FTA-VA-90-1003-06, May 2006) was used in the DEIS to evaluate noise and vibration impacts. The document, commonly referred to as the FTA manual or the FTA guidelines, defines noise and vibration impact criteria for different categories of land use. For the airborne noise impact assessment, the CIDNA neighborhoods are considered a Land Use Category 2. Further, the noise metric used is the Day-Night Sound Level, or L_{dn} . The impact criteria are defined by a set of curves, as shown in Figure 6. There are two impact levels; Severe and Moderate. Measurements of existing noise are used to determine the impact threshold per the curves in Figure 6. The method outlined in the FTA manual requires the project to calculate the LRT related noise level and compare the results with the impact thresholds.

A limited number of noise measurements are included in the DEIS. Two noise measurements were made along the Kenilworth Corridor at locations indicated in Figure 3. Site 30 is at Kenilworth Place and South Upton Avenue and Site 31 is at 3427 St. Louis Avenue.

Because there are many thousands of potential receivers that could be affected by the LRT noise, in the DEIS the various receivers were grouped into "clusters" along each segment of the alignment. There is no map showing where the clusters are located, but there is a distance given for each cluster to the track, and a train speed. This information, along with the predicted train noise impact, is given in a Noise Assessment Table included in Appendix H of the DEIS.

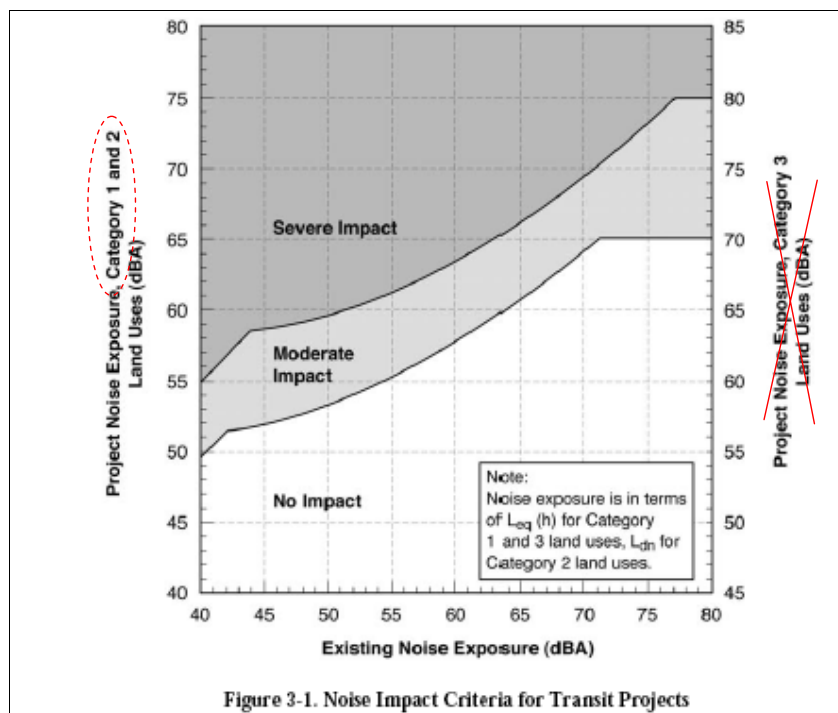


Figure 6 – The FTA's noise impact criteria.

Using the information provided, we also calculated the Noise Impact using the methods in the FTA Manual. Our calculations are summarized in a table included in Appendix A of this letter. The following summarizes the assumptions used in the calculations:

	<u>DEIS</u>	<u>ESI</u>
Cluster Identifier	A-A-WB-2-1	nearest homes
Train Sound Exposure Level	81 dBA	81 dBA
Train Speed	45 mph	45 mph
Number of Cars	3 cars	3 cars
Daytime volume	198 trains	198 trains
Nighttime volume	60 trains	60 trains
Distance to Nearest Receiver	49 ft	30 ft
Existing L_{dn} Noise Level	60 dBA	55 dBA

The differences in the assumptions are the distance to the nearest receiver and the existing noise level. The DEIS uses 49 ft as the distance to the cluster, where some homes are as close as 30 ft.

The DEIS uses the existing L_{dn} noise measurement from Site 31, which is 60 dBA, presumably because of traffic noise on Lake Street. The existing L_{dn} noise at Site 30 is 55 dBA, which we expect is more representative for existing noise along most of the corridor. The results of the DEIS and the ESI calculations are shown in Figure 7 below. The range for the ESI calculations includes the effects trains with bells and without bells. The DEIS calculations do not appear to include the effects of bells as the trains approach the West Lake Street Station. Further, the DEIS does not include the effects of the train horn.

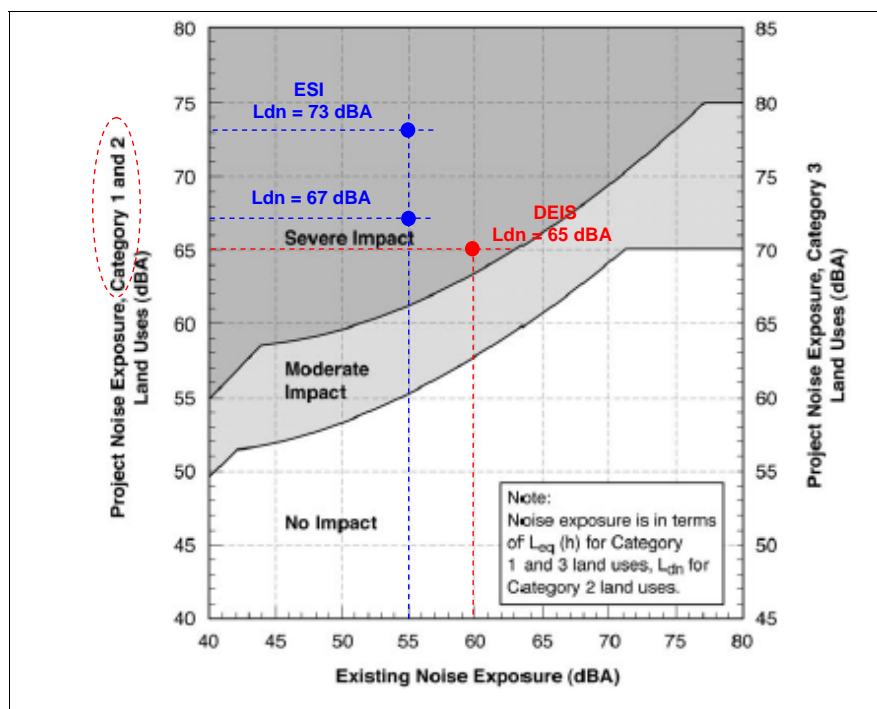


Figure 7 – A comparison of the DEIS (red) and ESI (blue) noise impact assessment.

The conclusion of both assessments is the same, that the noise impact is severe; however the ESI assessment uses a more realistic distance, existing noise exposure level and the effects of train bells. We did not find any mitigation methods in the DEIS to reduce the noise impact.

The following are additional comments on the noise impact assessment:

1. An Existing Noise Exposure level of $L_{dn} = 60$ dBA was assumed based on measurements near West Lake Street (Site No. 31), but we assume most of cluster A-A-WB-2-1 is located in an area similar to Site No. 30, which has an existing noise level of $L_{dn} = 55$ dBA. This reduces the impact criterion level.
2. Additional measurement of the existing noise exposure level are needed nearer the condo building more accurately evaluate the noise impact.
3. The DEIS "Noise Assessment Table - 2012 Update" uses a distance to track centerline of 49 ft for the nearest cluster, but the actual distance between track centerline and the nearest house is estimated to be about 30 ft.
4. Including bell noise traveling at 15 mph in the calculations increases the impact by about 6 dBA.
5. The DEIS "Noise Assessment Table - 2012 Update" uses the wrong moderate and severe impact levels. If the existing noise level is $L_{dn} = 60$ dBA, the impact criteria is 58 dBA for moderate and 63 dBA for severe, not 60 dBA for moderate and 64 dBA for severe as shown.
6. The impact criteria for an existing noise level of $L_{dn} = 55$ dBA (measurement Site No. 30) is 55 dBA for moderate and 61 dBA for severe.
7. The "Ambient Noise Impact Table - 2012 Updates" in Appendix H includes noise measurement results. The descriptions for Site No.'s 30 and 31 say that noise from several CT&W train events was removed. However the measurement is noted to indicate the freight train noise was included in the measurement. Which is correct?
8. The FTA manual does not have an adjustment for effects of elevation. No adjustment in the calculation for the height of the townhouses and condo buildings were included in the DEIS assessment.
9. Train horns were not used in the DEIS noise analysis. This is an issue at Cedar Lake Parkway if an at-grade-crossing is selected as an alternative to the bridge in the current design. Our calculations indicate that one train horn per hour at the Cedar Lake Parkway causes an impact that exceeds the Severe Impact criterion by 9 dBA at 50 ft.
10. If the train bells and horn are sounded from the front and rear of the 3 car trains simultaneously (as was done on the Hiawatha line), the noise exposure is greatly increased. This needs to be verified.
11. The distance from the track to the nearest cluster in the 2012 Update of the Noise Assessment Table is 49 feet. However, the nearest house is about 30 feet from the centerline of the alignment. The nearer distance increases the noise impact by about 2 dBA.
12. LRT speeds indicated on drawings in the DEIS are slower than 45 mph in much of the Kenilworth Corridor.

Vibration Impact

The FTA's Transit Noise and Vibration Impact Assessment was also used in the DEIS to evaluate the project vibration impacts. There are three levels of assessment outlined in the FTA manual; the screen procedure, the general assessment, and the detailed analysis. The general assessment was done in the DEIS. A detailed analysis will be required in the Final EIS, and will include vibration measurements.

There are very few details in the DEIS on the general vibration assessment that was performed and what assumptions were made. Again, there are three land use categories and the residences in the CIDNA neighborhoods fall into Category 2. The vibration impact level or criterion is 72 VdB for frequent events (more than 70 per day). The ground-borne noise criterion is 35 dBA. Ground-borne noise is the noise that is caused by surfaces in a building that vibrate and create pressure waves.

Using the information provided in the DEIS, we also calculated the Vibration Impact using the methods in the FTA Manual. Our calculations are summarized in a table included in Appendix B of this letter. The following summarizes the assumptions used in the calculations:

	<u>DEIS</u>	<u>ESI</u>
Cluster Identifier	A-A-WB-2-1	nearest homes
Train Speed	45 mph	45 mph
Number of Cars	3 cars	3 cars
Distance to Nearest Receiver	41 ft	30 ft

The DEIS and our calculations show that the project generated vibration and ground-borne noise will exceed the impact criteria of 72 VdB and 35 dBA, respectively.

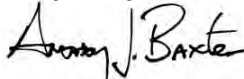
The following are additional comments on the vibration impact assessment:

1. The project generated vibration and ground-borne noise impact presented in the DEIS assumes the rails and train wheels are in perfect condition. Worn or corrugated rails and wheels with flats are known to increase vibration and ground-borne noise by as much as 10 dB.
2. The distance to the cluster A-A-WB-2-1, the nearest cluster, is shown in General Vibration Assessment Results at 41 feet vs. 49 feet in the Noise Assessment Table. This is inconsistent and there are residences that are closer than 41 feet.
3. Typically, a correction of -5 dB is added in the vibration calculations for wood framed houses. It does not appear that this correction was included in the DEIS General Vibration Assessment. The adjustment would reduce the DEIS vibration impact level from 73 VdB to 68 VdB, which is below the impact criterion of 72 VdB.
4. LRT speeds indicated on drawings in the DEIS are slower than 45 mph in much of the Kenilworth Corridor.

Please let me know if you have any questions or need more information.

Sincerely,

ESI Engineering, Inc.



Anthony J. Baxter, P.E.

Assumptions	Calculations					
	DEIS No Bells	ESI No Bells	ESI Bells @ 45 MPH	ESI Bells @ 15 MPH	ESI Horn & Bells @ 15 MPH	ESI LRT @ 25 mph
SEL _{ent} , Sound Exposure Level	81 dBA	81 dBA	81 dBA	81 dBA	81 dBA	81 dBA
N _{cars} , No. of Cars	3	3	3	3	3	3
S _c , Speed of LRT	45 mph	45 mph	45 mph	45 mph	45 mph	25 mph
V _{dc} , Daytime LRT Volume	198 ÷ 15 = 13	13	13	13	13	13
V _{nc} , Nighttime LRT Volume	60 ÷ 9 = 7	7	7	7	7	7
S _h , Speed of Horn	-	-	-	-	15 mph	-
V _{dh} , Daytime Horn Volume	-	-	-	-	1	-
V _{nh} , Nighttime Horn Volume	-	-	-	-	-	-
S _b , Speed of Bells	-	-	45 mph	15 mph	15 mph	-
V _{db} , Daytime Bells Volume	-	-	198 ÷ 15 ÷ 2 = 7	7	7	-
V _{nb} , Nighttime Bells Volume	-	-	60 ÷ 9 ÷ 2 = 3	3	3	-
d, Distance to Track	49 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Existing Noise Level	L _{dn} = 60 dBA (Site No. 31)	L _{dn} = 55 dBA (Site No. 30)	L _{dn} = 55 dBA (Site No. 30)	L _{dn} = 55 dBA (Site No. 30)	L _{dn} = 55 dBA (Site No. 30)	L _{dn} = 55 dBA (Site No. 30)
FTA Moderate Impact Criterion	60 dBA	55 dBA	55 dBA	55 dBA	55 dBA	55 dBA
FTA Severe Impact Criterion	64 dBA	61 dBA	61 dBA	61 dBA	61 dBA	61 dBA
Project Related Noise	L _{dn} = 65 dBA	L _{dn} = 67 dBA	L _{dn} = 70 dBA	L _{dn} = 73 dBA	L _{dn} = 75 dBA	L _{dn} = 62 dBA
Cumulative Noise Level	L _{dn} = 66 dBA	L _{dn} = 67 dBA	L _{dn} = 70 dBA	L _{dn} = 73 dBA	L _{dn} = 75 dBA	L _{dn} = 62 dBA
Increase Over Existing	+6 dBA	+12 dBA	+15 dBA	+19 dBA	+20 dBA	+7 dBA
FTA Impact Level	Severe	Severe	Severe	Severe	Severe	Severe
Exceedance Over Criterion	+1 dBA	+6 dBA	+9 dBA	+12 dBA	+14 dBA	+1 dBA

				DEIS	ESI - 1	ESI - 2	ESI - 3	ESI - 4	ESI - 5	ESI - 6	
Land Use Category				2	2	2	2	2	2	2	
Side of Track				WB	WB	WB	WB	WB	WB	WB	
Distance from track centerline, ft				11 ft	30 ft	30 ft	30 ft	45 ft	45 ft	45 ft	
Speed, mph				45 mph	45 mph	45 mph	45 mph	45 mph	45 mph	45 mph	
RMS Velocity level, VdB re 1 micro in./sec				74 VdB	77 VdB	77 VdB	77 VdB	74 VdB	74 VdB	74 VdB	
Factors Affecting Vibration Source											
Source Factor	Adjustment to Propagation Curve			Comments							
Speed	Reference Speed			Vibration level is approximately proportional to 20*log(speed/speedref). Sometimes the variation with speed has been observed to be as low as 10 to 15 log(speed/speedref).							
	Vehicle Speed	50 mph	30 mph								
	60 mph	+1.6 dB	+6.0 dB								
	50 mph	0.0 dB	+4.4 dB								
	40 mph	-1.9 dB	+2.5 dB								
	30 mph	-4.4 dB	0.0 dB								
Vehicle Parameters (not additive, apply greatest value only)				-1 VdB	-1 VdB	-1 VdB	-1 VdB	-1 VdB	-1 VdB	-1 VdB	
Vehicle with stiff primary suspension	+8 dB			Transit vehicles with stiff primary suspensions have been shown to create high vibration levels. Include this adjustment when the primary suspension has a vertical resonance frequency greater than 15 Hz.							
Resilient Wheels	+0 dB			Resilient wheels do not generally affect ground-borne vibration except at frequencies greater than about 80 Hz.							
Worn Wheels or Wheels with Flats	+10 dB			Wheel flats or wheels that are unevenly worn can cause high vibration levels. This can be prevented with wheel truing and slip-slide detectors to prevent the wheels from sliding on the track.							
Track Conditions (not additive, apply greatest value only)											
Worn or Corrugated Track	+10 dB			If both the wheels and the track are worn, only one adjustment should be used. Corrugated track is a common problem. Mill scale on new rail can cause higher vibration levels until the rail has been in use for some time.							
Special Trackwork	+10 dB			Wheel impacts at special trackwork will significantly increase vibration levels. The increase will be less at greater distances from the track.							
Jointed Track or Uneven Road Surfaces	+5 dB			Jointed track can cause higher vibration levels than welded track. Rough roads or expansion joints are sources of increased vibration for rubber-tire transit.							
Track Treatments (not additive, apply greatest value only)											
Floating Slab Trackbed	-15 dB			The reduction achieved with a floating slab trackbed is strongly dependent on the frequency characteristics of the vibration.							
Ballast Mats	-10 dB			Actual reduction is strongly dependent on frequency of vibration.							
High-Resilience Fasteners	-5 dB			Slab track with track fasteners that are very compliant in the vertical direction can reduce vibration at frequencies greater than 40 Hz.							
Factors Affecting Vibration Path											
Path Factor	Adjustment to Propagation Curve			Comments							
Resiliently Supported Ties	-10 dB			Resiliently supported tie systems have been found to provide very effective control of low-frequency vibration.							
Track Configuration (not additive, apply greatest value only)											
Type of Transit Structure	Relative to at-grade tie & ballast: Elevated structure Open cut			-10 dB 0 dB	The general rule is the heavier the structure, the lower the vibration levels. Putting the track in cut may reduce the vibration levels slightly. Rock-based subways generate higher-frequency vibration.						
	Relative to bored subway tunnel in soil: Station Cut and cover Rock-based			-5 dB -3 dB -15 dB	0 dB	0 dB	0 dB	0 dB	0 dB	0 dB	0 dB
	Ground-borne Propagation Effects										
	Geologic conditions that promote efficient vibration propagation	Efficient propagation in soil			+10 dB	Refer to the text for guidance on identifying areas where efficient propagation is possible.					
		Propagation in rock layer	Dist. 50 ft 100 ft 150 ft 200 ft	Adjust. +2 dB +4 dB +6 dB +9 dB	The positive adjustment accounts for the lower attenuation of vibration in rock compared to soil. It is generally more difficult to excite vibrations in rock than in soil at the source.						
Coupling to building foundation	Wood Frame Houses 1-2 Story Masonry 3-4 Story Masonry Large Masonry on Piles Large Masonry on Spread Footings Foundation in Rock			-5 dB -7 dB -10 dB -10 dB -13 dB 0 dB	The general rule is the heavier the building construction, the greater the coupling loss.						
				0 dB	-5 dB	0 dB	0 dB	-10 dB	0 dB	0 dB	
Predicted Vibration Level (VdB)				73 VdB	71 VdB	76 VdB	86 VdB	63 VdB	73 VdB	83 VdB	
Impact Criterion (VdB)				72 VdB	72 VdB	72 VdB	72 VdB	72 VdB	72 VdB	72 VdB	
Exceedance Over Criterion (VdB)				+1 VdB	-1 VdB	+4 VdB	+14 VdB	-9 VdB	+1 VdB	+11 VdB	
Factors Affecting Vibration Receiver											
Receiver Factor	Adjustment to Propagation Curve			Comments							
Floor-to-floor attenuation	1 to 5 floors above grade: 5 to 10 floors above grade:			-2 dB/floor -1 dB/floor	This factor accounts for dispersion and attenuation of the vibration energy as it propagates through a building.						
Amplification due to resonances of floors, walls, and ceilings	+6 dB			The actual amplification will vary greatly depending on the type of construction. The amplification is lower near the wall/floor and wall/ceiling intersections.							
Conversion to Ground-borne Noise											
Noise Level in dBA	Peak frequency of ground vibration: Low frequency (<30 Hz): Typical (peak 30 to 60 Hz): High frequency (>60 Hz):			-50 dB -35 dB -20 dB	Use these adjustments to estimate the A-weighted sound level given the average vibration velocity level of the room surfaces. See text for guidelines for selecting low, typical or high frequency characteristics. Use the high-frequency adjustment for subway tunnels in rock or if the dominant frequencies of the vibration spectrum are known to be 60 Hz or greater.						
				-	-35 dB	-35 dB	-35 dB	-35 dB	-35 dB	-35 dB	
Predicted Ground-borne Noise (dBA)				-	36 dBA	41 dBA	51 dBA	50 dBA	38 dBA	48 dBA	
Impact Criterion (dBA)				-	32 dBA	32 dBA	32 dBA	32 dBA	32 dBA	32 dBA	
Exceedance Over Criterion (dBA)				-	+4 VdB	+9 VdB	+19 VdB	+18 VdB	+6 VdB	+16 VdB	



"Perry, Jack Y."
<JPerry@Briggs.com>
Sent by: "Ganske, Kimberly"
<KGanske@Briggs.com>

12/18/2012 11:50 AM

To "commissioner.mclaughlin@co.hennepin.mn.us"
<commissioner.mclaughlin@co.hennepin.mn.us>
cc "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>
bcc
Subject Southwest Transitway DEIS

This message was sent on Jack Y. Perry's behalf. Please do not reply to this message. Please send any response to jperry@briggs.com. Thank you!

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Comment #345
Attachment #1

December 18, 2012

Jack Y. Perry
(612) 977-8497
jperry@briggs.com

VIA E-MAIL AND U.S. MAIL

Peter McLaughlin
Chair, Hennepin County Regional Railroad Authority
300 South Sixth Street
Minneapolis, MN 55487-0241

Re: Southwest Transitway DEIS

Dear Chair McLaughlin:

This letter is being sent on behalf of Costco Wholesale (Costco) and Emerson Process Management/Rosemount (Emerson). This letter is being sent to you as the Chair of the Hennepin County Regional Railroad Authority (HCRRA), which is the lead state agency under the Minnesota Environmental Policy Act (MERA) for the preparation of the Southwest Transitway's (or SW LRT) October 2012 Draft Environmental Impact Statement (DEIS). This letter is also being copied to the Metropolitan Council (Met Council), which is the lead for the preparation of the SW LRT's Final Environmental Impact Statement (FEIS).

Costco and Emerson begin by thanking you for the opportunity to comment on the DEIS at the November 29, 2012 public hearing in Eden Prairie. And Costco and Emerson hereby submit their joint written comments on the DEIS. These written comments are consistent with their oral comments on November 29, 2012.

OVERVIEW

Other than their narrow objection to the proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property (Narrow Objection), Costco and Emerson are very much supportive of the SW LRT. Costco and Emerson have, in fact, been meeting with representatives of the City of Eden Prairie (City) for the past several months in order to address their Narrow Objection without compromising or delaying the success of the SW LRT. The seven-step basis for Costco and Emerson's Narrow Objection is set forth below.

City has been receptive to Costco and Emerson's Narrow Objection. Indeed City has from May 18, 2010 to the present continuously supported Costco and Emerson's Narrow Objection by requesting that HCRRA and Met Council "evaluate alternatives" to the proposed route of the SW LRT in City along Technology Drive, including the proposed location of the

Eden Prairie Town Center transit station on Costco's property. City has had periodic meetings with HCRRA and Met Council representatives, and their representatives have assured City that they would, in fact, evaluate such alternatives as part of the SW LRT's Preliminary Engineering process. These assurances from HCRRA and Met Council's representatives are reflected in City's December 4, 2012 "[g]eneral [c]omments" to the DEIS. 12/4/12 City's DEIS comment letter at ¶¶ 1-2 (emphasis added).

**SEVEN-STEP BASIS FOR COSTCO AND EMERSON'S
NARROW OBJECTION**

STEP NO. 1: City is to have a say in the decisions regarding the proposed SW LRT which affect City.

a. HCRRA and Met Council have repeatedly and emphatically assured the six local municipalities that are being asked to "host" the proposed SW LRT (*i.e.*, City, Edina, Hopkins, Minneapolis, Minnetonka and St. Louis Park) that they are, in exchange, entitled to provide input regarding, and ultimately the discretion to approve or deny, the route for the SW LRT, including the location of the transit stations within their borders.

b. City is, more specifically, a "participating agency" in the SW LRT project.

c. And 23 U.S.C. § 139 provides that City, as a "participating agency," is permitted to (1) assist the project sponsor in determining the range of alternatives to be considered in a project's DEIS and (2) identify, as early as practicable, any issues of concern regarding the project's potential impacts.

STEP NO. 2: HCRRA and Met Council ultimately **need** City to issue the necessary local land use approvals for the route of the SW LRT in City, including the location of the transit stations within City.

a. City is statutorily charged with the responsibility to protect the public health, safety and general welfare of its citizens.

b. City thus has broad discretion to act so as to protect its citizens.

c. The location of the route of the SW LRT in City, including the location of the transit stations within City, will have a significant impact on the public health, safety and general welfare of its citizens.

d. City thus has broad discretion to approve or deny the required land use approvals for the proposed route of the SW LRT in City, including the proposed location of the transit stations within City.

STEP NO. 3: City has continuously expressed its **objection** to the proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property.

a. On May 18, 2010, the Eden Prairie City Council passed Resolution No. 2010-40, which (1) expressed concern regarding the potential adverse environmental and economic impact of the proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property, and (2) asked HCRRA and Met Council to (a) "evaluate alternatives" and (b) "find solutions for mitigating impacts of the proposed LRT on the businesses."

b. As reflected in HCRRA and Met Council's February 21, 2012 Request for Proposals (RFP), City has continued to insist that an "alternatives analysis . . . be done for the . . . Town Center station in Eden Prairie." (Emphasis added).

c. On November 20, 2012, the Eden Prairie City Council authorized its City Manager to submit City's comments to the DEIS.

d. On December 4, 2012, City's City Manager submitted, among other comments, City's following two "[g]eneral [c]omments" to the DEIS:

1) The City of Eden Prairie continues to support Alternative 3A as the preferred alternative as it serves the Major Center Area and Golden Triangle Area and provides the best opportunities for development, redevelopment, and economic development. Alternative 3A clearly has the highest ridership potential and the greatest positive economic impact to Eden Prairie and the region primarily due to its close proximity to existing and future job concentrations. However this alternative could be further improved in these respects by moving the Town Center Station closer to the Town Center or the Eden Prairie Center.

2) In order to better serve the Eden Prairie Town Center and Eden Prairie Center the feasibility of a more centrally located and walkable Town Center Station needs to be evaluated during the Preliminary Engineering process. Attached for reference are several concept location areas for the proposed Town Center Station that should be considered.

12/4/12 City's DEIS comment letter at 1 ¶¶ 1-2 (emphasis added).

e. In response to City's continuous insistence that an "alternatives analysis . . . be done for the . . . Town Center station in Eden Prairie," HCRRA and Met Council have through their representatives represented their willingness to evaluate, as part of the Preliminary Engineering process, alternatives to the proposed route of the SW LRT in

City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property.

f. As reflected in Figures 1 and 4 of the DEIS, HCRRA and Met Council have already identified and conducted some preliminary analysis of alternatives to the Town Center transit station in City.

STEP NO. 4: City has compelling **land use concerns** with the proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property.

a. As reflected in City's May 18, 2010 resolution and December 4, 2012 DEIS comment letter, as well as HCRRA and Met Council's February 21, 2012 RFP, the primary purpose and need for the Eden Prairie Town Center transit station is to provide transportation to transit-dependent riders and pedestrians; it is not to be designed as a park and ride.

b. The "Station Vision" for the Eden Prairie Town Center transit station is as follows:

Station Vision

- A vibrant mixed use district dominated by retail and residential uses. This idea builds on and enhances the efforts of the 2007 Major Center Area study and seeks *to create a walkable transit village that is well served by multiple modes of transit while accommodating service and personal vehicle circulation and parking.*
- Vertical mixed-use development of no fewer than 3 stories and no more than 5 stories for the majority of parcels. Rooftop decks should be allowed in excess of these heights.
- Land use near the station should be *higher density* and should include *higher-intensity multi-story mixed-use comprised* of offices and multi-family residences. Ground floor uses should be active and connected to the pedestrian environment.

(Underlining in original; italics added).

c. The proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property, would not serve the above-stated purpose and need for the Eden Prairie Town Center transit station; it is not near transit-dependent riders or pedestrians.

(1) Costco's property is guided and zoned as "Regional Commercial," which is defined by City as follows:

Regional Commercial: This category is located in areas where one or more of the following characteristics are present: a) large sites are available to provide locations for major shopping centers which serve a wider region than the City itself; b) *relatively large sites for sales and service operations that are not typically found in shopping center structures and **attract little or no pedestrian traffic***; and c) sites to provide limited sales and service operations that are oriented and directly related to highway or freeway uses, tourists and travelers. Corresponding zoning districts are the C-Reg, C-Reg-Ser and the C-Hwy districts. Site coverage is .20-.40

(Underlining in original; bold and italics added).

(2) In contrast, the "Town Center" zone is defined by City as follows:

Town Center

This category designates the land use for a mixed-use downtown area to be located near the center of the Major Center Area. The 120 acre area is to be redeveloped over time into a compact, walkable, vibrant, pedestrian oriented area. The Town Center is a result of a history of planning dating back to the 1970's and the adoption of the 2006 Major Center Area (MCA) Study and Plan. The focus of the MCA Study is on ***creating a concentrated pedestrian and transit oriented development area that has a supportive mix of higher intensity land uses (retail, service, office, housing, park, hospitality, and entertainment)***, consist of vertical mixed use buildings (i.e. office or housing over shops and restaurants) and the nearby housing will be higher density than typically found in other parts of the City. *Future transit services* (light rail and bus) will help ensure convenient access and mobility. Parking will be in parking structures and on-street with limited use of surface parking lots. Future buildings will front on a street with a lively and active street life. Parks, trails, landscaped streets and plazas will add green space and recreation amenities to the area. The redevelopment will be designed to support Eden Prairies' community health, active living and sustainability goals. In order to limit traffic congestion, development intensity in the balance of the MCA will be lower than in the Town Center. See the Town Center Land Use Plan and the Major Center Area Study for further information. Corresponding zoning is the TC - Town

Center Mixed Use District. Residential is 45-75 du per acre.
Commercial is .20-.40.

(Bold in original; underlining and italics added).

(3) City's "Major Center Area" is further defined as follows:

Development patterns should continue as they have throughout most of the area abutting the outer ring road of Prairie Center Drive and Valley View Drive. A compact, walkable Town Center should be created that would cluster around Singletree Lane and Idlewild Lake. Eden Prairie's highest development densities should be found within the Town Center. Organized by a new grid system of streets and urban amenities, the Town Center should emphasize residential, retail and mixed-use development types.

(Emphasis added).

STEP NO. 5: City has compelling **economic concerns** with the proposed route of the SW LRT along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property.

a. The proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property, would result in the partial taking of Costco and Emerson's property on Technology Drive, for which HCRRA and Met Council would be liable.

(1) HCRRA and Met Council will be liable to Costco and Emerson for the "fair market value" of the real estate being taken from Costco.

b. The proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property, would result in the Minn. Stat. § 117.186, subd. 2-defined "business destruction" of Costco for which HCRRA and Met Council would be liable for its § 117.186-provided for "loss of going concern" (*i.e.*, the "fair value" of its Eden Prairie business) and substantial adverse impact for Emerson.

(1) Per the DEIS, the proposed location of the Eden Prairie Town Center transit station on Costco's property will take numerous parking spaces from and dramatically delay the access to and from Costco's convenience-based gas station, thereby causing the complete "business destruction" of this integral component of the store. *Id.*, subd. 2.

(2) Costco's convenience-based gas station is an integral component to its entire Eden Prairie store. Indeed, 10 years ago Costco refused to build on another parcel just south of the Eden Prairie Center Mall because its convenience gas station component could not be accommodated there.

(3) HCRRA and Met Council would clearly not be able to meet one of its statutorily-prescribed affirmative defenses under § 117.186, subd. 2 — notably, the subd. 2(2)-required showing that "the loss can be reasonably prevented [(a)] by relocating the business . . . in [(i)] the same [(i.e., 'on-site')] or [(ii)] a similar and reasonably suitable location as the property that was taken [(i.e., 'off-site')] or [(b)] by taking steps and adopting procedures that a reasonably prudent person of a similar age and under similar circumstances as the owner, would take and adopt in preserving the going concern of the business." (Emphasis and bracketed information added).

(4) HCRRA and Met Council would be liable for Costco's § 117.186 "loss of going concern."

(5) Costco's "loss of going concern" would be in excess of \$100,000,000.

STEP NO. 6: There appears to be **at least one alternative** to the proposed route of the SW LRT in City along Technology Drive, including the location of the Eden Prairie Town Center transit station on Costco's property, that better advances not only (1) the purpose and need for this transit station to the SW LRT but also (2) City's land use objectives without subjecting HCRRA and Met Council to such extreme statutory liability under § 117.186.

a. One alternative route for the SW LRT in City is along Singletree Lane, including the location of the Eden Prairie Town Center transit station on City owned property near the intersection of Singletree Lane and Prairie Center Drive.

b. This alternative would appear to much better serve the purpose and need for this segment of the SW LRT because it would be closer to transit-dependent riders and pedestrians.

c. This alternative would be consistent with the description of the transit station at issue as the "Eden Prairie Town Center" transit station, which came about because it was initially proposed to be located near the "Town Center."

d. This alternative would be consistent with City's land use objectives, which includes "transit facilities" within this "Town Center" designated area.

e. This alternative would minimize the takings liabilities because the transit station would be located on public property.

Peter McLaughlin
December 18, 2012
Page 8

f. But neither this alternative route for the SW LRT in City along Singletree Lane nor any other alternative to the proposed route along Technology Drive has yet been evaluated by HCRRA or Met Council.

STEP NO. 7: There is **still adequate time** to conduct the requested alternative analysis without delaying the project.

a. HCRRA and Met Council do not anticipate completion of the requisite engineering for the Project until 2014.

b. Six months is adequate time to evaluate the above-discussed alternative routes of the SW LRT in City along, among others, Singletree Lane, including the Eden Prairie Town Center transit station near the intersection of Singletree Lane and Prairie Center Drive.

c. As has been explained by HCRRA and Met Council's representatives, the existing proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property, was adopted as a mere "placeholder" so that the proposal could move forward with environmental review; it was, per HCRRA and Met Council's representatives, NEVER intended to be a permanent or binding part of the overall SW LRT.

CONCLUSION

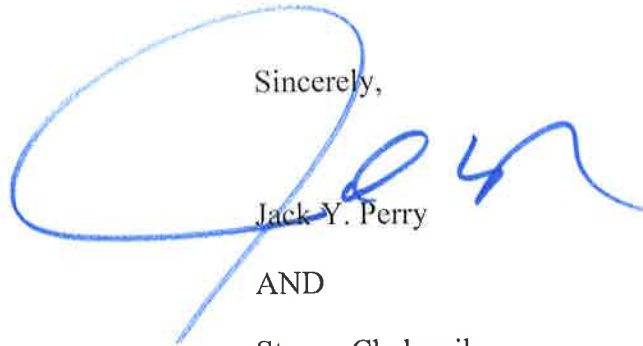
Costco and Emerson appreciate HCRRA and Met Council's consideration of their Narrow Objection. And they, as supported by City, respectfully request that HCRRA and Met Council agree to evaluate, as part of the Preliminary Engineering process, the land use and economic impacts of alternative routes of the SW LRT in City along Technology Drive, including the location of the Eden Prairie Town Center transit station on Costco's property — notably, the alternative route of the SW LRT in City along Singletree Lane, including the location of the Eden Prairie Town Center transit station on City-owned property near the intersection of Singletree Lane and Prairie Center Drive.

To the extent, however, that HCRRA and Met Council either will not look at alternatives or do so but conclude that the alternatives are inferior, Costco and Emerson have several more objections as it relates to the proposed route for the SW LRT along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property. But they have shared those concerns with City on multiple occasions. And, out of respect for the expressed willingness from HCRRA and Met Council, through their representatives, to perform an alternative analysis for this portion of the route as part of the Preliminary Engineering process, they will not repeat those concerns here.

Peter McLaughlin
December 18, 2012
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Please contact me (612-977-8497) or Steve Chelesnik (952-828-3303), who is the Vice President & General Counsel of Emerson Process Management, with any questions and/or concerns.

Sincerely,



Jack Y. Perry

AND

Steven Chelesnik
Vice President & General Counsel, Emerson
Process Management

JYP/kg

cc: HCRRA (swcorridor@co.hennepin.mn.us)
Hennepin County Housing, Community Work & Transit
701 Fourth Avenue South, Ste. 400
Minneapolis, MN 55415



"Nancy Newcomb"
<scratchndentlady@comcast.net>

12/19/2012 11:12 AM

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject 2 Issues

I am small business in St. Louis Park. I am a part of the Hiway 7/Louisiana interchange coalition that is comprised of many businesses in SLP. We have resigned ourselves to the fact that LRT is coming thru, no matter what. We have a couple issues: The transportation \$ could be better spent on other projects such as Hwy 10 which has had a number of fatalities. Hwy 7 has had 0. I understand that this project is being done to prepare for LRT but have you lost sight of human cost just to get the LRT thru here? The other issue is that SLP has not set aside any \$ to help any of the businesses that will be in a 2-year construction zone with no access off of Hwy 7 on and off for the 2 year period and then no access at all for months at the end of the project. This is our major artery for our businesses. MNDOT has stated there is a 30-40% drop in business on this kind of project (we know that is a low estimate). Needless to say a few of us will not be able to sustain that. We are a 15 year old family business and it's sad. The city offered us low interest loans that we have to pay back, marketing/communications which we would have to pay for and free consultation. We are business people with a wealth of experience and knowledge, do you really think a government office can teach us how to prepare our business. If our revenue is down, how can we possible pay for extra costs.? Why is there \$500,000 dedicated to the design and implementation of artwork for the Hwy 7/Louisiana interchange, more bicycle/pedestrian paths in a commercial/industrial zone but no money to help the businesses was set aside. All I'm asking is for a little compassion in supporting the businesses the way we have supported you all these years.

Nancy Newcomb | Owner

Odds and Ends Furniture Gallery

3740 Louisianna Avenue South

St. Louis Park, MN 55426

Tel: 952.924.1061 | Fax: 952.924-0567

scratchndentlady@comcast.net

www.oddsandendsfurniture.com



December 7, 2012

Hennepin County
Housing, Community Works & Transit
ATT: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Re: Calhoun Isles Condominium Association Comments on the Southwest Transitway Draft
Environmental Impact Statement

Dear Project Manager;

Calhoun Isles Condominium Association is located north of the future location of the West Lake Street station and abuts the south-east side of the present Kenilworth bike and walking trails, which is the present freight line right-a- way. Our complex consists of 109 high-rise condos and of 34 town homes. The condo construction uses 11 inch concrete for walls and floors rising 12 floors. The railroad right-a-way at this point is directly adjacent to our Condominium Association.

CONCERNS

A comprehensive review of the DEIS has shown the particular importance of the following issues:

- o Noise
- o Vibration
- o Electromagnetic Interference and live exposed wires
- o Safety
- o Visual Effects

NOISE

DEIS data indicates the Leq ambient noise level in the Calhoun Isles area to be 44dB^[1]. This data does not include the freight train traveling this track at 5 MPH two or maybe three times over a 24-hour period. With a 90 ton LRT traveling these tracks every 3 ½ minutes at 30 to 40 MPH, with brake and wheel squeal, with the warning bells at the station, the (SEL) sound level will reach 114 dB as also shown by DEIS data^[2]. This is “severe impact”^[3]. The tracks at this area are on a curve, guaranteeing wheel squeal. Further the stop at the West Lake Street station guarantees brake squeal. The FTA charts use Leq , cumulative noise exposure over one hour, with only 12 LRTs per hour at a distance of 50 feet. Our area will have 17 LRTs per hour at a distance of approximately 20 feet from a two track LRT. *There are no charts covering such extreme conditions.* This does not take into account the noise amplification that occurs in the upper floors of the high rise or that 17 times an hour we shall experience (SEL) noise levels of

^[1] DEIS Appendix H Part 1, page 215 and page 217 for footnotes description.

^[2] DEIS 4.7.3.4 Table 4.7-2

^[3] DEIS Appendix H Part 1, page 207 and FTA Manual page 49, Figure 3-1.

114 dB^[4]. On the log scale **this does not appear excessive, but on a normal linear scale this is an increase over the ambient of three thousand times in intensity!** From universal data, this sound level is similar to live rock music or an auto horn at one meter distance.

An additional source of noise would occur with a LRT bridge over Cedar Lake Pkwy. The LRT would begin its rise and complete its drop close to the Calhoun Isles complex and thus expose its excessive track noise more easily to the trail and the surrounding homes.

VIBRATION

Vibration from the LRT will be at a higher frequency than that experienced with the freight train and thus more in the audible range as it dampens. There is concern about the long range effects, both on the concrete condominium and the structure of the town homes construction With the schedule of the LRT this vibration will occur every 3.5 minutes compared to every 8 to 12 hours as previously. Thoughts of the collapse of the Sabo Bridge, caused by stress fractures, come to mind.

ELECTROMAGNET INTERFERENCE

With fully exposed overhead wires and arcing, significant concern exists about the health of the occupants of the nearby housing units. The DEIS did not reference any effects on people¹. The total distance across the right-a-way from condo to condo is only 60 feet. This would put some of the condo units within about 15 to 20 feet of the LRT.

Exposed overhead LRT high voltage wires are deadly to birds and kill them en-masse, especially migrating birds. The DEIS dismissed as unlikely any effects on migrating birds². Calhoun Isles and the Park are on a migrating path. The DEIS has not performed any studies on this, therefore more data is required as part of the mitigation process.

SAFETY

Park Siding Park is a playground just across a single lane street from the Kenilworth trail and right a way. There is significant safety concerns about a children's park so close to a fast LRT. Again, there is the noise, vibration, and an environment of a fast train running every few minutes very close to a playground.

The Kenilworth biking and walking trail crosses the LRT tracks at three locations: just south of the West Lake Street station, the Cedar Lake Pkwy, and just north of the 21st Street station where the North Cedar Lake Trail and the Kenilworth trail meet. The concern is whether these crossings will remain safe and convenient. The actual location of the bike and walking trail alongside the LRT was not specified in the DEIS.

VISUAL EFFECTS

The Kenilworth bike and walking trail is a peaceful and pastoral section of the Minneapolis system. To place a fast LRT train, running every 3 ½ minutes, with its catenary poles and wires through this area would have a negative effect on the park. Clearly, local residents wish to retain the environment for the bikers and walkers who use this trail. To the Met Council this area may be seen as a "right-a-way" but, to thousands of Minneapolis residents our park system "is the jewel in the crown" envisioned by those

^[4] DEIS page 4-84 Table 4.7-2.

¹ DEIS 4.10.3 page 4-132

² DEIS 4.3.2.4 page 4-49

having the foresight to establish this park system. We realize Light Rail is important, but do not wish to destroy the environment. A surface LRT would destroy this.

SUGGESTED MITIGATION ALTERNATIVES

Placing the LRT below grade level would significantly reduce our concerns noted above. This could be accomplished with a tunnel or, more economically, with ditch and fully enclosed sound barrier. Sound barriers, by themselves, would not control the sound amplified to the upper floors of the high rise. Therefore, the sound barriers must be enclosed. Such a system would also ease the problem of the Cedar Lake Blvd intersection, allowing the road to be a grade bridge over the LRT track. Live overhead wires would be shielded from migrating birds, some rare such as Eagles and Cranes.

We value the opportunity to comment on the DEIS for the SWLRT, and we expect to have a role in the mitigation process regarding the concerns addressed above.

Sincerely,

A handwritten signature in black ink that reads "Nancy Green President". The signature is written in a cursive, flowing style.

Nancy Green

Calhoun Isles Condominium Association

CALHOUN ISLES CONDOMINIUM ASSOCIATION

RESPONSE TO

DRAFT ENVIRONMENTAL IMPACT STATEMENT

ISSUE NOISE AND VIBRATION

4.7.1 Methodology pg4-76-77

Airborne noise effects associated with the proposed Southwest Transitway Project were evaluated using the FTA's Detailed Noise Assessment methods (FTA 2006). The methodology included identifying noise-sensitive land uses, measuring existing outdoor noise levels in the project area, using the existing noise levels to identify noise impact thresholds, calculating project-related outdoor noise levels, and determining if project-related noise levels exceed FTA noise impact thresholds. FTA noise impact thresholds vary depending on land use and existing noise exposure. Two types of noise impacts are included in the FTA criteria. The type of impact affects whether noise mitigation is implemented.

- **Severe Impact.** A significant percentage of people are highly annoyed by noise in this range. Noise mitigation would normally be specified for severe impact areas unless it is not feasible or reasonable (unless there is no practical method of mitigating the impact).
- **Moderate Impact.** In this range, other project-specific factors are considered to determine the magnitude of the impact and the need for mitigation. Other factors include the predicted increase over existing noise levels, the types and number of noise-sensitive land uses affected, existing outdoor-indoor sound insulation, and the cost-effectiveness of mitigating noise to more acceptable levels.

Refer to Appendix H for details on the noise impact criteria.



TRACK AND BIKE/WALKING TRAILS

COMMENT: The information detailed in this section is so severe that mitigation is imperative. The standard in the FTA Manual for noise is for a distance of 50 feet and 12 passes per hour. At our location the distance from a two track LRT to the condo complex will be approximately 20 feet and the hourly trips will be 17. There are no charts that even come close to these

extreme conditions. The ambient Leq noise measured is 44 dB while the LRT noise SEL, from the Hiawatha

Line, will be 114 dB. That is an extraordinary increase in noise that will occur 17 times every hour. This is not only true for the residents of the Calhoun Isles Condominium Association, but also for those at Park Siding playground and the Kenilworth biking and walking trail. Presently, residents of Calhoun Isles Condominium Association, who live in the upper floors of the towers and in line of sight of the

freight train wheels, report the noise at ground level is amplified at levels above ground. For the vast majority of time, the residents, who live in the tower facing Cedar Lake, experience low levels of noise (the aforementioned 44 dB). These noise levels are so low, in fact, that some of the residents can regularly hear ducks quacking and/or geese honking on Cedar Lake. Noise monitoring locations should include higher elevations so that appropriate mitigations can be implemented.

Based on the ESI Engineering Report (Appendix) the following are additional comments on the noise impact assessment:

1. An Existing Noise Exposure level of $L_{dn} = 60$ dBA was assumed based on measurements near West Lake Street (Site No. 31), but we assume most of cluster A-A-WB-2-1 is located in an area similar to Site No. 30, which has an existing noise level of $L_{dn} = 55$ dBA. This reduces the impact criterion level.
2. Additional measurement of the existing noise exposure level are needed nearer the condo building more accurately evaluate the noise impact.
3. The DEIS "Noise Assessment Table - 2012 Update" uses a distance to track centerline of 49 ft for the nearest cluster, but the actual distance between track centerline and the nearest house is estimated to be about 30 ft.
4. Including bell noise traveling at 15 mph in the calculations increases the impact by about 6 dBA.
5. The DEIS "Noise Assessment Table - 2012 Update" uses the wrong moderate and severe impact levels. If the existing noise level is $L_{dn} = 60$ dBA, the impact criteria is 58 dBA for moderate and 63 dBA for severe, not 60 dBA for moderate and 64 dBA for severe as shown.
6. The impact criteria for an existing noise level of $L_{dn} = 55$ dBA (measurement Site No. 30) is 55 dBA for moderate and 61 dBA for severe.
7. The "Ambient Noise Impact Table - 2012 Updates" in Appendix H includes noise measurement results. The descriptions for Site No.'s 30 and 31 say that noise from several CT&W train events was removed. However the measurement is noted to indicate the freight train noise was included in the measurement. Which is correct?
8. The FTA manual does not have an adjustment for effects of elevation. No adjustment in the calculation for the height of the townhouses and condo buildings were included in the DEIS assessment.
9. Train horns were not used in the DEIS noise analysis. This is an issue at Cedar Lake Parkway if an at-grade-crossing is selected as an alternative to the bridge in the current design. Our calculations indicate that one train horn per hour at the Cedar Lake Parkway causes an impact that exceeds the Severe Impact criterion by 9 dBA at 50 ft.
10. If the train bells and horn are sounded from the front and rear of the 3 car trains simultaneously (as was done on the Hiawatha line), the noise exposure is greatly increased. This needs to be verified.
11. The distance from the track to the nearest cluster in the 2012 Update of the Noise Assessment Table is 49 feet. However, the nearest house is about 30 feet from the centerline of the alignment. The nearer distance increases the noise impact by about 2 dBA.

12. LRT speeds indicated on drawings in the DEIS are slower than 45 mph in much of the Kenilworth Corridor.

4.7.3 Long Term Effects pg 4-84

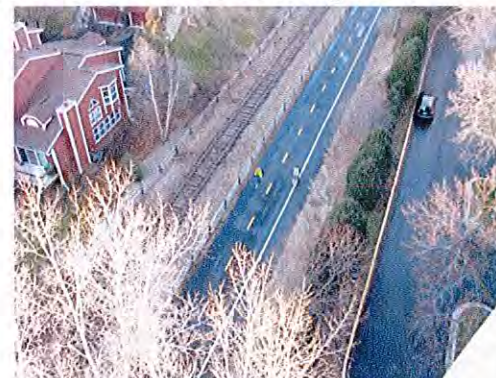
Table 4.7-2 Sound Exposure Levels used in the Noise Analysis. Operational assumptions include # trips/day, speed, vehicle bells, horns, stationary bells

COMMENTS; Operational assumptions include # trips/day, speed, vehicle bells, horns, stationary bells but does not mention the long term effect of frequency of the noise levels from for example, high frequency wheel squeal and low frequency train rumble from train sway. When the LRT is operational, the sound will increase from approximately one locomotive train per 8 hours to approximately 250 LRT trains per day. A final analysis of the long term effects should include recognition and study of the effects of noise exposure from over 250 trains per day. Calhoun Isles Condominiums will be exposed to noise from five of the six noise sources listed in table 4.7-2 including Sound Level Exposure of 106 decibels from stationary crossing signal and 114 decibels from vehicle curve squeal. This noise affects all the residents of Calhoun Isles Condominium Association with some as close as 40 feet from the current single track who will be severely impacted by noise well above the 55dB.

4.7.6 Mitigation pg4-102

Project noise levels that result in a "Severe Impact" to a receptor pose a compelling need for mitigation. Most of the severe impacts are due to warning signals such as horns and bells near at-grade crossings, crosswalks and stations. Use of these signals is required for safe operation of the LRT system, but this does not exclude mitigation options for these impacts

COMMENT: As stated in Table 4.7-8, Noise level of the 250 LRT trains will have a severe impact on 406 living units between West Lake Street Station and Penn Station, especially given the concrete/stucco towers and townhomes structure of the Calhoun Isles Condominium Association. The West Lake Street station is less than 1 city block from the Calhoun Isles Condominiums; this area will be plagued with the bell



LOOKING DOWN FROM 3151 TOWER

noise as well as the brake squeal as the LRT approaches the station. The brake squeal will be particularly loud, louder than the 114 dB, as trains travel down the Cedar Lake Pkwy bridge ramp into the West Lake Street station. Calhoun Isles Condominiums are also on a curve of the tracks. This factor also guarantees significant wheel squeal. Another source of wheel squeal will occur when the 90 ton trains accelerate from a stopped position at the station and proceed to downtown Minneapolis or to Eden Prairie. Based on multiple observations that have been made at various points on the Hiawatha LRT, the bell noise will be as obnoxious as the noise from the wheel squeal. The Kenilworth trail is adjacent to the proposed LRT route. Kenilworth Trail is a well-used neighborhood area that connects the Chain of Lakes and intersects with Historic Grand Rounds. Users of Cedar Lake Park, South Beach,

Hidden Beach, Park Siding, boaters and many other recreational destinations are impacted by the noise from the LRT. No specific mitigations are listed to address this impact on the densely populated and heavily utilized area north of the West Lake Street Station. Calhoun Isles Condominium Association requests additional study of the noise impact on the neighborhood and asks for consideration of mitigations for the area between West Lake Street Station and Cedar Lake Parkway that includes tunneling, trenching or a covered trench such as the trench on the Hiawatha line that



PARK SIDING PLAYGROUND & TRAIN

goes under Minnehaha Park. We think that virtually all the bell noise can be eliminated by employing a less invasive warning signal, such as flashing lights, instead of the bells at the West Lake station. The SWLRT will not encounter any cross streets between the Belt Line Highway and 21st street. Enclosing the SWLRT in a tunnel or a covered trench will allow the bike and walking paths to be segregated from the tracks. Hence, using the flashing lights at the West Street station will provide adequate warning to the riders. The bells and/or horns can be used, if an emergency situation arises. We believe that the elimination of

the bells will solve a major noise issue for the entire CIDNA neighborhood south of Cedar Lake.

Neighborhood associations should be stakeholders in planning the mitigations for the severe noise levels. We respectfully request that the comment period for 4.7.6 be extended until completion of additional study and/or compilation of specific proposed mitigations.

4.8.2.1 Vibration-Sensitive Land Uses pg 4-108

The FTA vibration screening distances for LRT projects are 450 feet, 150 feet, and 100 feet for land use categories 1, 2, and 3 (as described in Section 4.8.1.1) respectively. These distances were used to determine if any vibration sensitive land uses exist within the screening distances adjacent to each of the alternative alignments. These are illustrated in Figure 4.8-2. Table 4.8-2 summarizes the number of vibration sensitive land uses found within the vibration screening area.

COMMENT: Continuous road and train vibrations from 250 trains per day can damage existing structures as demonstrated with the collapse of the Sabo Bridge from stress fatigue. Construction vibrations can also result in structural damage. Living units in close proximity to the proposed LRT route such as the Calhoun Isles Condominiums which exhibit frequency change as the vibration wave travels should have vibration studies performed in the units prior to construction and after construction has been completed and the trains are operational.

The following are additional comments as noted in the ESI Engineerg Consultant's Report contained in the Appendix on the vibration impact assessment:

1. The project generated vibration and ground-borne noise impact presented in the DEIS assumes the rails and train wheels are in perfect condition. Worn or corrugated rails and wheels with flats are know to increase vibration and ground-borne noise by as much as 10 dB.

2. The distance to the cluster A-A-WB-2-1, the nearest cluster, is shown in General Vibration Assessment Results at 41 feet vs. 49 feet in the Noise Assessment Table. This is inconsistent and there are residences that are closer than 41 feet.

4.8.6 Mitigation pg 4-118

Detailed vibration analyses will be conducted during the Final EIS in coordination with Preliminary Engineering. The Detailed Vibration Assessment may include performing vibration propagation measurements. These detailed assessments during the Final EIS/preliminary engineering phase have more potential to reduce project related effects than assessments of mitigation options at the conceptual engineering phase of the project. Potential mitigation measures may include maintenance, planning and design of special track work, vehicle specifications, and special track support systems such as resilient fasteners, ballast mats, resiliently supported ties, and floating slabs.

COMMENT: Potential mitigation for vibration at high frequency for example when brakes are applied to low frequency when 90 ton trains move and rumble along the track's curves like the one approaching the West Lake Street Station, are not included in the DEIS. Neighborhood associations should be included in the alternative design of these mitigations.

Alternatives may include tunneling or trenching in areas with severe impact from noise and vibration.



OVERLOOK

ISSUE: LAKE STREET STATION: connectivity, parking, safety

2.3.3 LRT 3A (Locally Preferred Alternative) / page 2-31

Stations are proposed at Mitchell Road, Southwest Station, Eden Prairie Town Center, Golden Triangle, City West, Opus, Shady Oak Road, downtown Hopkins, Blake Road, Louisiana Avenue, Wooddale Avenue, Beltline Boulevard, West Lake Street, 21st Street, Penn Avenue, Van White Boulevard, and Royalston Avenue.

4.6 Air Quality 4.6.1.3 Traffic Analysis Air quality data summarized in Tables 406-2 to Table 4.6-4 indicate compliance with standards for air pollutants. 4.6.4 Long Term Effects The traffic analysis completed for this DEIS indicates that several intersections are anticipated to degrade to LOS D, E, or F as a result of at grade crossings, LRT stations, specifically those with park and ride, will cause localized increases in traffic along adjacent roadways.

Comment: The West Lake Street Station will be located within a half mile radius of Excelsior Blvd/West Lake Street/Dean Parkway/West Calhoun Parkway. This is the highest traveled highway in Hennepin County with counts of 39,000 cars. Please refer to the Capstone Project conducted at the University of Minnesota that discusses traffic and trail usage in Minneapolis. <http://pwp.org/lake-st-excelsior-blvd/>. Currently, automobile traffic is frequently gridlocked in the area surrounding the proposed West Lake Street Station. It is reasonable to expect that the West Lake Street Station will increase the number of cars utilizing these streets. Neighboring communities such as Calhoun Isles Condominium Association would be adversely affected by emissions from the increased number of automobiles.

No degree of degradation of the air quality should occur in this already saturated area as a result of the West Lake Street Station. Request additional study of the current traffic flow and projected traffic flow increase related to LRT use based on studies of the Hiawatha line ridership characteristics for traveling to the LRT stations. These studies should then be used as the basis for planning the design of the West Lake Street Station.

3.1.5 Long-Term Effects

3.1.5.1 Effects to Land Use and Socioeconomics / Page 3-33

Accessibility is an important consideration when making development decisions for various types of land use, including residential, office and retail commercial, health and community services, and recreation facilities. Improved accessibility will help the study area become more attractive to business and residential development opportunities, especially when linking major employment centers with rapid transit.

5.2.5.2 Mitigation for Parking and Access Parking

Build Alternatives LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative) are all anticipated to have a relatively modest impact on parking with the removal of 20 on-street parking spaces on Royalston Avenue. Mitigation of this effect may include working with staff from the City of Minneapolis to identify needs and opportunities for providing alternative parking solutions. However, based on adjacent land uses and long-term city plans for this area, the need for alternative parking solutions is believed to be low.

Build Alternatives LRT 1A and LRT 3A (LPA) are not anticipated to have any long-term effects on business access; therefore, no mitigation is required.

Comment: Due to existing parking saturation at the lots adjacent to the proposed West Lake Station area, it is reasonable to expect that there will indeed be a need for alternative parking solutions. The need for additional parking should be mitigated in order to accommodate the increased demand from projected transit riders who will drive to the station in order to board the LRT.

Residents of Calhoun Isles as well as other residents in the neighborhoods surrounding the proposed West Lake Street Station location utilize the trails to access neighborhood amenities such as stores as

well as recreational activities at the Lakes and in the parks. Both pedestrians and bikers must have ready and safe circulation in and around Calhoun Village, Calhoun Market Plaza and the West Lake Station as well as safe access to the Grand Rounds and other bike and hiking trails.

Request an analysis of multimodal (car, bicycle, pedestrian) traffic flow and linkages to and from these various destinations and the station. Safe and free flowing bicycle and walking paths must be maintained during construction as well as being integrated into the final design. Resident input should be considered in the design of the safe passage ways.

Calhoun Isles Condominium Association respectfully requests that the comment period for 5.2.5.2 be extended until such time that all studies of traffic and future parking needs are identified and/or specific mitigations have been proposed.

ISSUE: VISUAL EFFECTS

Segment A [LRT 1A and LRT 3A (LPA)] / Page 3-115

The project elements in Segment A corridor would be located on HCRRRA property. Although the segment is located in an existing transportation corridor (Kenilworth Regional Trail), the project would introduce new visual elements—the fixed guideway, including track, catenary poles, and wires—into the area. Catenary poles and wires could have substantial visual impacts on trail users who would share the corridor with the fixed guideway

Visual impacts on sensitive receptors located at single-family and multi-family parcels throughout the corridor would generally not be substantial because of mature vegetation buffers and the presence of an existing freight rail corridor. Visual impacts may be substantial where the alignment is not



SCENIC ALONG TRAIL

screened by vegetation. Visual intrusion and privacy impacts of the project elements on the sensitive receptors may be substantial where views from the alignment into previously private spaces are created. Visual intrusion and privacy impacts on the outdoor living areas of residential properties could be substantial where vegetation or landscape buffers do not exist

COMMENT: There will be substantial visual impacts and effects on residents particularly along Segment A north of West Lake Street Bridge and south of Cedar Lake Parkway where the Calhoun Isle Condominium Association and the Cedar Lake Shores Condominiums are currently separated by less

than 65 feet of right of way. The current landscaping of mature tree and evergreens on the berms helps to screen the tracks on each side. On page 2-46 in Figure 2.3-10 LRT Guideway, a typical section at grade is shown to have a 100-foot right of way with the tracks and trails requiring 58 of the 100 feet. In Appendix F Part 1, page 53 the right of way is located adjacent to the edge of the tower at 3151 Dean Court. The bicycle and pedestrian trails or the tracks, depending on the design of the corridor, will be less than a foot from the current living units in Calhoun Isles Condominiums and Cedar Lake Shores Condominiums. Visual impact as well as privacy impacts to indoor and outdoor living areas of both condominiums associations will be significantly affected.

There are a large number of evergreens plants (estimated 15 to 29 feet high) and mature trees (30 to 40 feet high) all along the Kenilworth trail. This area is a stop- over for birds during the spring and fall migration periods. Preservation of existing trees and shrubs or replacement with substitutes of

equivalent type and height should be part of the mitigation plan. Project engineers should employ the highest standards of creativity and design as they attempt to preserve the quality of this vital urban green space. Residents of Cedar Lake Shore Condominiums and Calhoun Isles Condominiums should be included in planning the mitigations for visual impact.



FROM 3151 CONDO TO TRAIL & TRACK

Page 115, cont. (Cedar Lake Parkway) The proposed alignment is on a bridge over Cedar Lake Parkway. Visual impacts on sensitive receptors adjacent to the corridor in the multi-family residential parcel and Cedar Lake

Parkway could be substantial. Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment where it is bridged structure could be substantial.

COMMENT: A bridge over Cedar Lake Parkway clearly would have substantial visual impacts on residences of Calhoun Isles Condominiums as well as other residents from Lake Street to the Kenilworth Channel. It would also have substantial impacts on users of the Historic Grand Rounds (drivers, bicyclists, pedestrians), as well as Cedar Lake Park and beach users, a fact not mentioned in the present study.

There is no evidence in the present study that the feasibility of trenching, tunneling, or depressing the LRT below Cedar Lake Parkway was examined. Another consideration not mentioned is to utilize the current design of a single bi-directional track perhaps in combination with tunnel or trench. We strongly request that a study of this possibility be undertaken, since a bridge would have such grave quality of life impacts on area residents and users, and an at-grade crossing is likely to have significant traffic and safety impacts.

3.6.5.3 Mitigation, Build Alternatives / Page 3-123

The need for additional landscaping to mitigate potential visual intrusion/privacy impacts following clearing and grubbing activities during construction will be addressed in the Final EIS. Station design and aesthetics will be addressed during Preliminary Engineering and Final Design. Mitigation treatments for visual impacts would be developed during the Final Design process through discussion with affected communities, resource agencies, and stakeholders. Measures would be taken to ensure the design and construction of the Build Alternative considers the context of the corridor and that sensitive receptors receive adequate mitigation. Possible mitigation measures could include:

- Landscaping vegetation such as shrubs and bushes to supplement existing vegetation buffers
- Evergreen vegetation screening to supplement deciduous vegetation buffers in leaf-off conditions
- Fencing
- Tunneling

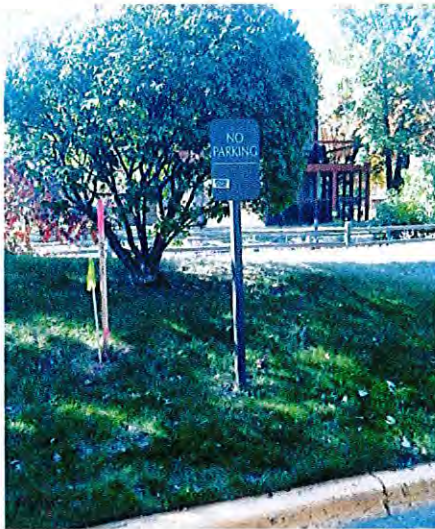
COMMENT: Calhoun Isles Condominium Association would like to be included in the discussions related to mitigation of visual effects and appreciate the inclusion of communities in this part of the project.

4.10 Electromagnetic Interference and Utilities pg 4-130

This section provides general information regarding existing electromagnetic fields (EMF), electromagnetic interference (EMI), and utilities, and identifies potential effects that may result from the proposed Southwest Transitway project.

4.3.2.4 Migratory Birds

Given the lack of quality habitat along the proposed Build Alternatives, it is likely that the species present in the vicinity have adapted to survive in urban areas and tolerate high levels of human activity. Therefore, the Build Alternatives are not expected to have long term impacts to migratory bird populations.



COMMENT: Exposed overhead LRT high voltage wires are deadly to birds and kill them en-masse, especially migrating birds. The DEIS dismissed as unlikely any effects on migrating birds. Calhoun Isles Condominium residents can attest to the presence of migrating birds several times a year and there is no doubt that this area is on a migrating path. The DEIS does not include any studies on this so mitigation is needed.

Calhoun Isles Condominium Association respectfully requests

that the comment period for 4.3.2.4 be extended until such time that a study of migratory patterns has been done and/or specific mitigations to address the impact of high voltage lines on migratory birds are proposed for the area between Lake Street Station and Cedar Lake.

There is no mention of potential health hazards for persons living in close proximity, like 40 feet or less to the exposed overhead wires. That information should be made available to the public. Any effects could be corrected for example by using a tunnel for a shield.

ISSUE: CO-LOCATION

11.2.5 LRT 3A-1 (Co-location Alternative)

The potential adverse environmental impacts associated with LRT 3A-1 (co-location alternative) cause this alternative to fail to rise to the environmentally preferred alternative They include:

- The necessity to acquire Cedar Lake Park property owned by the Minneapolis Parks and Recreation Board would cause a Section 4(f) impact.
- Failure to provide a direct connection between the CP Bass Lake Spur and the CP MN&S requiring freight trains to navigate the cumbersome and noisy Skunk Hollow switching wye to complete this maneuver.
- High construction related impacts because of the complex construction staging required to rebuild the freight rail tracks.
- Economic development and the potential for transit oriented development will be diminished because of the close proximity of freight rail operations to station locations.
- Pedestrian safety at the Wooddale, Beltline, and 21st Street LRT Stations would be affected by the need to cross the freight rail tract between the LRT stations and park and ride facilities.
- The economic impact of acquiring over 60 units of primarily high quality, high income multi-family housing by the West Lake Street station makes this alternative inconsistent with state, regional, and local policies and adopted plans.
- Retention of freight rail operations in the Kenilworth Corridor will continue to divide neighborhoods while its removal will allow the Southwest Transitway project to bring the areas together and improve community cohesion.



TOO CLOSE NOW

The use of park property is significant. Section 4(f) of the U.S. Department of Transportation Act of 1966, codified at 49 U.S.C. § 303 and 23 U.S.C. § 138 prohibits the Secretary of Transportation from approving a project that requires the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of an historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the resource), unless the agency can demonstrate that:

- There is no feasible and prudent

alternative to the use of the land; and

- The action includes all possible planning to minimize harm to the property resulting from such use.

The acquisition of 0.81 acres of Cedar Lake Park needed to co-locate the freight rail tracks that is associated with LRT 3A-1 (co-location alternative) would constitute a Section 4(f) use. Because this Draft EIS has presented other feasible and prudent alternatives to LRT 3A-1 (co-location alternative), this alternative cannot be recommended as the environmentally preferred alternative.

COMMENT: Calhoun Isles Condominium Association supports the conclusion that co-location of freight rail is not a feasible alternative for the reasons listed. The loss of park land described in the DEIS for the co-location cannot be mitigated. The impact on the neighborhoods and on the safety of residents especially at the crossings at Beltline and 21st Street Station would require significant mitigations not explored in this document. These mitigations for safety would require additional funding.

COMMENT: Calhoun Isles Association review of the DEIS was unable to locate information related to plans for dealing with occurrences such as a derailment of the LRT train. Given the close proximity to the guideway, we would ask that these contingency plans be made available to the public.



THERE IS NO SPACE FOR MORE TRACKS

Submitted by:
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December 5, 2012



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**Summary Report
Southwest Transitway Light Rail Noise and Vibration**

Cedar-Isles-Dean Neighborhood Association – Minneapolis, Minnesota

Introduction

We understand the Cedar-Isles-Dean Neighborhood Association (CIDNA) is reviewing the Federal Transit Administrations and Hennepin County Regional Rail Authority's Draft Environmental Impact Statement (EIS) for the Southwest Light Rail Transit (LRT) project. The Southwest Transitway LRT is planned to operate along a 15-mile route between downtown Minneapolis and Eden Prairie. The route passes through the CIDNA neighborhoods, as shown in Figure 1 below. CIDNA has concerns about several issues related to this alignment, including the LRT noise and vibration impacts.

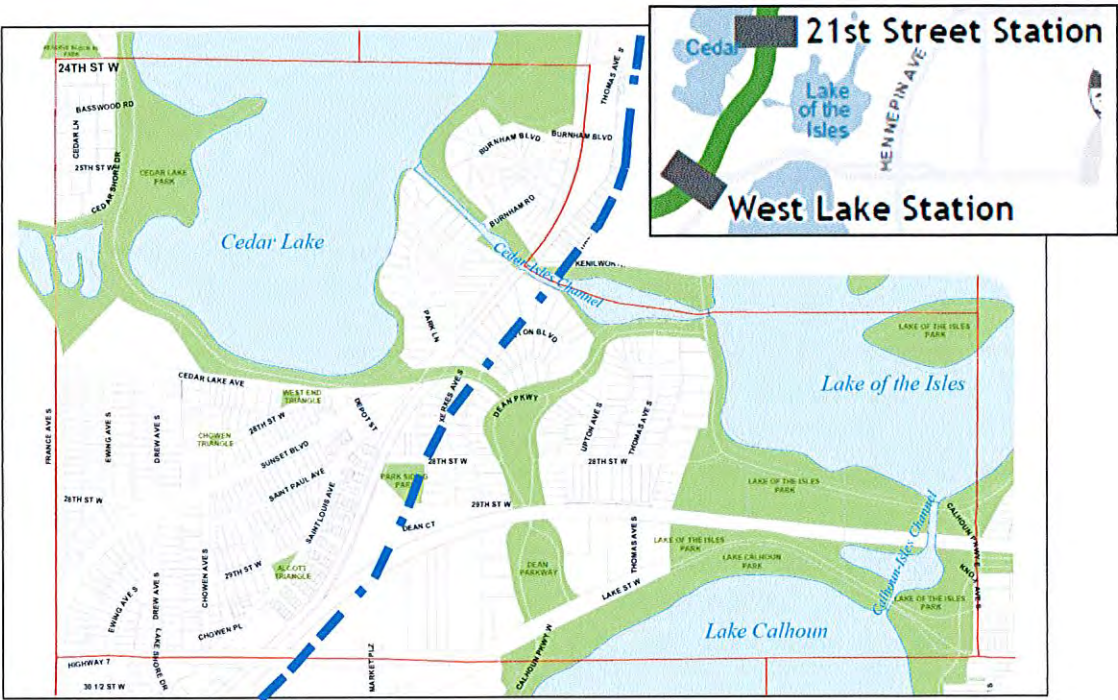


Figure 1 – Map showing the CIDNA neighborhood and inset of the Southwest Transitway route through the Kenilworth Corridor.

The DEIS includes an assessment of noise and vibration related to the construction and operation of the LRT system. ESI Engineering was asked to review the predicted noise and vibration impact as presented in the DEIS. This letter summarizes our findings.

The CIDNA neighborhood is in project segment A, as shown in Figure 2. Segment A is part of the “Locally Preferred Alternative”, a route that is being recommended as the final alignment. Figure 3 is a compilation of drawings from the DEIS that show the preliminary plans in more detail.

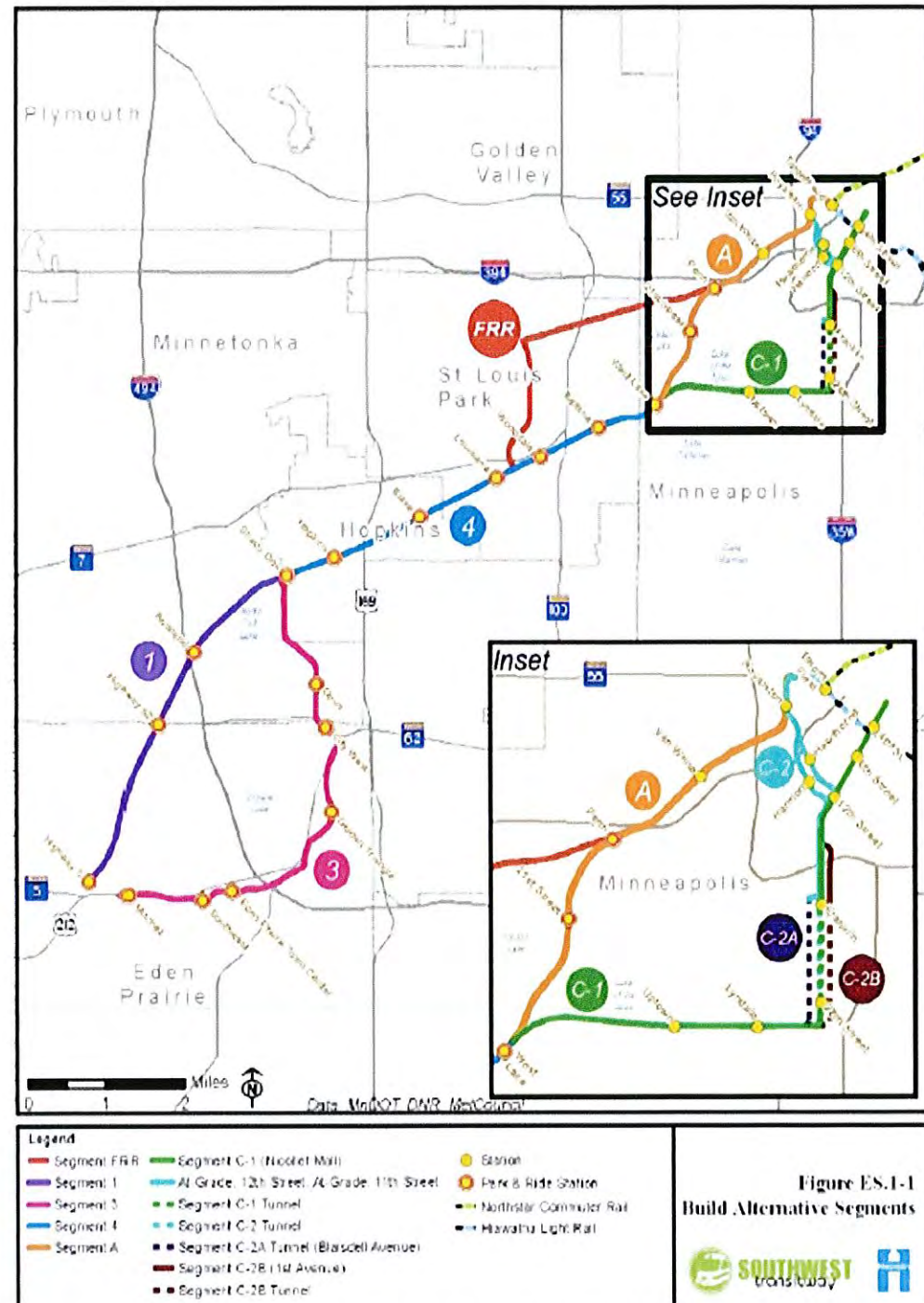


Figure 2 – Map showing project segments.

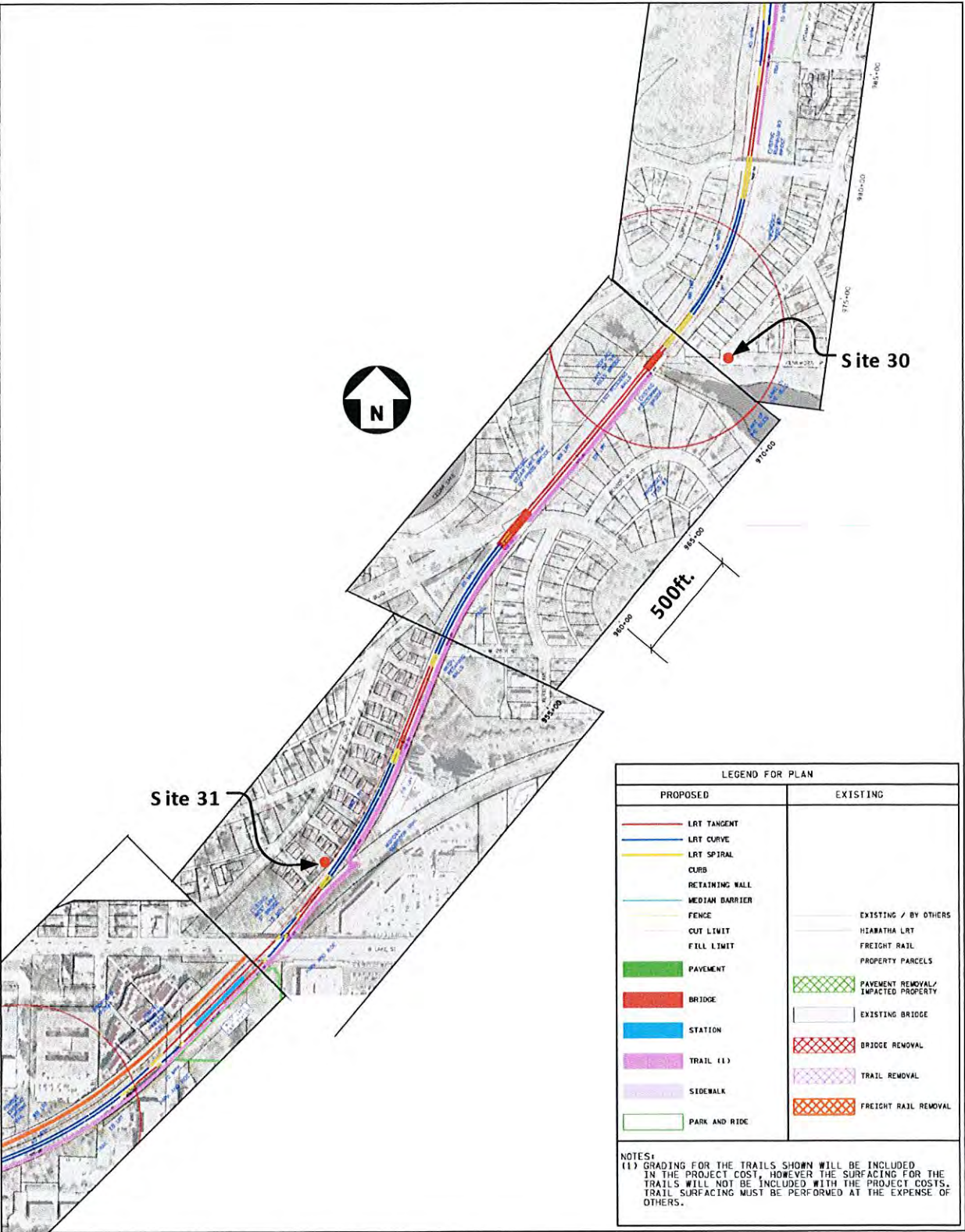


Figure 3 – Compilation of the LRT alignment through the Kenilworth Corridor.

Figure 4 is a section from the DEIS that shows the preliminary rail layout adjacent to a bike/walking trail, such as that along the Kenilworth Corridor. Figure 5 shows this section on an aerial photograph of the existing Kenilworth Corridor freight rail and bike/walking trail in an area that is very narrow. The nearest homes are approximately 30 feet from the centerline of the alignment.

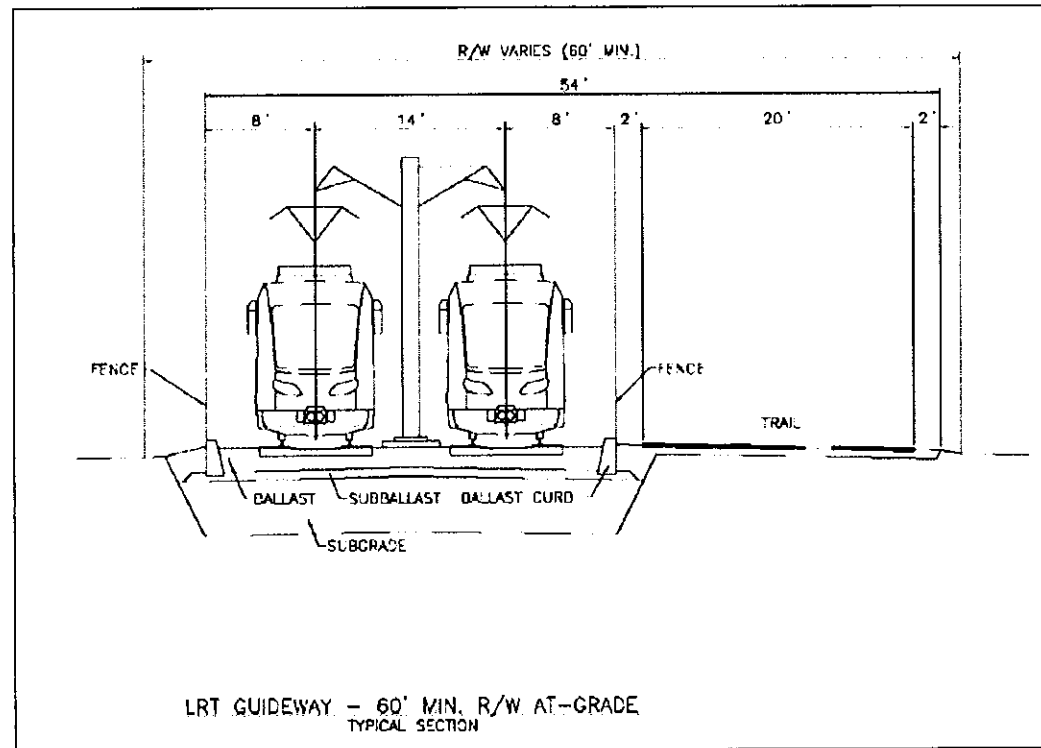


Figure 4 – A section showing the guideway adjacent to a bike / walking trail (from the DEIS).



Figure 5 – Photograph showing the proposed alignment in the Kenilworth Corridor.

Noise Impact

The FTA's Transit Noise and Vibration Impact Assessment (FTA-VA-90-1003-06, May 2006) was used in the DEIS to evaluate noise and vibration impacts. The document, commonly referred to as the FTA manual or the FTA guidelines, defines noise and vibration impact criteria for different categories of land use. For the airborne noise impact assessment, the CIDNA neighborhoods are considered a Land Use Category 2. Further, the noise metric used is the Day-Night Sound Level, or L_{dn} . The impact criteria are defined by a set of curves, as shown in Figure 6. There are two impact levels; Severe and Moderate. Measurements of existing noise are used to determine the impact threshold per the curves in Figure 6. The method outlined in the FTA manual requires the project to calculate the LRT related noise level and compare the results with the impact thresholds.

A limited number of noise measurements are included in the DEIS. Two noise measurements were made along the Kenilworth Corridor at locations indicated in Figure 3. Site 30 is at Kenilworth Place and South Upton Avenue and Site 31 is at 3427 St. Louis Avenue.

Because there are many thousands of potential receivers that could be affected by the LRT noise, in the DEIS the various receivers were grouped into "clusters" along each segment of the alignment. There is no map showing where the clusters are located, but there is a distance given for each cluster to the track, and a train speed. This information, along with the predicted train noise impact, is given in a Noise Assessment Table included in Appendix H of the DEIS.

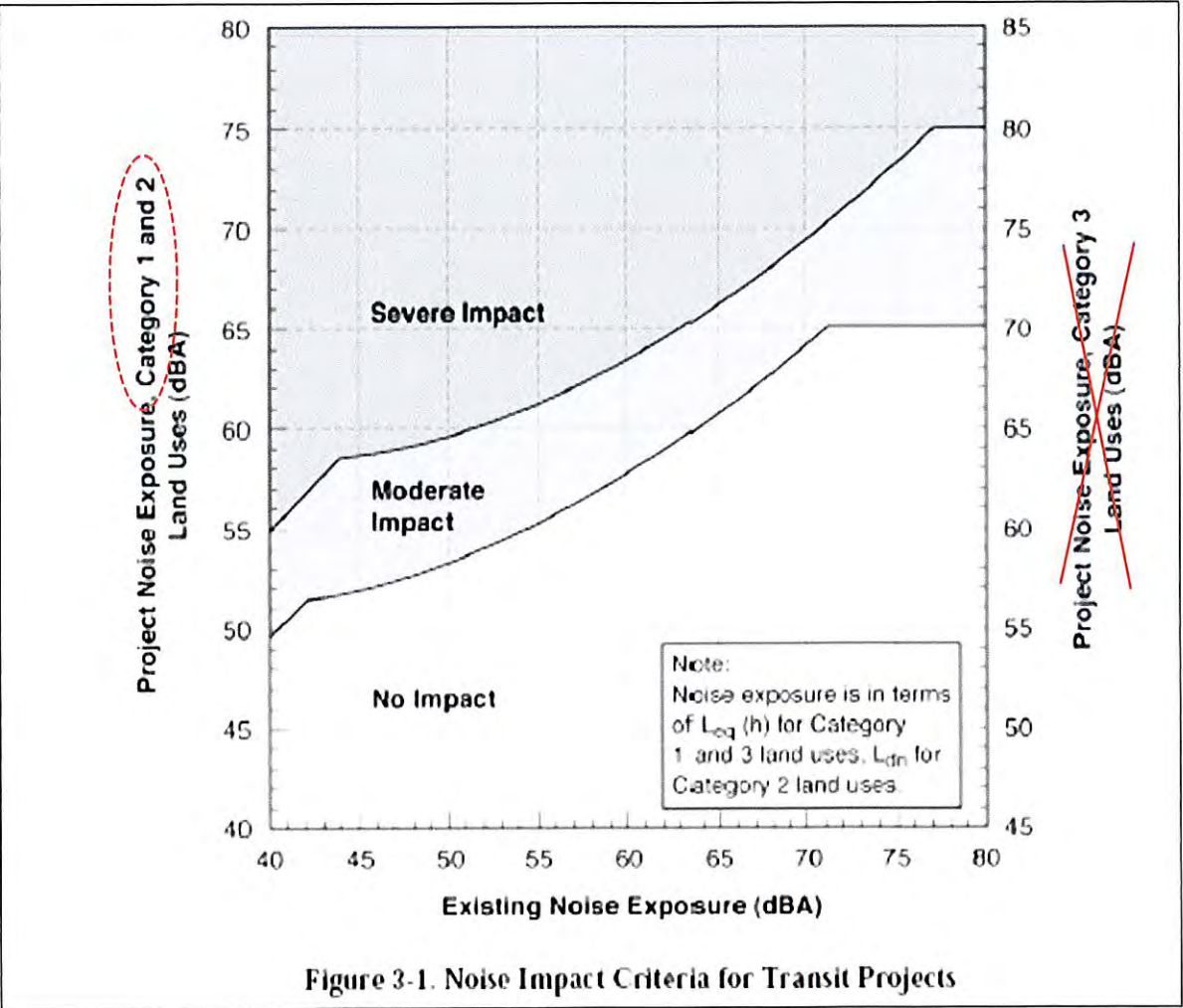


Figure 3-1. Noise Impact Criteria for Transit Projects

Figure 6 – The FTA’s noise impact criteria.

Using the information provided, we also calculated the Noise Impact using the methods in the FTA Manual. Our calculations are summarized in a table included in Appendix A of this letter. The following summarizes the assumptions used in the calculations:

	DEIS	ESI
Cluster Identifier	A-A-WB-2-1	nearest homes
Train Sound Exposure Level	81 dBA	81 dBA
Train Speed	45 mph	45 mph
Number of Cars	3 cars	3 cars
Daytime volume	198 trains	198 trains
Nighttime volume	60 trains	60 trains
Distance to Nearest Receiver	49 ft	30 ft
Existing L _{dn} Noise Level	60 dBA	55 dBA

The differences in the assumptions are the distance to the nearest receiver and the existing noise level. The DEIS uses 49 ft as the distance to the cluster, where some homes are as close as 30 ft.

The DEIS uses the existing L_{dn} noise measurement from Site 31, which is 60 dBA, presumably because of traffic noise on Lake Street. The existing L_{dn} noise at Site 30 is 55 dBA, which we expect is more representative for existing noise along most of the corridor. The results of the DEIS and the ESI calculations are shown in Figure 7 below. The range for the ESI calculations includes the effects trains with bells and without bells. The DEIS calculations do not appear to include the effects of bells as the trains approach the West Lake Street Station. Further, the DEIS does not include the effects of the train horn.

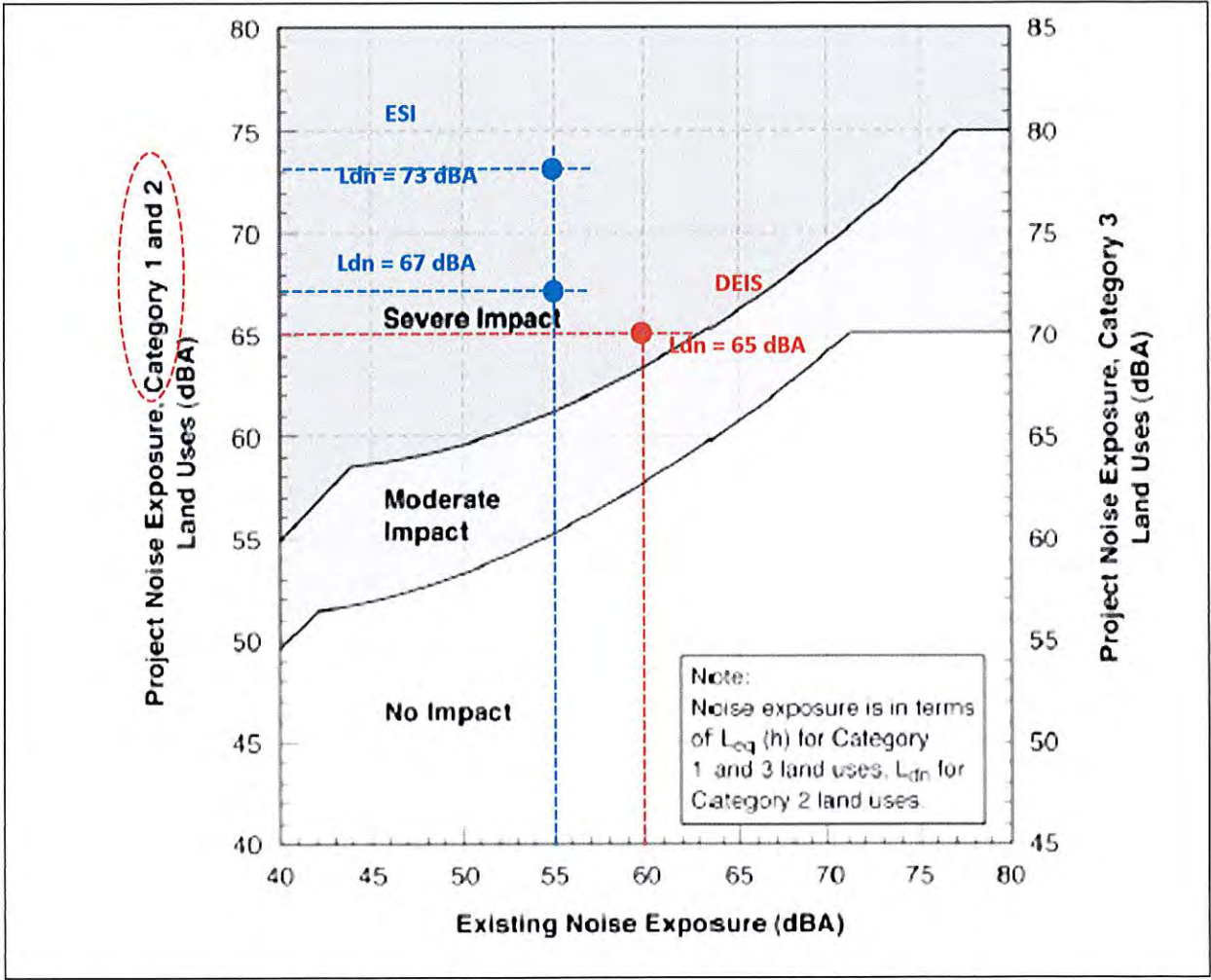


Figure 7 – A comparison of the DEIS (red) and ESI (blue) noise impact assessment.

The conclusion of both assessments is the same, that the noise impact is severe; however the ESI assessment uses a more realistic distance, existing noise exposure level and the effects of train bells. We did not find any mitigation methods in the DEIS to reduce the noise impact.

The following are additional comments on the noise impact assessment:

13. An Existing Noise Exposure level of $L_{dn} = 60$ dBA was assumed based on measurements near West Lake Street (Site No. 31), but we assume most of cluster A-A-WB-2-1 is located in an area similar to Site No. 30, which has an existing noise level of $L_{dn} = 55$ dBA. This reduces the impact criterion level.
14. Additional measurement of the existing noise exposure level are needed nearer the condo building more accurately evaluate the noise impact.
15. The DEIS "Noise Assessment Table - 2012 Update" uses a distance to track centerline of 49 ft for the nearest cluster, but the actual distance between track centerline and the nearest house is estimated to be about 30 ft.
16. Including bell noise traveling at 15 mph in the calculations increases the impact by about 6 dBA.
17. The DEIS "Noise Assessment Table - 2012 Update" uses the wrong moderate and severe impact levels. If the existing noise level is $L_{dn} = 60$ dBA, the impact criteria is 58 dBA for moderate and 63 dBA for severe, not 60 dBA for moderate and 64 dBA for severe as shown.
18. The impact criteria for an existing noise level of $L_{dn} = 55$ dBA (measurement Site No. 30) is 55 dBA for moderate and 61 dBA for severe.
19. The "Ambient Noise Impact Table - 2012 Updates" in Appendix H includes noise measurement results. The descriptions for Site No.'s 30 and 31 say that noise from several CT&W train events was removed. However the measurement is noted to indicate the freight train noise was included in the measurement. Which is correct?
20. The FTA manual does not have an adjustment for effects of elevation. No adjustment in the calculation for the height of the townhouses and condo buildings were included in the DEIS assessment.
21. Train horns were not used in the DEIS noise analysis. This is an issue at Cedar Lake Parkway if an at-grade-crossing is selected as an alternative to the bridge in the current design. Our calculations indicate that one train horn per hour at the Cedar Lake Parkway causes an impact that exceeds the Severe Impact criterion by 9 dBA at 50 ft.
22. If the train bells and horn are sounded from the front and rear of the 3 car trains simultaneously (as was done on the Hiawatha line), the noise exposure is greatly increased. This needs to be verified.
23. The distance from the track to the nearest cluster in the 2012 Update of the Noise Assessment Table is 49 feet. However, the nearest house is about 30 feet from the centerline of the alignment. The nearer distance increases the noise impact by about 2 dBA.
24. LRT speeds indicated on drawings in the DEIS are slower than 45 mph in much of the Kenilworth Corridor.

Vibration Impact

The FTA's Transit Noise and Vibration Impact Assessment was also used in the DEIS to evaluate the project vibration impacts. There are three levels of assessment outlined in the FTA manual; the screen procedure, the general assessment, and the detailed analysis. The general assessment was done in the DEIS. A detailed analysis will be required in the Final EIS, and will include vibration measurements.

There are very few details in the DEIS on the general vibration assessment that was performed and what assumptions were made. Again, there are three land use categories and the residences in the CIDNA neighborhoods fall into Category 2. The vibration impact level or criterion is 72 VdB for frequent events (more than 70 per day). The ground-borne noise criterion is 35 dBA. Ground-borne noise is the noise that is caused by surfaces in a building that vibrate and create pressure waves.

Using the information provided in the DEIS, we also calculated the Vibration Impact using the methods in the FTA Manual. Our calculations are summarized in a table included in Appendix B of this letter. The following summarizes the assumptions used in the calculations:

	<u>DEIS</u>	<u>ESI</u>
Cluster Identifier	A-A-WB-2-1	nearest homes
Train Speed	45 mph	45 mph
Number of Cars	3 cars	3 cars
Distance to Nearest Receiver	41 ft	30 ft

The DEIS and our calculations show that the project generated vibration and ground-borne noise will exceed the impact criteria of 72 VdB and 35 dBA, respectively.

The following are additional comments on the vibration impact assessment:

3. The project generated vibration and ground-borne noise impact presented in the DEIS assumes the rails and train wheels are in perfect condition. Worn or corrugated rails and wheels with flats are know to increase vibration and ground-borne noise by as much as 10 dB.
4. The distance to the cluster A-A-WB-2-1, the nearest cluster, is shown in General Vibration Assessment Results at 41 feet vs. 49 feet in the Noise Assessment Table. This is inconsistent and there are residences that are closer than 41 feet.
5. Typically, a correction of -5 dB is added in the vibration calculations for wood framed houses. It does not appear that this correction was included in the DEIS General Vibration Assessment. The adjustment would reduce the DEIS vibration impact level from 73 VdB to 68 VdB, which is below the impact criterion of 72 VdB.
6. LRT speeds indicated on drawings in the DEIS are slower than 45 mph in much of the Kenilworth Corridor.

Please let me know if you have any questions or need more information.

Sincerely,

ESI Engineering, Inc.

Anthony J. Baxter, P.E.

Calculations						
Assumptions	DEIS No Bells	ESI No Bells	ESI Bells @ 45 MPH	ESI Bells @ 15 MPH	ESI Horn & Bells @ 15 MPH	ESI LRT @ 25 mph
SEL _{ref} , Sound Exposure Level	81 dBA	81 dBA	81 dBA	81 dBA	81 dBA	81 dBA
N _{cars} , No. of Cars	3	3	3	3	3	3
S _C , Speed of LRT	45 mph	45 mph	45 mph	45 mph	45 mph	25 mph
V _{dC} , Daytime LRT Volume	198 + 15 = 13	13	13	13	13	13
V _{nC} , Nighttime LRT Volume	60 + 9 = 7	7	7	7	7	7
S _H , Speed of Horn	-	-	-	-	15 mph	-
V _{dH} , Daytime Horn Volume	-	-	-	-	1	-
V _{nH} , Nighttime Horn Volume	-	-	-	-	-	-
S _B , Speed of Bells	-	-	45 mph	15 mph	15 mph	-
V _{dB} , Daytime Bells Volume	-	-	198 + 15 + 2 = 7	7	7	-
V _{nB} , Nighttime Bells Volume	-	-	60 + 9 + 2 = 3	3	3	-
d, Distance to Track	49 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Existing Noise Level	L _{dn} = 60 dBA (Site No. 31)	L _{dn} = 55 dBA (Site No. 30)	L _{dn} = 55 dBA (Site No. 30)	L _{dn} = 55 dBA (Site No. 30)	L _{dn} = 55 dBA (Site No. 30)	L _{dn} = 55 dBA (Site No. 30)
FTA Moderate Impact Criterion	60 dBA	55 dBA	55 dBA	55 dBA	55 dBA	55 dBA
FTA Severe Impact Criterion	64 dBA	61 dBA	61 dBA	61 dBA	61 dBA	61 dBA
Project Related Noise	L _{dn} = 65 dBA	L _{dn} = 67 dBA	L _{dn} = 70 dBA	L _{dn} = 73 dBA	L _{dn} = 75 dBA	L _{dn} = 62 dBA
Cumulative Noise Level	L _{dn} = 66 dBA	L _{dn} = 67 dBA	L _{dn} = 70 dBA	L _{dn} = 73 dBA	L _{dn} = 75 dBA	L _{dn} = 62 dBA
Increase Over Existing	+6 dBA	+12 dBA	+15 dBA	+19 dBA	+20 dBA	+7 dBA
FTA Impact Level	Severe	Severe	Severe	Severe	Severe	Severe
Exceedance Over Criterion	+1 dBA	+6 dBA	+9 dBA	+12 dBA	+14 dBA	+1 dBA

Land Use Category				DEIS	ESI - 1	ESI - 2	ESI - 3	ESI - 4	ESI - 5	ESI - 6
Side of Track				WB	WB	WB	WB	WB	WB	WB
Distance from track centerline, ft				41 ft	30 ft	30 ft	30 ft	45 ft	45 ft	45 ft
Speed, mph				45 mph	45 mph	45 mph	45 mph	45 mph	45 mph	45 mph
RMS Velocity level, VdB re 1 micro in./sec				74 VdB	77 VdB	77 VdB	77 VdB	74 VdB	74 VdB	74 VdB
Factors Affecting Vibration Source										
Source Factor	Adjustment to Propagation Curve			Comments						
Speed	Vehicle Speed	Reference Speed		Vibration level is approximately proportional to 20*log(speed/speedref). Sometimes the variation with speed has been observed to be as low as 10 to 15 log(speed/speedref).	-1 VdB	-1 VdB	-1 VdB	-1 VdB	-1 VdB	-1 VdB
		50 mph	30 mph							
		+1.6 dB	+6.0 dB							
		50 mph	0.0 dB							
		40 mph	-1.9 dB							
		30 mph	-4.4 dB							
		20 mph	-8.0 dB							
Vehicle Parameters (not additive, apply greatest value only)										
Vehicle with stiff primary suspension	+8 dB									
Resilient Wheels	+0 dB									
Worn Wheels or Wheels with Flats	+10 dB									
Track Conditions (not additive, apply greatest value only)										
Worn or Corrugated Track	+10 dB									
Special Trackwork	+10 dB									
Jointed Track or Uneven Road Surfaces	+5 dB									
Track Treatments (not additive, apply greatest value only)										
Floating Slab Trackbed	-15 dB									
Ballast Mats	-10 dB									
High-Resilience Fasteners	-5 dB									
Factors Affecting Vibration Path										
Path Factor	Adjustment to Propagation Curve			Comments						
Resiliently Supported Ties	-10 dB									
Track Configuration (not additive, apply greatest value only)										
Type of Transit Structure	Relative to at-grade tie & ballast: Elevated structure Open cut			-10 dB 0 dB						
	Relative to bored subway tunnel in soil: Station Cut and cover Rock-based			-5 dB -3 dB -15 dB	0 dB	0 dB	0 dB	0 dB	0 dB	
Ground-borne Propagation Effects										
Geologic conditions that promote efficient vibration propagation	Efficient propagation in soil			+10 dB						
	Propagation in rock layer	Dist.	Adjust.							
		50 ft	+2 dB							
		100 ft	+4 dB							
		150 ft	+6 dB							
		200 ft	+9 dB							
Coupling to building foundation	Wood Frame Houses 1-2 Story Masonry 3-4 Story Masonry Large Masonry on Piles Large Masonry on Spread Footings Foundation in Rock			-5 dB -7 dB -10 dB -10 dB -13 dB 0 dB						
Predicted Vibration Level (VdB)				73 VdB	71 VdB	76 VdB	86 VdB	63 VdB	73 VdB	83 VdB
Impact Criterion (VdB)				72 VdB	72 VdB	72 VdB	72 VdB	72 VdB	72 VdB	72 VdB
Exceedance Over Criterion (VdB)				+1 VdB	-1 VdB	+4 VdB	+14 VdB	-9 VdB	+1 VdB	+11 VdB
Factors Affecting Vibration Receiver										
Receiver Factor	Adjustment to Propagation Curve			Comments						
Floor-to-floor attenuation	1 to 5 floors above grade: 5 to 10 floors above grade:			-2 dB/floor -1 dB/floor						
Amplification due to resonances of floors, walls, and ceilings				+6 dB						
Conversion to Ground-borne Noise										
Noise Level in dBA	Peak frequency of ground vibration: Low frequency (<30 Hz): Typical (peak 30 to 60 Hz): High frequency (>60 Hz):			-50 dB -35 dB -20 dB						
Predicted Ground-Borne Noise (dBA)				-	36 dBA	41 dBA	51 dBA	50 dBA	38 dBA	48 dBA
Impact Criterion (dBA)				-	32 dBA	32 dBA	32 dBA	32 dBA	32 dBA	32 dBA
Exceedance Over Criterion (dBA)				-	+4 VdB	+9 VdB	+19 VdB	+18 VdB	+6 VdB	+16 VdB

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Henepin County Housing, Community Work & Transit
Att - Southwest Transitionary
701 Fourth Ave S. Suite 400
Mpls, MN 55415



2200 IDS Center
80 South 8th Street
Minneapolis MN 55402-2157
tel 612.977.8400
fax 612.977.8650

Comment #357



December 18, 2012

Jack Y. Perry
(612) 977-8497
jperry@briggs.com

VIA E-MAIL AND U.S. MAIL

Peter McLaughlin
Chair, Hennepin County Regional Railroad Authority
300 South Sixth Street
Minneapolis, MN 55487-0241

Re: Southwest Transitway DEIS

Dear Chair McLaughlin:

This letter is being sent on behalf of Costco Wholesale (Costco) and Emerson Process Management/Rosemount (Emerson). This letter is being sent to you as the Chair of the Hennepin County Regional Railroad Authority (HCRRA), which is the lead state agency under the Minnesota Environmental Policy Act (MERA) for the preparation of the Southwest Transitway's (or SW LRT) October 2012 Draft Environmental Impact Statement (DEIS). This letter is also being copied to the Metropolitan Council (Met Council), which is the lead for the preparation of the SW LRT's Final Environmental Impact Statement (FEIS).

Costco and Emerson begin by thanking you for the opportunity to comment on the DEIS at the November 29, 2012 public hearing in Eden Prairie. And Costco and Emerson hereby submit their joint written comments on the DEIS. These written comments are consistent with their oral comments on November 29, 2012.

OVERVIEW

Other than their narrow objection to the proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property (Narrow Objection), Costco and Emerson are very much supportive of the SW LRT. Costco and Emerson have, in fact, been meeting with representatives of the City of Eden Prairie (City) for the past several months in order to address their Narrow Objection without compromising or delaying the success of the SW LRT. The seven-step basis for Costco and Emerson's Narrow Objection is set forth below.

City has been receptive to Costco and Emerson's Narrow Objection. Indeed City has from May 18, 2010 to the present continuously supported Costco and Emerson's Narrow Objection by requesting that HCRRA and Met Council "evaluate alternatives" to the proposed route of the SW LRT in City along Technology Drive, including the proposed location of the

Eden Prairie Town Center transit station on Costco's property. City has had periodic meetings with HCRRA and Met Council representatives, and their representatives have assured City that they would, in fact, evaluate such alternatives as part of the SW LRT's Preliminary Engineering process. These assurances from HCRRA and Met Council's representatives are reflected in City's December 4, 2012 "[g]eneral [c]omments" to the DEIS. 12/4/12 City's DEIS comment letter at ¶¶ 1-2 (emphasis added).

**SEVEN-STEP BASIS FOR COSTCO AND EMERSON'S
NARROW OBJECTION**

STEP NO. 1: City is to have a say in the decisions regarding the proposed SW LRT which affect City.

a. HCRRA and Met Council have repeatedly and emphatically assured the six local municipalities that are being asked to "host" the proposed SW LRT (*i.e.*, City, Edina, Hopkins, Minneapolis, Minnetonka and St. Louis Park) that they are, in exchange, entitled to provide input regarding, and ultimately the discretion to approve or deny, the route for the SW LRT, including the location of the transit stations within their borders.

b. City is, more specifically, a "participating agency" in the SW LRT project.

c. And 23 U.S.C. § 139 provides that City, as a "participating agency," is permitted to (1) assist the project sponsor in determining the range of alternatives to be considered in a project's DEIS and (2) identify, as early as practicable, any issues of concern regarding the project's potential impacts.

STEP NO. 2: HCRRA and Met Council ultimately **need** City to issue the necessary local land use approvals for the route of the SW LRT in City, including the location of the transit stations within City.

a. City is statutorily charged with the responsibility to protect the public health, safety and general welfare of its citizens.

b. City thus has broad discretion to act so as to protect its citizens.

c. The location of the route of the SW LRT in City, including the location of the transit stations within City, will have a significant impact on the public health, safety and general welfare of its citizens.

d. City thus has broad discretion to approve or deny the required land use approvals for the proposed route of the SW LRT in City, including the proposed location of the transit stations within City.

STEP NO. 3: City has continuously expressed its **objection** to the proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property.

a. On May 18, 2010, the Eden Prairie City Council passed Resolution No. 2010-40, which (1) expressed concern regarding the potential adverse environmental and economic impact of the proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property, and (2) asked HCRRA and Met Council to (a) "evaluate alternatives" and (b) "find solutions for mitigating impacts of the proposed LRT on the businesses."

b. As reflected in HCRRA and Met Council's February 21, 2012 Request for Proposals (RFP), City has continued to insist that an "alternatives analysis . . . be done for the . . . Town Center station in Eden Prairie." (Emphasis added).

c. On November 20, 2012, the Eden Prairie City Council authorized its City Manager to submit City's comments to the DEIS.

d. On December 4, 2012, City's City Manager submitted, among other comments, City's following two "[g]eneral [c]omments" to the DEIS:

1) The City of Eden Prairie continues to support Alternative 3A as the preferred alternative as it serves the Major Center Area and Golden Triangle Area and provides the best opportunities for development, redevelopment, and economic development. Alternative 3A clearly has the highest ridership potential and the greatest positive economic impact to Eden Prairie and the region primarily due to its close proximity to existing and future job concentrations. However this alternative could be further improved in these respects by moving the Town Center Station closer to the Town Center or the Eden Prairie Center.

2) In order to better serve the Eden Prairie Town Center and Eden Prairie Center the feasibility of a more centrally located and walkable Town Center Station needs to be evaluated during the Preliminary Engineering process. Attached for reference are several concept location areas for the proposed Town Center Station that should be considered.

12/4/12 City's DEIS comment letter at 1 ¶¶ 1-2 (emphasis added).

e. In response to City's continuous insistence that an "alternatives analysis . . . be done for the . . . Town Center station in Eden Prairie," HCRRA and Met Council have through their representatives represented their willingness to evaluate, as part of the Preliminary Engineering process, alternatives to the proposed route of the SW LRT in

City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property.

f. As reflected in Figures 1 and 4 of the DEIS, HCRRA and Met Council have already identified and conducted some preliminary analysis of alternatives to the Town Center transit station in City.

STEP NO. 4: City has compelling **land use concerns** with the proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property.

a. As reflected in City's May 18, 2010 resolution and December 4, 2012 DEIS comment letter, as well as HCRRA and Met Council's February 21, 2012 RFP, the primary purpose and need for the Eden Prairie Town Center transit station is to provide transportation to transit-dependent riders and pedestrians; it is not to be designed as a park and ride.

b. The "Station Vision" for the Eden Prairie Town Center transit station is as follows:

Station Vision

- A vibrant mixed use district dominated by retail and residential uses. This idea builds on and enhances the efforts of the 2007 Major Center Area study and seeks *to create a walkable transit village that is well served by multiple modes of transit while accommodating service and personal vehicle circulation and parking.*
- Vertical mixed-use development of no fewer than 3 stories and no more than 5 stories for the majority of parcels. Rooftop decks should be allowed in excess of these heights.
- Land use near the station should be *higher density* and should include *higher-intensity multi-story mixed-use comprised* of offices and multi-family residences. Ground floor uses should be active and connected to the pedestrian environment.

(Underlining in original; italics added).

c. The proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property, would not serve the above-stated purpose and need for the Eden Prairie Town Center transit station; it is not near transit-dependent riders or pedestrians.

(1) Costco's property is guided and zoned as "Regional Commercial," which is defined by City as follows:

Regional Commercial: This category is located in areas where one or more of the following characteristics are present: a) large sites are available to provide locations for major shopping centers which serve a wider region than the City itself; b) *relatively large sites for sales and service operations that are not typically found in shopping center structures and attract little or no pedestrian traffic*; and c) sites to provide limited sales and service operations that are oriented and directly related to highway or freeway uses, tourists and travelers. Corresponding zoning districts are the C-Reg, C-Reg-Ser and the C-Hwy districts. Site coverage is .20-.40

(Underlining in original; bold and italics added).

(2) In contrast, the "Town Center" zone is defined by City as follows:

Town Center

This category designates the land use for a mixed-use downtown area to be located near the center of the Major Center Area. The 120 acre area is to be redeveloped over time into a compact, walkable, vibrant, pedestrian oriented area. The Town Center is a result of a history of planning dating back to the 1970's and the adoption of the 2006 Major Center Area (MCA) Study and Plan. The focus of the MCA Study is on *creating a concentrated pedestrian and transit oriented development area that has a supportive mix of higher intensity land uses (retail, service, office, housing, park, hospitality, and entertainment)*, consist of vertical mixed use buildings (i.e. office or housing over shops and restaurants) and the nearby housing will be higher density than typically found in other parts of the City. *Future transit services* (light rail and bus) will help ensure convenient access and mobility. Parking will be in parking structures and on-street with limited use of surface parking lots. Future buildings will front on a street with a lively and active street life. Parks, trails, landscaped streets and plazas will add green space and recreation amenities to the area. The redevelopment will be designed to support Eden Prairies' community health, active living and sustainability goals. In order to limit traffic congestion, development intensity in the balance of the MCA will be lower than in the Town Center. See the Town Center Land Use Plan and the Major Center Area Study for further information. Corresponding zoning is the TC - Town

Center Mixed Use District. Residential is 45-75 du per acre.
Commercial is .20-.40.

(Bold in original; underlining and italics added).

(3) City's "Major Center Area" is further defined as follows:

Development patterns should continue as they have throughout most of the area abutting the outer ring road of Prairie Center Drive and Valley View Drive. A compact, walkable Town Center should be created that would cluster around Singletree Lane and Idlewild Lake. Eden Prairie's highest development densities should be found within the Town Center. Organized by a new grid system of streets and urban amenities, the Town Center should emphasize residential, retail and mixed-use development types.

(Emphasis added).

STEP NO. 5: City has compelling **economic concerns** with the proposed route of the SW LRT along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property.

a. The proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property, would result in the partial taking of Costco and Emerson's property on Technology Drive, for which HCRRA and Met Council would be liable.

(1) HCRRA and Met Council will be liable to Costco and Emerson for the "fair market value" of the real estate being taken from Costco.

b. The proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property, would result in the Minn. Stat. § 117.186, subd. 2-defined "business destruction" of Costco for which HCRRA and Met Council would be liable for its § 117.186-provided for "loss of going concern" (*i.e.*, the "fair value" of its Eden Prairie business) and substantial adverse impact for Emerson.

(1) Per the DEIS, the proposed location of the Eden Prairie Town Center transit station on Costco's property will take numerous parking spaces from and dramatically delay the access to and from Costco's convenience-based gas station, thereby causing the complete "business destruction" of this integral component of the store. *Id.*, subd. 2.

(2) Costco's convenience-based gas station is an integral component to its entire Eden Prairie store. Indeed, 10 years ago Costco refused to build on another parcel just south of the Eden Prairie Center Mall because its convenience gas station component could not be accommodated there.

(3) HCRRA and Met Council would clearly not be able to meet one of its statutorily-prescribed affirmative defenses under § 117.186, subd. 2 — notably, the subd. 2(2)-required showing that "the loss can be reasonably prevented [(a)] by relocating the business . . . in [(i)] the same [(i.e., 'on-site')] or [(ii)] a similar and reasonably suitable location as the property that was taken [(i.e., 'off-site')] or [(b)] by taking steps and adopting procedures that a reasonably prudent person of a similar age and under similar circumstances as the owner, would take and adopt in preserving the going concern of the business." (Emphasis and bracketed information added).

(4) HCRRA and Met Council would be liable for Costco's § 117.186 "loss of going concern."

(5) Costco's "loss of going concern" would be in excess of \$100,000,000.

STEP NO. 6: There appears to be **at least one alternative** to the proposed route of the SW LRT in City along Technology Drive, including the location of the Eden Prairie Town Center transit station on Costco's property, that better advances not only (1) the purpose and need for this transit station to the SW LRT but also (2) City's land use objectives without subjecting HCRRA and Met Council to such extreme statutory liability under § 117.186.

a. One alternative route for the SW LRT in City is along Singletree Lane, including the location of the Eden Prairie Town Center transit station on City owned property near the intersection of Singletree Lane and Prairie Center Drive.

b. This alternative would appear to much better serve the purpose and need for this segment of the SW LRT because it would be closer to transit-dependent riders and pedestrians.

c. This alternative would be consistent with the description of the transit station at issue as the "Eden Prairie Town Center" transit station, which came about because it was initially proposed to be located near the "Town Center."

d. This alternative would be consistent with City's land use objectives, which includes "transit facilities" within this "Town Center" designated area.

e. This alternative would minimize the takings liabilities because the transit station would be located on public property.

Peter McLaughlin
December 18, 2012
Page 8

f. But neither this alternative route for the SW LRT in City along Singletree Lane nor any other alternative to the proposed route along Technology Drive has yet been evaluated by HCRRA or Met Council.

STEP NO. 7: There is **still adequate time** to conduct the requested alternative analysis without delaying the project.

a. HCRRA and Met Council do not anticipate completion of the requisite engineering for the Project until 2014.

b. Six months is adequate time to evaluate the above-discussed alternative routes of the SW LRT in City along, among others, Singletree Lane, including the Eden Prairie Town Center transit station near the intersection of Singletree Lane and Prairie Center Drive.

c. As has been explained by HCRRA and Met Council's representatives, the existing proposed route of the SW LRT in City along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property, was adopted as a mere "placeholder" so that the proposal could move forward with environmental review; it was, per HCRRA and Met Council's representatives, NEVER intended to be a permanent or binding part of the overall SW LRT.

CONCLUSION

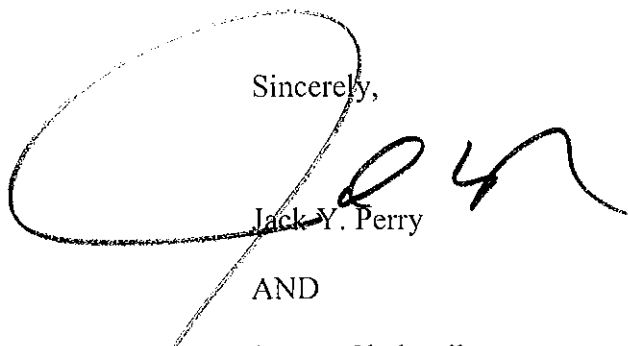
Costco and Emerson appreciate HCRRA and Met Council's consideration of their Narrow Objection. And they, as supported by City, respectfully request that HCRRA and Met Council agree to evaluate, as part of the Preliminary Engineering process, the land use and economic impacts of alternative routes of the SW LRT in City along Technology Drive, including the location of the Eden Prairie Town Center transit station on Costco's property — notably, the alternative route of the SW LRT in City along Singletree Lane, including the location of the Eden Prairie Town Center transit station on City-owned property near the intersection of Singletree Lane and Prairie Center Drive.

To the extent, however, that HCRRA and Met Council either will not look at alternatives or do so but conclude that the alternatives are inferior, Costco and Emerson have several more objections as it relates to the proposed route for the SW LRT along Technology Drive, including the proposed location of the Eden Prairie Town Center transit station on Costco's property. But they have shared those concerns with City on multiple occasions. And, out of respect for the expressed willingness from HCRRA and Met Council, through their representatives, to perform an alternative analysis for this portion of the route as part of the Preliminary Engineering process, they will not repeat those concerns here.

Peter McLaughlin
December 18, 2012
Page 9

Please contact me (612-977-8497) or Steve Chelesnik (952-828-3303), who is the Vice President & General Counsel of Emerson Process Management, with any questions and/or concerns.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'JYP', is written over the word 'Sincerely,' and the name 'Jack Y. Perry'.

Jack Y. Perry

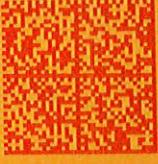
AND

Steven Chelesnik
Vice President & General Counsel, Emerson
Process Management

JYP/kg

cc: HCRRA (swcorridor@co.hennepin.mn.us)
Hennepin County Housing, Community Work & Transit
701 Fourth Avenue South, Ste. 400
Minneapolis, MN 55415

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<WilliamRVanArsdale@eaton.com>

12/20/2012 10:51 AM

To <swcorridor@co.hennepin.mn.us>

cc <WilliamRVanArsdale@eaton.com>, <DaleMitchell@Eaton.com>

bcc

Subject Eden Prairie SWLRT

Please see attached comments on SWLRT

Thanks
Bill VanArsdale
Group President
Hydraulics, Filtration & Golf Grip
Eaton Corporation
14615 Lone Oak Road
Eden Prairie, Mn 55344
Office 952-937-7230
Fax 952-937-7165
Cell 508-878-2613

December 20, 2012

**RESPONSE OF EATON CORPORATION- HYDRAULICS GROUP TO SOUTHWEST
TRANSITWAY-DRAFT ENVIRONMENTAL STATEMENT**

Eaton Corporation-Hydraulics Group ("Eaton") hereby submits its comments on the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway.

Eaton acknowledges the substantial benefits that will arise from, and supports the need for, the Southwest Transitway, which is the subject of the DEIS. Eaton has followed with interest the progress of this project from initial discussions to the current proposals being considered. Because the terminal station of the Southwest Transitway is the Mitchell Station that sits directly on its campus, Eaton has been particularly concerned about the impact of this project on its Hydraulics Group Global Headquarters site.

Eaton's Hydraulics business is a worldwide leader in the design, manufacture and marketing of a comprehensive line of reliable, high-efficiency hydraulic systems and components for use in mobile and stationary applications. Mobile and stationary markets include agriculture, alternative energy, construction, forestry, manufacturing, material handling, mining, oil and gas, processing, transportation and utility equipment.

Eaton has been deeply interested in how the DEIS would evaluate the impact of the Mitchell Station and associated development on the Eaton site. Unfortunately, the DEIS does not even mention the detrimental impact that the Mitchell station and associated development will have on the Eaton site. This may be due to the lack of knowledge of the unique nature of the Eaton campus, which places the fundamental elements of research, design, manufacturing, and administration in a compact and single location. This configuration provides significant and irreplaceable benefits to Eaton in the efficient and profitable operating of this global business.

To provide the reviewing authority with important and objective information about the detrimental impact of the Southwest Transitway, Eaton retained the firm of Shenehon and Associates to assist it in assessing the impact of the Mitchell station and associated development on the Eaton Hydraulics Group Global Headquarters campus. Shenehon's Consulting Memorandum setting forth a preliminary determination of the devastating impact the project will have on the operational efficiency of the campus is attached. Shenehon's analysis and conclusions confirms Eaton's own internal analysis. Again, these negative impacts were not mentioned in the DEIS

The impact of the Mitchell Station will likely involve the loss of the manufacturing building, and also the loss of Eaton's future expansion land. In addition, the Mitchell Station will bring a high volume of traffic into the area of the campus that will create

ingress/egress issues, which will negatively impact any existing operations that will remain at the campus. The continued viability of the site, which employs nearly 650 people, will be in doubt. These impacts were not noted in the DEIS.

In reviewing the Mitchell Station plans and DEIS, it appears to both Eaton and Shenehon that there is a very high likelihood that this plan will move forward and that its impacts will compel Eaton to find a suitable replacement for its campus. Replicating this campus will be difficult and very expensive. In addition to substantial relocation costs, Eaton will incur the costs of purchasing or leasing replacement space and the impairment of the existing property, plant and equipment.

The only alternatives in the DEIS that appear to ensure the continued viability of the Eaton campus are the 'No Build Alternative' and the 'LRT 1A', with all other plans involving a Park & Ride and, except for the 'Enhanced Bus Alternative', a Light Rail Transit Station.

Eaton looks forward to discussing with local, regional, and state agencies how the potential loss of a significant employer can be avoided. It is also important that as this project moves forward that significant funding is made available for the relocation of the Eaton campus and that Eaton is given adequate time to relocate their operations, which could take several years to facilitate.

Sincerely,

A handwritten signature in black ink, appearing to read 'William VanArsdale', with a long, sweeping horizontal line extending to the right.

William VanArsdale
Group President
Hydraulics, Filtration, & Golf Grip
Eaton Corporation

CONSULTING MEMORANDUM

TO: File #12188

FROM: Shenehon Company

DATE: December 17, 2012

SUBJECT: Consulting Services for Eaton Corporation in Anticipation of Southwest Transitway Development.

INTRODUCTION

The purpose of this memorandum is to summarize the potential impacts to the Eaton Hydraulics Global Headquarters campus that will likely result from the Southwest Transitway Mitchell Station – Office and Park & Ride and to provide comment on the Southwest Transitway - Draft Environmental Impact Statement (DEIS). In analyzing the potential ramifications of the taking, it is our opinion that the Mitchell Station – Office and Park & Ride will pose a serious threat to the continued viability of the Eaton Hydraulics Group Global Headquarters campus. It is our opinion that the Mitchell Station plans completely disregard the campus that Eaton has established in favor of redeveloping the campus and surrounding area into a mixed use development, to include residential, commercial, and civic/institutional/office development.

In addition, the Mitchell Station - Office and Park & Ride plans include a major light rail station with ±800 spots for its Park & Ride program located on the north end of the Eaton campus, where the manufacturing facility and excess land are currently located. At a minimum, the light rail station and Park & Ride will result in the loss of the manufacturing facility and the excess land and negatively impact the campus by eliminating the integrated nature of the Eaton Hydraulics Group, along with the ability of future expansion. This will leave Eaton with a small, segregated, quasi-campus that will severely diminish the established synergy of the Eaton campus as it exists today.

In reviewing the DEIS the considered alternatives are a 'No Build Alternative,' an 'Enhanced Bus Alternative' and five Light Rail Transit (LRT) options. After studying the DEIS and Southwest Transitway Area Planning report, the only alternatives that appear to ensure the continued viability of the Eaton campus are the 'No Build Alternative' and the 'LRT 1A'; all other plans involve a Park & Ride and, except for the 'Enhanced Bus Alternative', a Light Rail Transit Station. The recommended alternative identified in DEIS is the 'LRT 3A-1' plan and the 'Co-Location Alternative' is only a slight variation on the 'LRT 3A-1' plan. Both of the recommended plans will have a significant negative impact on the viability of the Eaton campus, likely requiring the relocation of Eaton and involving significant relocation and capital improvement costs which may not even provide Eaton with a truly suitable replacement site.

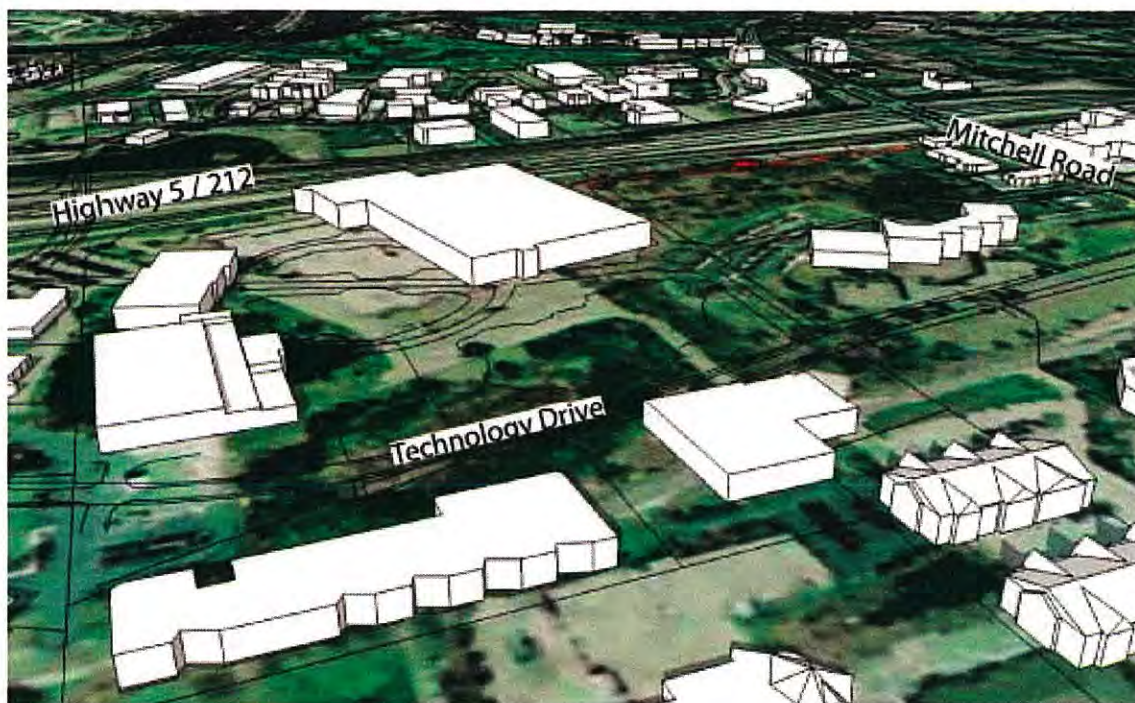
BEFORE CONDITION

The subject campus was initially established in the 1960s when Char-Lynn established its operations in Eden Prairie. Eaton expanded the campus in 1998 and 1999, assembling 61.57 acres of land with a very prominent presence along Highway 212 in Eden Prairie. The campus consists of four buildings: (1) the Hydraulics Group Global Headquarters (office), (2) the Manufacturing Plant, (3) the Technology Building (IS Innovation Center & Test Labs), and (4) the Test Lab - Noise Chamber and Display Area Building. The campus benefits from its proximity to a strong employment base in a first-tier Twin Cities community and from very good access characteristics and visibility. Eaton is the primary property owner of the land, which is bounded by Highway 212 to the north, Mitchell Road to the east, Technology Drive to the south, and Wallace Road to the west. Eaton's ownership comprises over 75% of the total land area within this block. In addition, the Eaton campus includes a 7.64-acre vacant parcel of land with the potential to be utilized for expansion as the company continues to grow and expand. Eaton currently employs approximately 650 people at the subject property and the campus has an assessed value of \$22,606,000 with current real estate taxes of \$853,845.

Campus developments like Eaton's, with strong locations in fully developed areas, are difficult to replicate. Eaton has established a fully integrated campus that creates exceptional efficiencies by having research and development, manufacturing, and executive offices in one location, while also possessing available land to expand operations as the company continues to grow. This environment streamlines communication and teamwork among employees and promotes effortless interactions and exchanges of ideas. At their Eden Prairie campus, Eaton is able to provide their employees with onsite training and the opportunity to see the diverse branches of the business firsthand.

The seclusion and ease of connection between the facilities that a contiguous parcel of land provides is extremely beneficial to the organization. Another common trait shared by Eaton and other comparable corporate campuses is proximity to a strong, highly skilled workforce. Corporations like Eaton will typically invest significantly more capital to create a campus environment than they would invest in standalone office, R & D, and manufacturing facilities, due to the synergistic benefits. The subject site also benefits from having great access and visibility due to its location on Highway 212, only 1.5 miles west of Interstate 494, within 20 minutes from both downtown Minneapolis and the airport. With the surrounding area already mostly developed it would be extremely difficult to find a suitable replacement site similar in size and location. A likely replacement site would either involve a costly redevelopment site or an inferior site located further from the core of the Twin Cities area.

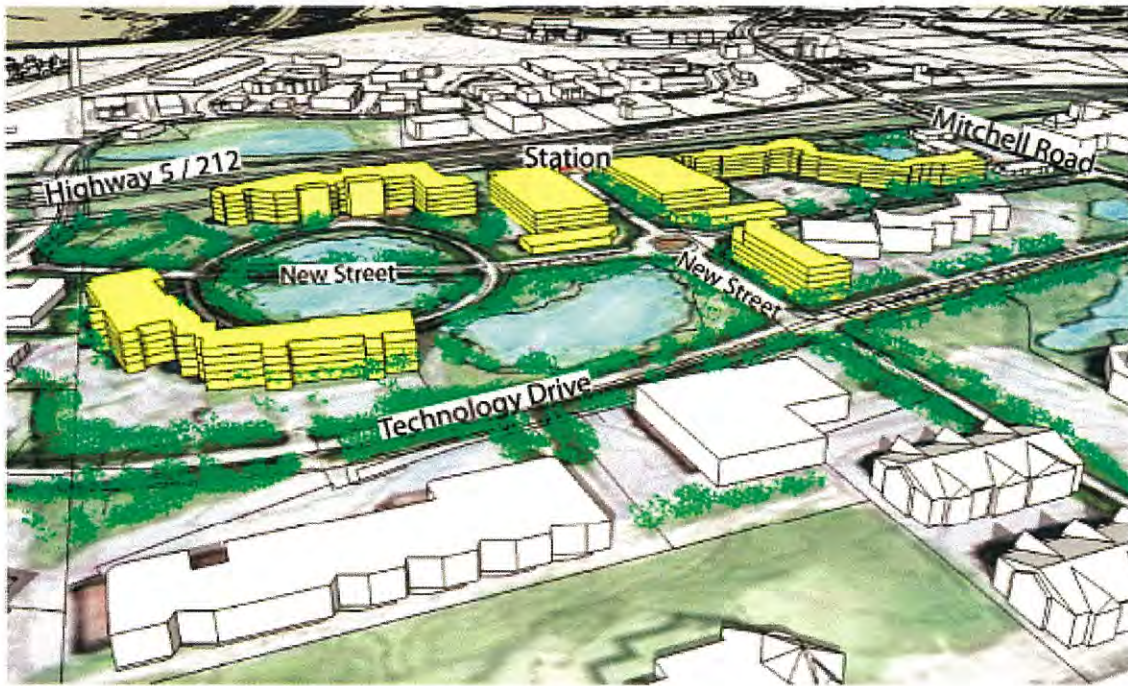
The following graphic was taken from the Southwest Transitway Planning Study and depicts a bird's eye view of the existing area primarily occupied by the Eaton campus.



THE PROJECT

The Mitchell Station – Office Park & Ride as quoted by the Southwest Transit Area Planning Study will be the “end of the line” and “will act as a MAJOR park-and-ride location.” The Southwest Transitway Station Area Planning and DEIS studies the surrounding area within a half-mile radius of the proposed Mitchell Station, but clearly focuses on the block bounded by Highway 212, Mitchell Road, Technology Drive, and Wallace Road. In fact, the plan focuses almost exclusively on the redevelopment of this block. Despite Eaton owning approximately 75% of the land within this block, the plans make almost no mention of the existence of the Eaton campus and do not address the potential impacts to the viability of one of Eden Prairie’s major employers. Preliminary plans indicate that most of this block will be completely redeveloped and that north/south and east/west roadways will run through the center of the current Eaton Campus. Further study of the plan reveals that of the four buildings and land that comprise the Eaton campus, only the office structure and the small Test Lab building are to remain once the area is fully redeveloped. Though complete redevelopment of the entire block may not happen immediately, the LRT Station and ±800 car Park & Ride do appear as immediate threats to the viability of the Eaton Campus.

The following graphic was taken from the Southwest Transitway Plan and depicts the redevelopment of the block that is primarily comprised by the Eaton campus.



Note: yellow structures indicate new development with white buildings representing existing structures. The plan illustrates the loss of not only the manufacturing facility but also the technology building. In addition, there are significant road expansions (including a roundabout) and added retention pond infrastructure.

The Southwest Transitway is marketing the Mitchell Station – Office Park & Ride as a redevelopment opportunity that intends to completely redevelop the block where the Eaton campus is located. The plan specifically references development involving “New Buildings Only,” intending to create the developments listed below.

Commercial Development	108,000 square feet
Civic/Institutional/Office	494,400 square feet that will accommodate 1,412 people
Park and Ride, Ramp	800 cars

In addition, the plan describes the development of a new roadway system that will connect Technology Drive with the Station and Transit Plaza, which will facilitate bus and car drop-off activities. The plan envisions “large parking structures” and a new series of streets that will connect the Station to the Eden Prairie Municipal Campus. There is also an intention to “introduce a significant residential component into the station area near the station itself.” The plan indicates an “opportunity to develop or expand one to three corporate campuses” but fails to mention the existing campus that occupies 75% of the primary Transitway and redevelopment area.

TIMING OF REDEVELOPMENT

The plans for the Southwest Transitway leading to the Mitchell Station – Office and Park & Ride date back to 2002, when feasibility studies were being completed on eight transit alternatives. In 2005 and 2006 the Transitway placed its focus on three transit routes and in 2008 and 2009 plans began to emerge that focused on creating a Transitway Station at Mitchell Road where the Eaton campus is currently situated. Over this period an unprecedented level of economic growth and prosperity occurred, followed by a deep economic recession and financial crisis from which we continue to slowly recover.

As a result, continued office and commercial development growth is currently very speculative and should focus on new development opportunities as opposed to redeveloping thriving, existing campus developments. In this case, the subject provides approximately 650 local jobs and close to \$1,000,000 in annual property tax revenue. The potential to add 1,400+ jobs is enticing to any community, but it would take several years (if not longer) for this to be realized, and at the risk of losing 650 existing jobs. Assuming 1,400 jobs would be created through the redevelopment of the site, this is essentially a net gain of 750 jobs, but at a significant cost to the community. Costs associated with this redevelopment would include the expensive cost to relocate Eaton, extensive infrastructure costs, and likely tax increment financing to entice corporations to the redevelopment area. Additionally, it would take several years before the jobs lost from the Eaton campus would be replaced, and even longer to reach the projection of 1,400+ jobs.

Based on published reports and the DEIS, it is clear that there is a high probability that the Transitway plan will move forward. Yet it appears that the Southwest Transitway Authority has not completed a cost-to-cure analysis which would consider the consequences of keeping Eaton in their current location. As a result, it is critical that the Southwest Transitway consider the potential relocation of a 60 plus acre, four-building campus, which currently employs approximately 650 people, and the extensive costs associated with this relocation. It appears that even if the Transitway project were scaled back to accommodate the continued viability of Eaton, the risk of continued eminent domain would always remain, given the stated intention to see the area redeveloped into a high density, pedestrian and vehicle oriented redevelopment project.

The DEIS indicates that “acquisitions/displacements would be necessary for all of the Build Alternatives-some acquisitions would be very small areas needed to expand right-of-way, but others would involve entire parcels of land that would necessitate relocating a resident or business.” The DEIS also references the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, [42 U.S.C. 4601 et seq.] The Uniform Act requires that property owners be paid fair market value for their land and buildings, and that they be assisted in finding replacement business sites or dwellings. Further defined, the fair market value is based on the highest and best use of the site, which in the instance of the subject would be for continued use as a corporate campus. Based on the Transitway plans it is our opinion that the Eaton facility would have a high likelihood of requiring relocation.

The relocation costs alone would be very expensive for Eaton and would also require significant capital investments to re-establish a corporate campus in the southwest Twin Cities. It is also

likely that the location of any replacement campus would be inferior in comparison to its current location. This also impacts Eaton's ability to recruit talented employees given the strong uncertainty involving the continued viability of the Eaton campus. The following is a summary of the issues involved in relocating Eaton.

Building 1 – Eden Prairie Manufacturing Plant

Replace a 241,227 square foot manufacturing space that is used by Eaton to produce steering units and motors. Eaton aggressively estimates that it would take approximately 18 months to relocate, but it could take longer.

Building 2 – Technology Building

Replace the 60,000 square foot technology/innovation center and test labs. Costs considered in relocating would be the cost to purchase or lease a replacement facility plus moving expenses, capital, and infrastructure upgrades.

Building 3 – Hydraulics Group HQ

Replace the 93,748 square foot office building that is used for marketing, engineering, customer services, and finance. Costs considered in relocating would involve purchase or lease of a replacement office facility and moving and information technology costs.

Building 4 – Engineering Test Lab/Noise Chamber

Replace a 20,000 square foot building. Costs would include purchasing or leasing a replacement building and would also include moving and capital infrastructure costs.

The cost to move the campus would be substantial and there is no guarantee that Eaton will be able to find a suitable replacement property. In addition to relocation costs, Eaton will incur the costs of purchasing or leasing replacement space and the impairment of the existing property, plant and equipment.

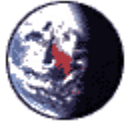
Conclusion

Eaton has committed significant capital investments to establish a global headquarters campus for its Hydraulics Group, and it will be extremely costly and difficult to replace. The Mitchell Station – Office and Park & Ride will significantly impact Eaton and will likely involve the loss of the manufacturing building, which is considered the primary building of the campus, and also the loss of land for future expansion. In addition, the Park & Ride and Transit Station will bring a high volume of traffic into the area of the campus, which will in turn create ingress/egress issues and negatively impact any existing operations that will remain at the campus.

Eaton's loss of any of their buildings will have a negative effect on the functionality and operations of the Hydraulics Group headquarters campus. Further, the Mitchell Station plans call for the complete redevelopment of the block where the Eaton campus is currently situated and where Eaton controls approximately 75% of the land area. In reviewing the plans, it appears that the manufacturing plant and technology building will be lost as a result of the project and

would leave Eaton with less than half of the space it had prior to the taking. In reviewing the Mitchell Station plans, it seems the impact of the redevelopment plans will force Eaton to find a suitable replacement for their campus. It will be very difficult and very expensive to replicate what Eaton has created over the past 50 years. In addition to the substantial relocation costs, Eaton will incur the costs of purchasing and/or leasing replacement space and the impairment of the existing property, plant and equipment.

After studying the DEIS and Southwest Transitway Area Planning the only alternatives that appear to ensure the continued viability of the Eaton campus are the 'No Build Alternative' and the 'LRT 1A', with all other plans involving a Park & Ride and, except for the 'Enhanced Bus Alternative', a Light Rail Transit Station. The recommended plans for a light rail station at this site will likely involve the loss of the Eaton campus. The plans to redevelop the site assume the creation of 1,400 jobs, but ignore the potential loss of nearly 650 jobs from the loss of the Eaton campus. As this project moves forward, it is imperative that significant funding is made available for the relocation of the Eaton campus and that Eaton is given adequate time to relocate their operations, which could take several years to facilitate.



"Bob Salmen"
<bobsalmen@efsinvestments.com>

12/20/2012 05:08 PM

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject DEIS for Southwest Light Rail Project & Proposed Royalston Station

To Whom It May Concern:

As was instructed by the southwest Light Rail website, I have enclosed a copy of my DEIS as it relates to properties I own located at the Royalston City Market (415 & 501 Royalston Avenue).

Please review and feel free to contact me with any questions or comments you may have.

Sincerely yours,

Robert D. Salmen
President

Equity Financial Services Corp.
501 Royalston Avenue, Suite 100
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bobsalmen@efsinvestments.com



December 10, 2012

Sent US Postal & Email: swcorridor@co.hennepin.mn.us

Hennepin County Housing, Community Works & Transit

ATTN: Southwest Transitway

c/o Minnesota Metropolitan Council

701 Fourth Avenue South, Suite 400

Minneapolis, MN 55415

RE: DEIS for the Southwest Light Rail Project and proposed Royalston Avenue Construction & Station

To Whom It May Concern:

We are writing to you today as a property owner of the Royalston City Market located at 415 & 501 Royalston Avenue. Our properties are bordered between Royalston & Border Avenue (east/west) and Highway 55/Olson Memorial (north). We own approximately 8 acres and the land is currently developed with two, multiple tenant office/warehouse properties consisting of 220,000 square feet. Upon our initial review, the DEIS has a number of inadequacies and reflects a lack of understanding of the current conditions and business operations for my property and its tenants/businesses along Royalston Avenue.

From the current plan shown on the Southwest Corridor website, it appears the Southwest Light Rail is proposed to travel up and down Royalston Avenue with a "Royalston Stop" constructed near the southeast corner of our 415 Royalston property.

The DEIS does not reflect an understanding of the business operation of the Royalston City Market tenants/businesses. Our property is a profitable, thriving, office/industrial property which is home to five businesses with over 150 owners/employees. While each business is different, all require unfettered vehicular access from Royalston AND Border Avenue. The DEIS shows that the SW LRT, as proposed, will make it virtually impossible for some businesses to continue to operate profitably at their current locations.

The DEIS shows a clear lack of understanding of the geographic constraints of the Royalston City Market tenants/businesses. Additionally, the DEIS anticipates land use changes with no suggested implementation or mitigation for existing tenants/businesses at Royalston City Market that will be affected by the SW LRT. At a minimum there will be business disruption during construction and the likelihood that the businesses will not be able to survive construction. In addition, it is clear that these businesses may be unable to conduct their business after construction.

Specific Comments (by section):

2.1.3 LOCALLY PREFERRED ALTERNATIVE RECOMMENDATIONS

As it relates to the Locally Preferred Alternative for the Royalston Station concerning safety, access, accessibility, visual sightlines and cross-access. We feel that discussions should be reviewed to construct an “at-grade” platform and access at the Royalston Station path across 7th Street & Hwy 55.

The plans for the construction of the light rail as it relates to the crossing of Highway 55 and 7th Street is of major concern for our Royalston City Market properties. Whether the trains cross Highway 55 at grade level, by way of a tunnel, or if the plans are to elevate the light rail tracks, this construction and elevation will most certainly have a huge negative impact on the value of our real estate. Elevated rail lines would leave our now “excellent visibility” to “no visibility”, leaving our Royalston City Market properties in the “shadows” of the light rail tracks and out of direct visibility of our major clientele, the downtown business community. Also worth noting is the loitering and “less than desirable” clientele that would use this “shadow area” for their temporary residence whereby decreasing the value of my real estate asset.

There has been some information in the marketplace that Border Avenue might be an alternative route for this Southwest Light Rail and its connection to the Interchange Transit Hub. I would like to make it clear that losing trucking and vehicle access to my Royalston City Market properties along Border Avenue would also have a great negative impact on the value of my real estate. We have major concerns for our tenant/businesses trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. This particular issue must be studied early in order to adequately mitigate the impact of construction and long term vehicular and trucking access on the business operations.

With the construction of light rail along Border Avenue, the Royalston City Market properties and the tenants/businesses within the properties would lose all major trucking access to loading docks and parking areas. Accessibility to and from I-94 is crucial for our current and future tenants at the Royalston City Market. Without this type of access, the properties would suffer major asset losses.

3.1.5 LONG TERM EFFECTS

The DEIS states “improved accessibility will help the study area become more attractive to business and residential opportunities, especially when linking to major employment centers with rapid transit.” While the SW LRT may make the area more attractive to business and residential opportunities, the plan, as presented, will have the impact of dislocating the businesses at Royalston City Market. Further study is required to insure the businesses’ ability to continue at their current location.

The DEIS anticipates land use changes with no plan for implementation. The DEIS requires further study of how the proposed SW LRT will affect the current land use and how the proposed change in land use will be implemented. The DEIS proposes “no mitigation” for land use changes, stating that the preliminary engineering will work to mitigate local concerns. This is not adequate to meet the needs of the Royalston City Market businesses.

3.1.7 MITIGATION

The DEIS states that “businesses and residents may experience difficulties with accessibility at certain times of day during the construction of the project, and minor detours for through traffic might be required. In general, these effects will not change the land use of the area during construction, but may affect the number of people using area businesses directly affected by access or construction traffic issues.” This statement shows a complete lack of understanding of the nature and operation of the businesses at the Royalston City Market. Our properties fronting Royalston Avenue will have access totally eliminated during construction because some tenants have only one driveway option. This particular issue must be studied early in order to adequately mitigate the impact of construction on the business operations. It will not be satisfactory to simply supply “appropriate notification and signage.”

3.2.2.6 NEIGHBORHOODS AND COMMUNITY COHESION

On page 3-58 there is a statement related to access: “The implementation of LRT service would not sever roadway or drive way connections or remove the existing multiple-use trail adjacent to the proposed guideway alignment of Segment A.” Again, this statement shows a lack of understanding and familiarity with the Royalston City Market tenants/businesses. We have major concerns for our tenant’s trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. It must be a priority in early Preliminary Engineering, to study the long-term effects of the route and station placement on these businesses. This study must determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and eastside, should be evaluated for effects on adjacent businesses weighed against keeping two-way traffic.

3.2.2.7 SUMMARY OF POTENTIAL IMPACTS BY BUILD ALTERNATIVE

The statement in the DEIS that the LRT 3A (LPA) alternative “is not anticipated to have significant impacts to neighborhoods or community cohesion” is inaccurate as it relates to the Royalston City Market tenant/business community. Further study is required to determine its impact on this thriving business district.

3.3.5 MITIGATION

Our Royalston City Market will be negatively impacted by the alignment and platform. We have tenants/businesses that require direct, frequent and unfettered access from semi-trucks. Some tenants have only one access onto Royalston Avenue. Construction will severely impact or eliminate their access. We have major concerns for our tenant’s trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long term effects of conducting business must be a priority for study during early in the Preliminary Engineering process in order to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and east side – must be evaluated for effects on adjacent businesses, weighted against keeping two-way traffic circulation.

4.7.3 NOISE – LONG TERM EFFECTS

With the rail lines being constructed so close to our properties and us not yet having been informed to the construction process, we are unaware if we should be concerned about the long term noise from the train cars which may negatively impact our Royalston City Market properties and our tenants/businesses.

4.7.6 NOISE - CONSTRUCTION NOISE MITIGATION

We have great concern with the noise levels for our Royalston City Market tenants and their businesses as the light rail is under construction.

4.8.3 VIBRATION – SHORT TERM AND LONG TERM EFFECTS

With the rail lines being constructed so close to our Royalston City Market properties and us not yet having been informed to the construction process, we are unaware if we should be concerned about earth movement and/or vibrations issues which may negatively impact our properties and our tenants/businesses. We have great concern with the vibrations which may negatively affect our tenants and their businesses as the light rail is under construction as well as the vibrations from the daily train schedules once the project is completed.

5.1 ECONOMIC CONDITIONS

The DEIS states that the Southwest Transitway will contribute to the local businesses by increasing accessibility. This is not true for the tenants/businesses of the Royalston City Market. Our tenants will have decreased access and restricted roadways and therefore the SW LRT will not contribute to competitive advantage for the businesses. Further study, during early preliminary engineering, is required to insure that the businesses at the Royalston City Market are able to remain competitive.

5.2.2 SHORT TERM EFFECTS

We feel that the Royalston City Market and its tenants/businesses at the Royalston Station will be negatively impacted by the location of the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks and some businesses contain only one access onto Royalston Avenue. We have major concerns for our tenant's trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long-term effects on the businesses at this site should be a priority to study early in the Preliminary Engineering process to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right of way – center, west side and east side- should be evaluated for effects on adjacent businesses weighed against keeping two-way traffic circulation.

If construction is to occur during the day, as the DEIS states, this will have a devastating impact on the Royalston City Market tenants/businesses. Further study is required during Preliminary Engineering to identify means of addressing the short term effects on the existing tenants/businesses.

The DEIS states that "short-term construction effects to the social or economic characteristics of the study are anticipated to include short and long-term economic gains to each community resulting from the implementation of any Build Alternative". This is not true for the Royalston City Market tenants/businesses. As proposed, the construction effects will have no short or long-term economic gain to the businesses, they will more likely have an economic loss, and further study is required to determine how to mitigate the short and long-term effects of construction on these businesses.

5.2.3 MITIGATION

The DEIS states that a Construction Access Plan will be developed at the start of major construction activities. Some tenants/businesses along Royalston Avenue have only one point of access. Preliminary Engineering must further study how these businesses will be affected during construction and develop a

detailed access plan to insure business viability. Table 5.2.3 is not sufficient to address the issues of the Royalston City Market tenants/businesses. Further study is required and mitigation must be identified to address the concerns of the Royalston City Market tenants/businesses.

5.2.4 LONG-TERM EFFECTS

In Table 5.2-4, under the LPS's Environmental Metrics, access on Royalston Avenue will be affected. At least six properties and at least 10 businesses at the Royalston Station will be negatively impacted by the location of the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks and the sites contain only one access onto Royalston Avenue. We have major concerns for our tenant's trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long-term effects to businesses on these sites should be a priority to study in early Preliminary Engineering in order to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way, center, west side and east side – should be evaluated for affects on adjacent businesses weighed against keeping two-way traffic circulation.

In table 5.2.4 the DEIS contemplates a future change of land use to higher density, mixed use at the Royalston Station. There is the potential for the Royalston Business community to be completely changed due to the SW LRT. Further study is required, during Preliminary Engineering to determine if and when acquisition is necessary to mitigate negative impacts on the existing businesses or to determine if acquisition is necessary to facilitate the move to the proposed land use.

In table 5.2-4, under the LRT 3C-2's Environmental Metrics, it identifies 20 on-street parking spaces for potential elimination on Royalston Avenue. Since this alignment is the same as the LPA, this information should be used consistently throughout this table. These 20 on-street parking spaces are essential to the Royalston City Market tenants/businesses. Preliminary Engineering must develop mitigation for the loss of those parking spaces to the businesses.

Table 5.2-4 states the "parking and access to businesses along this route are unlikely to be affected." This is not true for the Royalston City Market tenants/businesses. Both parking and access, critical to the Royalston City Market tenants/businesses, will be greatly affected by the SW LRT. These businesses have semi-traffic and require frequent, direct and unfettered access to their businesses. Some Royalston City Market tenants/businesses have only one access point for their businesses. Early Preliminary Engineering must identify alternative access and parking for these businesses.

6.2.2.2 PYHYSICAL MODIFICATIONS TO EXISTING ROADWAYS

The DEIS states that "conceptual designs indicated that construction of the Southwest Transitway is likely to result in minor physical modifications to existing roadways that may affect local circulation patterns." This is not true for the Royalston City Market tenants/businesses. The SW Transitway will have major affects to the circulation patterns around Royalston, Border & Holden Avenues.

On page 6-20, closing of Holden Street is identified. The closing of this intersection will have a significant impact on access to the Royalston City Market tenants/businesses. Early Preliminary Engineering must identify alternative access for the Royalston City Market tenants/businesses to mitigate the effect of closing Holden Avenue.

At the top of page 6-35, the closing of the Royalston and 5th Avenue North intersection is identified as a necessity for Segment C-2. Since this alignment is the same as the LPA in this area and the closing of this intersection has not been mentioned under the LPA, this inconsistency needs to be addressed. The Royalston City Market tenants/businesses have serious concerns about closing this intersection.

6.2.2.6 BUILDING/FACILITY ACCESS

The Royalston City Market properties/tenants/businesses should be included in the list of properties with affected access in the Build Alternative.

6.3.1.3 TRUCKING

The Royalston City Market will be negatively impacted by the location and alignment of the Royalston Station platform. Our tenants/businesses are industrial businesses that require frequent, direct and unfettered access from semi-trucks with some tenants having only one access which is Royalston Avenue. We have major concerns for our tenant's trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long-term effects to doing businesses on these sites should be a priority to study early in early Preliminary Engineering to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and east side- should be evaluated for effects on adjacent businesses weighed against keeping two-way traffic circulation.

6.3.2.3 TRUCKING

At the top of page 6-58, truck access and movement issues are discussed. There is no mention of the industrial businesses along Royalston Avenue and it states that no significant impacts are anticipated. That is not true for the Royalston City Market tenants/businesses. The tenants/businesses along Royalston Avenue could have minimized, or eliminated, access for trucks due to turning movement constraints. This must be studied further during early Preliminary Engineering.

9.2.2 INDIRECT EFFECTS

The DEIS identifies that the indirect effects are desired and consistent with local plans. While consistent with existing land use plans, there is no plan for addressing the issues of the existing businesses. The impact of the SW Transitway on the existing businesses must be studied during early Preliminary Engineering to determine whether acquisition is necessary.

9.6.21.3 ANTICIPATED CUMULATIVE IMPACTS

The DEIS anticipates job creation as a result of the SW Transitway. The Royalston City Market tenants/businesses currently have in excess of 150 jobs. There is the potential for these jobs to be lost and a resulting decrease in jobs, as a result of the impact of the SW Transitway on the Royalston City Market tenants/businesses.

9.6.22.4 MITIGATION

While the indirect and cumulative impacts of the SW Transitway at the Royalston station may be anticipated, further study is required to determine if the impacts are so negative on the properties & businesses that acquisition is required.

9.6.2.4 MITIGATION

The DEIS states that “no mitigation for the expected indirect effects and cumulative impacts to land use is proposed for any of the Build Alternatives.” The statement that Preliminary Engineering will work to mitigate local concerns is not adequate to address the impact on the Royalston City Market properties, tenants/businesses. Preliminary Engineering must study the impact on the Royalston City Market properties, tenants/businesses to determine if acquisition is necessary and to identify potential relocation areas.

11.1 EVALUATION RELATIVE TO PROJECT GOALS AND OBJECTIVES

The DEIS states that the “Southwest Transitway” would be developed to avoid as much disruption as possible to neighborhoods, commercial districts and historic areas in the corridor.” In addition, “another objective of the Southwest Transitway” project is to support public and private economic development . . . “ This statement of goals and objectives is in direct conflict with the impact the SW Transitway will have on the Royalston City Market tenants/business community. As proposed, the SW Transitway will totally disrupt the Royalston City Market tenant/business community and will not support private economic development. Further study is required in Preliminary Engineering to insure the goals and objectives of the project can be achieved with minimal disruption to the existing business community.

In summary, we continue to lease office & warehouse space within our Royalston City Market and are gravely concerned that having construction of this capacity in and around our properties will negatively impact the success of our future leasing efforts. We have recent experience with this type of adverse market conditions. Tenant’s considering our properties will be concerned and skittish about entering into a lease with an undeterminable future which negatively impacts the asset value of the properties.

Please keep us informed as to the progress of the Southwest Light Rail. We will be keeping a close eye on this progress and how it will impact our real estate values both during and after construction.

Sincerely,



Robert D. Salmen

Chief Manager

Royalston City Market

bobsalmen@efsinvestments.com

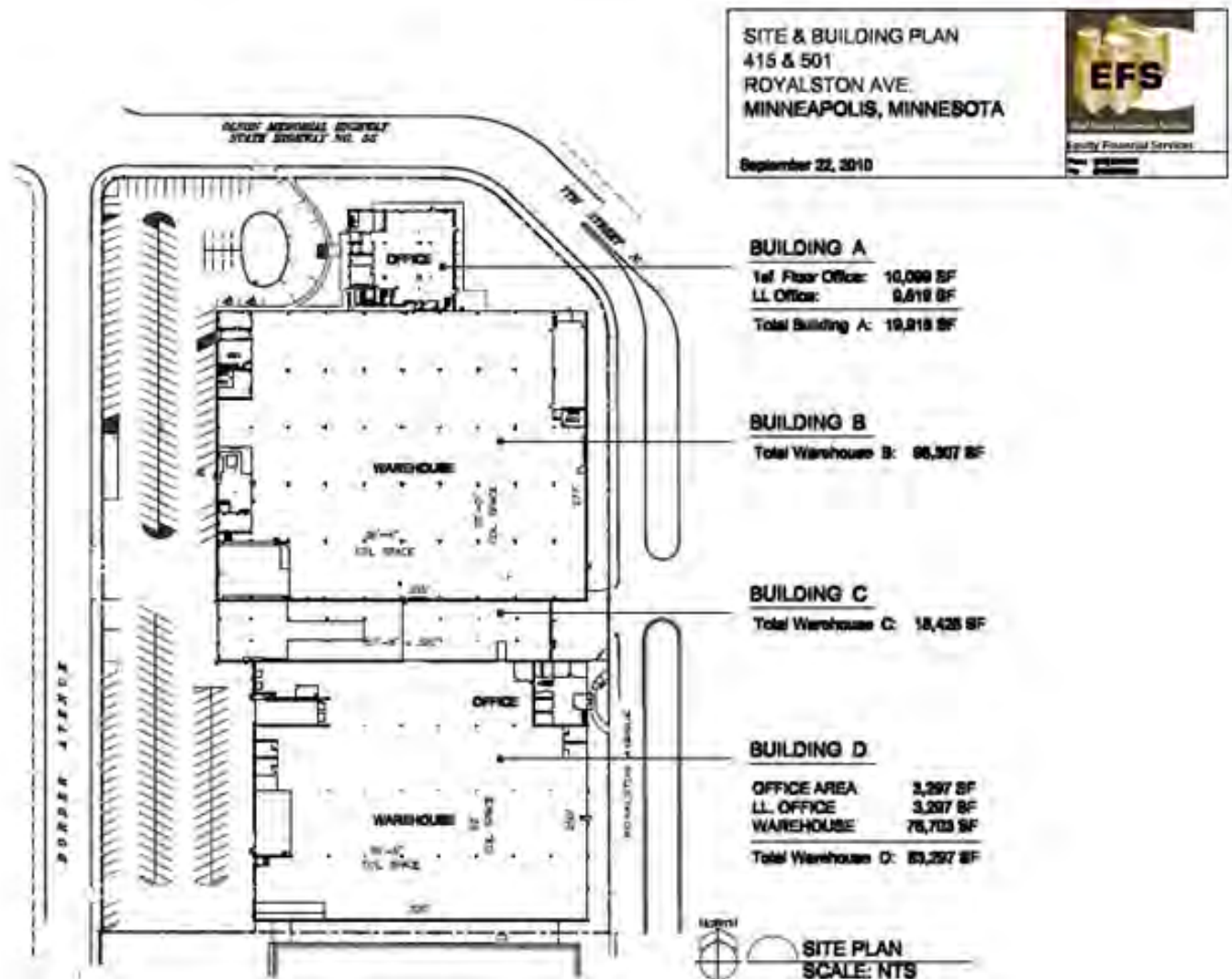
612.991.8000 (cell)

Cc: Richard Salmen, Esquire

Royalston City Market

415 & 501 Royalston Avenue

Site & Building Plan





"Jackie Cherryhomes"
<JackieCherryhomes@fctyler.com>

12/20/2012 10:12 PM

To <swcorridor@co.hennepin.mn.us>

cc "Mike Higgins" <MHiggins@thefishguysinc.com>, "Duane Petersen" <dpetersen@starkelectronics.com>, <sforberg@starkelectronics.com>, "Timothy D. Hayes"

bcc

Subject DEIS Response on behalf of Royalston Businesses

Please find attached the comments to the SW Transitway DEIS. These comments are submitted on behalf of three businesses on Royalston Avenue, The Fish Guys, Stark Electronics and LBP Mechanical.

If you have any questions regarding this submission please contact Jackie Cherryhomes at jackiecherryhomes@fctyler.com or at 612-961-5614.

Thank you.

December 2, 2012

Hennepin County
Housing, Community Works & Transit
Attn: Southwest Transitway
701 4th Avenue South, #400
Minneapolis, MN 55414

To Whom It May Concern:

This letter is being written on behalf of The Fish Guys, LBP Mechanical and Stark Electronics in response to the DEIS. The DEIS has a number of inadequacies and reflects a lack of understanding of the current conditions and business operations on Royalston Avenue.

The DEIS does not reflect an understanding of the business operation of the Royalston Avenue businesses. These are profitable, thriving, industrial businesses with over 250 employees. While each business is different, all three require unfettered vehicular access. The DEIS shows that the SW LRT, as proposed, will make it virtually impossible for these businesses to continue to operate efficiently, effectively and profitably at their current locations.

The DEIS shows a clear lack of understanding of the geographic constraints of the Royalston Avenue Businesses. Additionally, the DEIS anticipates land use changes with no suggested implementation or mitigation for existing businesses on Royalston Avenue that will be affected by the SW LRT. At a minimum there will be business disruption during construction and the likelihood that the businesses will not be able to survive construction. In addition, it is clear that these businesses will be unable to conduct their business after construction.

Specific Comments (by section):

3.1.5 LONG TERM EFFECTS

The DEIS states “improved accessibility will help the study area become more attractive to business and residential opportunities, especially when linking to major employment centers with rapid transit.” While the SW LRT may make the area more attractive to business and residential opportunities, the plan, as presented, could have the impact of dislocating the businesses on Royalston Avenue. Further study is required to insure the businesses’ ability to continue at their current location.

The DEIS anticipates land use changes with no plan for implementation. The DEIS requires further study of how the proposed SW LRT will affect the current land use and how the proposed change in land use will be implemented. The DEIS proposes “no mitigation” for land use changes, stating that the preliminary engineering will work to mitigate local concerns. This is not adequate to meet the needs of the Royalston businesses.

3.1.7 MITIGATION

The DEIS states that “businesses and residents may experience difficulties with accessibility at certain times of day during the construction of the project, and minor detours for through traffic might be required. In general, these effects will not change the land use of the area during construction, but may affect the number of people using area businesses directly affected by access or construction traffic issues.” This statement shows a complete lack of understanding of the nature and operation of the businesses on Royalston Avenue. The properties along Royalston will have access totally eliminated during construction because they have only one driveway option. This particular issue must be studied early in order to adequately mitigate the impact of construction on the business operations. It will not be satisfactory to simply supply “appropriate notification and signage.”

3.2.2.6 NEIGHBORHOODS AND COMMUNITY COHESION

On page 3-58 there is a statement related to access: “The implementation of LRT service would not sever roadway or drive way connections or remove the existing multiple-use trail adjacent to the proposed guideway alignment of Segment A.” Again, this statement shows a lack of understanding and familiarity with the Royalston businesses. All three properties at the Royalston Station will be negatively impacted by the location of the alignment and platform. The Royalston businesses are industrial that require frequent, direct and unfettered access from semi-trucks. The sites contain only one access onto Royalston Avenue. It must be a priority in early Preliminary Engineering, to study the long-term effects of the route and station placement on these businesses. This study must determine if acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and eastside, should be evaluated for effects on adjacent businesses.

3.2.2.7 SUMMARY OF POTENTIAL IMPACTS BY BUILD ALTERNATIVE

The statement in the DEIS that the LRT 3A (LPA) alternative “is not anticipated to have significant impacts to neighborhoods or community cohesion” is inaccurate as it relates to the Royalston business community. Further study is required to determine its impact on this thriving business district.

3.3.5 MITIGATION

At least three properties at the Royalston Station will be negatively impacted by the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks. The sites have only one access onto Royalston Avenue. Construction will severely impact their access. The long term effects of conducting business on these sites must be a priority for study during early in the Preliminary Engineering process in order to determine if acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and east side – must be evaluated for effects on adjacent businesses.

5.1 ECONOMIC CONDITIONS

The DEIS states that the Southwest Transitway will contribute to the local businesses by increasing accessibility. This is not true for the Royalston Avenue businesses. The area businesses will have decreased access and therefore the SW LRT will not contribute to competitive advantage for the businesses. Further study, during early preliminary engineering, is required to insure that the businesses on Royalston Avenue are able to remain competitive.

5.2.2 SHORT TERM EFFECTS

At least three businesses at the Royalston Station will be negatively impacted by the location of the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks and the sites contain only one access onto Royalston Avenue. The long-term effects on the businesses at this site should be a prior to study early in the Preliminary Engineering process to determine if acquisition is necessary. Alignment along the Royalston Avenue right of way – center, west side and east side- should be evaluated for effects on adjacent businesses.

If construction is to occur during the day, as the DEIS states, this will have a devastating impact on the Royalston Avenue businesses. Further study is required during Preliminary Engineering to identify means of addressing the short term effects on the existing businesses.

The DEIS states that “short-term construction effects to the social or economic characteristics of the study are anticipated to include short and long-term economic gains to each community resulting from the implementation of any Build Alternative. This is not true for the Royalston businesses. As proposed, the construction effects will have no short or long-term economic gain to the businesses and further study is required to determine how to mitigate the short and long-term effects of construction on these businesses.

5.2.3 MITIGATION

The DEIS states that a Construction Access Plan will be developed at the start of major construction activities. The businesses along Royalston Avenue have only one point of access. Preliminary Engineering must further study how these businesses will be affected during construction and develop a detailed access plan to insure business viability. Table 5.2.3 is not sufficient to address the issues of the Royalston Avenue businesses. Further study is required and mitigation must be identified to address the concerns of the Royalston businesses.

5.2.4 LONG-TERM EFFECTS

In Table 5.2-4, under the LPS’s Environmental Metrics, access on Royalston Avenue will be affected. At least three properties at the Royalston Station will be negatively impacted by the location of the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks and the sites contain only one access onto Royalston Avenue. The long-term effects to businesses on these sites should be a priority to study in early Preliminary Engineering in order to determine if acquisition is necessary. Alignment along the Royalston Avenue right-of-way, center, west side and east side – should be evaluated for affects on adjacent businesses.

In table 5.2.4 the DEIS contemplates a future change of land use to higher density, mixed use at the Royalston Station. There is the potential for the Royalston Business community to be completely changed due to the SW LRT. Further study is required, during Preliminary Engineering to determine if acquisition is necessary to mitigate negative impacts on the existing businesses or to determine if acquisition is necessary to facilitate the move to the proposed land use.

Table 5.2-4 states the “parking and access to businesses along this route are unlikely to be affected.” This is not true for the Royalston businesses. Both parking and access, critical to the Royalston Businesses, will be greatly affected by the SW LRT. These businesses have semi-traffic and require frequent, direct and unfettered access to their businesses. The Royalston businesses have only one access point for the businesses. Early Preliminary Engineering must identify alternative access and parking for these businesses.

6.2.2.2 PHYSICAL MODIFICATIONS TO EXISTING ROADWAYS

The DEIS states that “conceptual designs indicated that construction of the Southwest Transitway is likely to result in minor physical modifications to existing roadways that may affect local circulation patterns.” This is not true for the Royalston businesses. The SW Transitway will have major effects to the circulation patterns around Royalston Avenue.

On page 6-20, closing of Holden Street is identified. The closing of this intersection will have a significant impact on access to the Royalston Avenue businesses. Early Preliminary Engineering must identify alternative access for the Royalston businesses to mitigate the effect of closing Holden Avenue

At the top of page 6-35, the closing of the Royalston and 5th Avenue North intersection is identified as a necessity for Segment C-2. Since this alignment is the same as the LPA in this area and the closing of this intersection has not been mentioned under the LPA, this inconsistency needs to be addressed. The Royalston businesses have serious concerns about closing this intersection.

6.2.2.6 BUILDING/FACILITY ACCESS

Royalston Avenue properties should be included in the list of properties with affected access in the Build Alternative.

6.3.1.3 TRUCKING

There is an error in the sentence describing industrial areas. With the assumption that the Royalston area is mistakenly being attributed to Eden Prairie, rather than Minneapolis, at least three properties at the Royalston Station will be negatively impacted by the location and alignment of the platform. These are industrial businesses that require frequent, direct and unfettered access from semi-trucks and the sites contain only one access onto Royalston Avenue. The long-term effects to doing businesses on these sites should be a priority to study early in early Preliminary Engineering to determine if acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and east side- should be evaluated for effects on adjacent businesses.

6.3.2.3 TRUCKING

At the top of page 6-58, truck access and movement issues are discussed. There is no mention of the industrial businesses on Royalston Avenue and it states that no significant impacts are anticipated. That is not true for the Royalston businesses. The industrial businesses on Royalston Avenue could have minimized access for trucks due to turning movement constraints. This must be studied further during early Preliminary Engineering.

9.2.2 INDIRECT EFFECTS

The DEIS identifies that the indirect effects are desired and consistent with local plans. While consistent with existing land use plans, there is no plan for addressing the issues of the existing businesses. The impact of the SW Transitway on the existing businesses must be studied during early Preliminary Engineering to determine whether acquisition is necessary.

9.6.21.3 ANTICIPATED CUMULATIVE IMPACTS

The DEIS anticipates job creation as a result of the SW Transitway. The Royalston businesses currently have in excess of 200 jobs. There is the potential for these jobs to be lost and a resulting decrease in jobs, as a result of the impact of the SW Transitway on the Royalston businesses.

9.6.22.4 MITIGATION

While the indirect and cumulative impacts of the SW Transitway at the Royalston station may be anticipated, further study is required to determine if the impacts are so negative on the businesses that acquisition is required.

9.6.2.4 MITIGATION

The DEIS states that “no mitigation for the expected indirect effects and cumulative impacts to land use is proposed for any of the Build Alternatives.” The statement that Preliminary Engineering will work to mitigate local concerns is not adequate to address the impact on the Royalston businesses. Preliminary Engineering must study the impact on the Royalston businesses to determine if acquisition is necessary and to identify potential relocation areas.

11.1 EVALUATION RELATIVE TO PROJECT GOALS AND OBJECTIVES

The DEIS states that the “Southwest Transitway” would be developed to avoid as much disruption as possible to neighborhoods, commercial districts and historic areas in the corridor.” In addition, “another objective of the Southwest Transitway” project is to support public and private economic development . . . “This statement of goals and objectives is in direct conflict with the impact the SW Transitway will have on the Royalston business community. As proposed, the SW Transitway will totally disrupt the Royalston business community and will not support private economic development. Further study is required in Preliminary Engineering to insure the goals and objectives of the project can be achieved with minimal disruption to the existing business community.



December 17, 2012

Hennepin County
Housing, Community Works and Transit
701 Fourth Avenue South, Ste 400
Minneapolis, MN 55415

To whom it may concern:

We are responding on behalf of the fifty-seven homeowners who make up the Cedar Lake Shores Townhome Association (CLSTA) to the Draft Environmental Impact Statement (DEIS) issued for the Southwest Transitway (aka Southwest LRT) proposed to run from Eden Prairie to downtown Minneapolis, Minnesota. After an analysis of the document we have several serious concerns that we believe need to be addressed in order to preserve and protect our homes and neighborhood should this project be funded and approved. In the following paragraphs we will highlight each of those concerns with appropriate references to the DEIS and ask that you address each as part of the engineering and design process and potential building of this LRT.

INTRODUCTION

Before we proceed to specifics, let us briefly describe our locale. Our multifamily association owns the townhomes and land immediately adjacent to the west side of the existing freight rail line from the West Lake Street Bridge in Minneapolis to Cedar Lake Parkway. This freight line as well as the set of accompanying bikeways and walking trail are part of the Kenilworth Corridor which is also the preferred route (LPA) for LRT development (for reference purposes, we are part of Segment A in the DEIS). Our closest home to the tracks is approximately 23ft. away from the nearest railroad track bed and the Corridor width near us measures only 62 ft. between our property and our east side neighbor. This portion of the Corridor is characterized by multifamily townhomes, apartments and condominiums, developed Minneapolis parkland, beautiful lawns, mature deciduous and evergreen trees and bushes, wildlife aplenty as well as many species of birds and is highlighted by the walking trail and bikeways. In short, we live in a bucolic, well developed but beautiful, quiet neighborhood close to shops and lakes that is considered by many to be an ideal place to live in the Twin City area. For these reasons, the primary goal of the Southwest Transitway in this location should be the **preservation** of the existing neighborhood.

Much is made in the DEIS of our immediate neighborhood being the current recipient of freight rail traffic. While true let us point out exactly what that means. For many years there was no freight rail traffic in this corridor at all and some of us in CLSTA were even told by Hennepin County that the renewal of freight traffic would be temporary. That of course has not happened and we have for some time averaged approximately two freight trains out and two trains in per day passing CLSTA in this Corridor. If you measure the total time it takes for all the moving trains to pass by it is less than one hour per day. This means that for twenty- three hours of each day our immediate neighborhood is accurately described in the preceding paragraph and is accurately characterized as having no freight rail traffic. It is

that standard, twenty three of twenty four hours (96% of the time), that we assert should be the rational basis for several study components found in the DEIS. You will note that we will refer back to this reality/standard when discussing several of our concerns.

In keeping with the stated Tier Two project goals and objectives (p.2-6 of the DEIS), we enthusiastically agree that the protection of the environment and the preservation of the quality of life are critical to the success of any future transit project in this Corridor. By "doing the right thing", a term used many times in discussion with public officials about outcomes for this potential project, the final design and build will ensure that the ensuing concerns raised by CLSTA are properly addressed and the quality of life we currently enjoy is maintained along with the development of a first class transit system.

CONCERNS

Noise

Because of the proximity of our land and homes to the proposed LRT line we believe serious and profound negative noise effects will be created unless appropriate mitigation steps are implemented. The DEIS data specify a current Leq ambient noise level near us of 44dB (DEIS Appendix H). Given the weight of the LRT train, the frequency of its proposed schedule (a train passing every three to five minutes from seven am to ten pm, DEIS p.4-84), the required braking, the potential wheel squeal given the track curvature adjacent to us and the use of warning bells for the nearby West Lake St. station, the sound level will reach as high as 114dB (p.4-84 of the DEIS). As your measurement and our reality/standard indicate, this outcome presents what both of us categorize as a severe impact on us (DEIS Appendix H Fig. 2 Noise Impact Criteria and DEIS p.4-93, Category 2). Additionally, a separate noise analysis commissioned by the Cedar-Isles-Dean Neighborhood Association (CIDNA) also supports this severe impact assessment for our location (see ESI Engineering, Inc. study report of 12/5/12 attached to the CIDNA DEIS response).

Visual

Once again, because of our location, we believe serious and profound negative visual effects will be created unless appropriate mitigation steps are implemented. For analytical purposes the DEIS categorizes CLSTA as a "B" Primary Viewer and generally defines "Visual Intrusion/Privacy" and "Visual Resources" (DEIS p.3-100). It then proceeds to incorrectly state that for Segment A, where we are located, "mature vegetation buffers the corridor for the length of the Segment, screening views to/from residential areas and parklands". While this is true for some parts of this Segment it does not properly describe our land and the sporadic buffer for CLSTA viewpoints and is, therefore, an overstatement at best. Please also note that in Table 3.6-2 (DEIS p.3-108) the assumption is made that our "Visual Quality" and "Visual Sensitivity" condition is "moderate" rather than "high". We would argue that that categorization significantly understates the visual impact for us in our portion of Segment A. Our assertion is supported by Table 3.6-3 where the DEIS analysis indicates substantial effects for residential areas in Segment A as it relates to "Guideway" and "Elevated Structures/Bridges" (DEIS p.3-110). To further support our visual concerns, the DEIS states that for residential areas in this Segment, "Visual impacts may be substantial where the alignment is not screened by vegetation", "visual intrusion and

privacy impacts of the project's elements on the sensitive receptors may be substantial where views from the alignment into previously private spaces are created" and "visual intrusion and privacy impacts on the outdoor living areas of residential properties could be substantial where...buffers do not exist" (DEIS p.3-115 and paragraph three on p.3-125). On a different note, we were very pleased that the DEIS correctly recognizes tunneling as a possible mitigation measure for these type of concerns (DEIS p.3-124). We will later return to this possible mitigation measure in our response.

Vibration

The DEIS states in Chapter 9, Indirect Effects and Cumulative Impacts, that no vibration mitigation is necessary for Segment A (DEIS p.9-52). We disagree that that statement can be entirely accurate for all of Segment A. As you read further, the DEIS identifies 247 vibration sensitive land parcels for Segment A, Category 2 (essentially residential) (DEIS p.4-110). Though we could not absolutely identify whether CLSTA is included as one of those parcels, we are presuming it is primarily because of our proximity to the tracks and the proposed frequency for LRT vehicles. Since more detailed analyses will be conducted during preliminary engineering or Final EIS phases, we have to assume that those analyses will be performed closer than 100 ft. (DEIS p.4-108) and that those outcomes will support the need for mitigation in our location using appropriate vibration suppression technologies. Until that actually occurs, we have serious and profound concerns about the vibration effects on our homes and lives.

Parking

The DEIS states that 150 parking places will be available at the West Lake St. station (DEIS p. 2-32). Given the earlier estimate of 2800 daily boardings at this location (LPA Evaluation Documents, Technical Memorandum #6, September 9, 2009), it seems quite possible that more parking spaces will be needed for those who drive to this station. We believe that Chowen Ave. and St. Louis Ave. in Minneapolis, adjacent to the west side of CLSTA will become a preferred parking destination. Without the implementation of some type of parking mitigation in our immediate neighborhood we again have serious concerns about the long term effects on the character and livability of our immediate neighborhood.

Neighborhood Connectivity and Cohesion

The DEIS makes the following statement : "However, the operation of LRT service along Segment A is not anticipated to adversely affect community cohesion because Segment A is currently bisected by a freight rail line and adding LRT service does not alter the existing barrier" (DEIS p. 3-58). We believe that this statement is not accurate. As noted in our introduction, for 23 hours a day the reality is that there is no rail traffic in the Kenilworth Corridor. Hence, residents constantly walk across the freight rails to get to bikeways, walking trails, parks, retail shops and other neighborhood destinations and, therefore, the freight rail does not present a barrier the vast majority of the time. We sincerely hope that as it relates to community cohesion for Segment A and any subsequent LRT development, the statement that "the effects and impacts are expected and planned for" (DEIS p. 9-40) accurately reflects the current, true nature of our immediate neighborhood and not the incorrect statement noted above.

Cedar Lake Parkway Bridge Proposal

On a very site specific issue, the DEIS suggests a bridge treatment for the junction of the Kenilworth Corridor and Cedar Lake Pkwy in Minneapolis (DEIS p. 3-115 and 116 and Appendix F, Segment A, sheet 2). This bridge could be as high as 43 ft. and as long as 1000 ft. It would start its' ascent near the north end of our townhomes, pass over Cedar Lake Pkwy and return to grade before reaching the channel connecting Cedar Lake and Lake of the Isles. We have serious and profound concerns with this approach. We strongly believe that a more creative and integrated way to construct this grade crossing and achieve grade separation as well as reduce severely negative visual, noise and vibration impacts to CLSTA and the surrounding neighborhoods, is to have the LRT and trails proceed uninterrupted below a Cedar Lake Pkwy bridge. This latter type of approach provides considerably better outcomes for LRT, CLSTA and trail users. We will discuss this and related issues in our outcomes and suggestions section that follows.

Co-Location Alternative

For obvious reasons, CLSTA is adamantly opposed to this alternative. As stated in the DEIS all of our townhomes would have to be removed to implement this option (DEIS p.3-58). Furthermore, the DEIS quite clearly states that this alternative "does not meet the project's purpose and need and is not a practicable alternative due to environmental impacts" (DEIS p.11-13). CLSTA has already forwarded to Hennepin County and the Met Council staff a resolution passed by our Board in June of this year clearly stating our opposition to this alternative. It reads as follows: "We strongly believe that co-location would in a dramatic fashion negatively change the natural environment of the affected neighborhoods, create much larger and more expensive safety, sound, visual and other potential problems that would require mitigation action, and, in general severely detract from any transportation and community development plan being considered for the southwest corridor of Hennepin County. For these reasons we strongly oppose the co-location of freight rail and LRT within the Kenilworth corridor". Enough said.

OUTCOMES

We recognize that to achieve broader transportation goals for our metropolitan area the addition of new LRT or other transportation options has the potential to provide long term benefit to the metropolitan area. The trick of course is to build a transit system that meets all of its goals, not just a few, so as to provide appropriate development along with appropriate preservation. If both development and preservation goals are met then we and everyone else concerned with this project will justifiably be quite satisfied and proud of the process and outcomes.

For those of us who live here, the description of CLSTA and our immediate neighborhood as provided in the introduction accurately reflects the current, everyday reality for this portion of Segment A. As we feel fortunate and appreciative to live here, we feel strongly that this current reality needs to be preserved and therefore, this is the outcome we seek. If the appropriate mitigation and design is implemented for noise, visual, and vibration abatement in our neighborhood, and if the appropriate

design is implemented for the Cedar Lake Pkwy junction most of this outcome can readily be achieved. Parking and neighborhood connectivity and cohesion can also be addressed through other related project initiatives and/or by partnering with other government entities. Let us assure you that CLSTA and other neighborhood groups are more than willing to assist in any way possible to help attain this outcome.

SUGGESTIONS

While we realize it is not our role to identify the specific method for addressing concerns (that seems more properly placed in the hands of designers and engineers), one potential approach kept coming up in our neighborhood discussions and seemed more legitimately worthwhile than others for addressing them. Let us briefly speak to that approach.

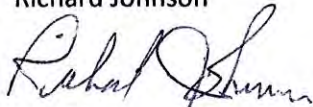
When we considered the following realities: (1) the proximity of our homes to the potential track bed, (2) the narrowness of the corridor at our location (both noted in the Introduction) and, (3) the nature of our concerns particularly related to noise, visual and vibration, it seemed that "tunneling" of some type was the best choice of the four mitigation strategies suggested in the "Build Alternatives" section of the DEIS (DEIS pp. 3-123 and 124). We are not convinced that there is adequate room in the corridor between West Lake ST. and the channel connecting Cedar Lake and Lake of the Isles to use landscaping or evergreen vegetation mitigation to address our concerns. Sound and visual barriers (a form of fencing) along with trenching mitigation might be an option though we are not familiar enough with that option to estimate its viability at our location. The DEIS drawings of a cut and cover tunnel (DEIS p.2-47, Figure 2.3-13) appears to be the best alternative to address all of our concerns and achieve the desired outcome for CLSTA as well as our immediate neighborhood. We ask that you give this suggestion your most serious consideration.

CLOSING

We want to thank you for the opportunity to both read and respond to the DEIS early enough in this process that our concerns can be heard, seriously considered and hopefully addressed. If we can be of any assistance whatsoever in the development of this project please feel free to contact us at the addresses listed below.

Sincerely,

Richard Johnson



President, CLSTA
3341 St. Louis Ave.
Minneapolis, MN 55416
Dickatcls@aol.com

John Erickson



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Rhea Sullivan
<rhea.sullivan@gmail.com>

12/21/2012 11:34 AM

To swcorridor@co.hennepin.mn.us

cc Kathleen Cobb <kathycobb70@gmail.com>, David Rhees
<Rhees@thebakken.org>, Meg Forney <megf@visi.com>

bcc

Subject West Calhoun Neighborhood Council's Comments on the
DEIS

Dear Project Director,

Attached you will find a cover letter and comments on the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway from the West Calhoun Neighborhood Council.

Thank you,

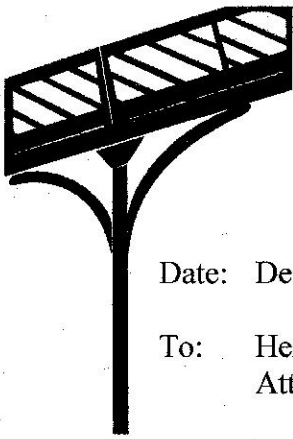
Rhea Sullivan

Rhea Sullivan, Coordinator

West Calhoun Neighborhood Council

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[612-386-6974](tel:612-386-6974)



West Calhoun Neighborhood Council
3208 West Lake Street, Box # 1
Minneapolis, MN 55416
Voice Mail: 612-928-3511

Date: December 21, 2012

To: Hennepin County Housing, Community Works & Transit
Attention: Southwest Transitway Project Director

From: West Calhoun Neighborhood Council

The West Calhoun Neighborhood Council (WCNC) appreciates the opportunity to comment on the Southwest Transitway Draft Environmental Impact Statement. As the organization that represents residents in the vicinity of the West Lake Station, we have raised some concerns in the attached comments that we anticipate being addressed as Preliminary Engineering goes forth.

In general, WCNC sees the Southwest Transitway and the West Lake Station as an opportunity to create a welcoming gateway to Minneapolis and the Chain of Lakes. However, this unique location currently faces some particular issues that in fact may be solved through creative design of the West Lake Station and surrounding access points. A few of these are listed below.

1. *Connections to the Lake Calhoun.* As part of the Historic Grand Rounds, the parkway and Lake Calhoun draw thousands of recreational visitors each year, particularly during the summer months. It is imperative that bicycle and pedestrian connections from the area of the West Lake Station remain unimpeded. It is important that the station area design consider paths, lighting, and signage that will enhance those connections.
2. *Parking/traffic.* The West Lake St./Excelsior Blvd. Corridor is already congested, at times approaching gridlock. Traffic flow to/from the West Lake Station will require exceptionally creative planning to avoid exacerbating an ongoing problem. The Southwest Transitway construction could mitigate current traffic issues and enhance traffic flow by looking at alternatives to the current street confluence.
3. *Neighborhood accessibility.* Pedestrians, bicycles, and autos alike move through the business, housing, and recreation nodes in West Calhoun via several streets and trails. We are concerned that access to these properties be unimpeded during and after construction of the Southwest Transitway at West Lake. And again, the opportunity to enhance the safety and ease with which people and vehicles flow through the area presents itself in this project.

WCNC also wants to make clear its support for the DEIS preferred plan of relocating freight lines to St. Louis Park. Co-location of freight train tracks and light rail is untenable. Much of the route through the city and into St. Louis Park already includes a

recreational bike and pedestrian path adjacent to the tracks in a narrow corridor. Retaining freight train traffic would create safety and congestion issues for those using the trail and attempting to reach light rail platforms.

We also support alternatives to the bridge over Cedar Lake Parkway, such as tunneling or trenching, to maintain a safe and aesthetically pleasing environment. An at-grade LRT crossing is totally unacceptable in that location for safety, traffic, and air pollution reasons. The proposed bridge is out of scale with the surrounding area and would cause greater disruption to the existing natural environment; thus, it is important to look at further alternatives.

WCNC looks forward to participating as a stakeholder during further planning and implementation stages of the Southwest Transitway.

Sincerely,

A handwritten signature in black ink that reads "David Rhees". The signature is written in a cursive, flowing style.

David Rhees
President
On behalf of the West Calhoun Neighborhood Council

Comments from the West Calhoun Neighborhood Council on the Southwest Transitway Draft Environmental Impact Statement

Chapter 3: Social Effects

Page 3-16

3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)]

In addition to the specified zoning districts for individual parcels or areas, Minneapolis has adopted several overlay zoning districts in which Segment A would be located. Northwest of Lake Calhoun and between Cedar Lake and Lake of the Isles the city has established the Shoreland Overlay District that specifies development guidelines within a half-mile radius around each of these lakes. Although the ordinance does not prohibit transportation uses or facilities, it does specify guidelines for controlling both point source and non-point source pollutant discharge within the Shoreland Overlay District.

Comment: Excelsior Blvd/West Lake Street/Dean Parkway/West Calhoun Parkway is the highest traveled highway corridor in Hennepin County with counts of 39,500 cars. Run-off would potentially increase in this vicinity. Further in-depth environmental analysis is required for projected future use of this confluence within the half-mile radius of the West Lake Station.

Page 3-17

3.1.2.5

In addition to the general zoning districts established adjacent to Segment C-1, zoning overlay districts have been established for specified regions. East of the West Lake Station, an alignment following Segment C-1 would cross through a Pedestrian Overlay District (PO) established by the City of Minneapolis for the Uptown region.

Comment: A Pedestrian Overlay District is required to connect station users to the west side of Lake Calhoun to promote street level activity by creating a pleasant and unique pedestrian environment. This is an essential section of the Historic Grand Rounds National Scenic Byway (www.minneapolis-sparks.org/grandrounds/home.htm--see Grand Rounds map), which is eligible for listing on the National Register of Historic Places.

Outcome: The Grand Rounds National Scenic Byway fully retains its integrity and intention and maintains one of the basic design characteristics of the Grand Rounds: a continuous recreational driving experience.

Page 3-20

3.1.3 Land Use Plans

Table 3.1-2 Summary of Local and Regional Comprehensive Plans and Studies

Plans and Studies	Available at Project Website	Date adopted	Summary
METROPOLITAN COUNCIL			
Metropolitan Council 2030 Regional Development Framework	http://www.metrocouncil.org/planning/framework/documents.htm	2004 2006 2012	Addresses regional growth in transportation, housing, and employment. Identifies Southwest Transitway as LPA.

Comment: WCNC supports Southwest Transitway plans to work in harmony with the Regional Development Framework and other local planning documents. For example, see excerpt below from Appendix H-1 (pg. 7), which cites Land Use Plans, The Metropolitan Council Plans and Studies, 2030 Regional Development Framework (RDF) adopted in 2004:

Appendix H-1, Page 7

The RDF addresses four primary policies:

1. Working with local communities to accommodate growth in a flexible, connected, and efficient manner;
2. Planning and investing in multi-modal transportation choices, based on the full range of costs and benefits, to slow the growth of congestion and serve the region's economic needs.
3. Encouraging expanded choices in housing location and types, and improved access to jobs and opportunities; and
4. Working with local and regional partners to reclaim, conserve, protect, and enhance the region's vital natural resources.

Page 3-33

3.1.5.1 Effects to Land Use and Socioeconomics

Accessibility is an important consideration when making development decisions for various types of land use, including residential, office and retail commercial, health and community services, and recreation facilities. Improved accessibility will help the study area become more attractive to business and residential development opportunities, especially when linking major employment centers with rapid transit.

Comment: Due to existing parking saturation in the West Lake Station area, we expect that parking will be mitigated in order to accommodate the addition of projected transit riders who will drive to the station in order to board the LRT. Present zoning codes do not address the required parking needed for mass transit use. Reliance on already established adjacent private businesses' parking should not be used to offset user needs.

People on foot must have ready and safe circulation in and around Calhoun Village, Calhoun Commons, Market Plaza, and the West Lake Station.

Page 3-38

3.1.7 Mitigation

Short-term construction effects can be mitigated by using standard construction best management practices (BMPs) such as the use of construction staging, dust and erosion control, proper mufflers on equipment, restricted construction times, optimum traffic re-routing measures, minimization of lane, sidewalk, or trail closures during construction, and maintenance and timely removal of temporary traffic control devices. Although specific plans for maintaining access and construction BMPs are not yet established, it is expected that a BMP construction plan will be developed prior to construction. This plan will specify construction staging and treatments to minimize impacts. The BMPs could include working with residents and merchants to provide alternative access to their neighborhoods, properties, and businesses, providing advance notice of construction plans and phasing, maintaining access to bus stops and school routes, and alerting the public to road, sidewalk, and trail closures and detour routes.

[...] Businesses and residences may experience difficulties with accessibility at certain times of day during the construction of the project, and minor detours for through traffic might be required. In general, these effects will not change the land use of the area during construction, but may affect the number of people using area businesses directly affected by access or construction traffic issues.

Comment: *Due to the particularly challenging proposed location of the West Lake Station, mitigation during construction to the business area and adjacent residential properties is required.*

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3.2.2.1 Neighborhoods

Minneapolis

Each Build Alternative would operate through several geographically defined neighborhoods in the City of Minneapolis.

Comment: *While the proposed LRT 3A (LPA) route would travel through the defined boundaries of nine Minneapolis neighborhoods, it will have the greatest impact on Kenwood, CIDNA, and West Calhoun due to the geography and existing land use of the area. The Kenilworth Trail and Cedar Lake Park – vital local and regional amenities – are both part of the Kenwood neighborhood, with the Kenilworth Trail continuing through CIDNA and West Calhoun.*

Outcome: *West Lake Station users and all other users have safe and convenient access to and from Lake Calhoun and the Southwest LRT Trail, the Midtown Greenway and the Kenilworth Regional Trail.*

Outcome: *Way-finding is provided between the West Lake Station and Lake Calhoun and the trails.*

Outcome: *Safe and adequate bike parking is provided for recreational and commuter users of the trail and for Lake Calhoun visitors. This location within the Minneapolis Chain of Lakes Regional Park is the closest major park land to the proposed West Lake Station. It is a primary visitor portal to the Grand Rounds National Scenic Byway.*

The Calhoun Executive Center parking lot next to Lake Calhoun sits on land that is partially owned by the Minneapolis Park and Recreation Board as part of the Minneapolis Chain of Lakes Regional Park. On weekends and weekday evenings, visitors use this area for parking and to access the regional park and the Grand Rounds National Scenic Byway.

Issue: *Park and trail access behind Whole Foods*

Millions of annual park visits to this area originate by foot, bicycle, motorized vehicle, and in the future the LRT.

Traffic patterns altered by the addition of a West Lake Station will have a direct impact on the park visitor experience and all modes of traffic on Lake Calhoun Parkway and Dean Parkway. West Calhoun Neighborhood Council is concerned that the introduction of the high-volume West Lake Station increases the complexity of this area and is committed to ensuring that all visitors have a positive, easy, and safe experience accessing and using the park lands and trails in this area.

Below are the critical outcomes that the West Calhoun Neighborhood Council has adopted and must be addressed in the FEIS and Preliminary Engineering.

Statement: *Multimodal traffic patterns in a roughly 1/2-mile radius of the West Lake Station must be studied in partnership with the street/trail property owners (Hennepin County, City of Minneapolis, MPRB). Deliverables of the study should include traffic volume and flow projections, and recommendations for*

- 1) long-term street/trail network modifications and*
- 2) short-term network modifications to be implemented with station development.*

Outcome: *LRT and West Lake Station area design decisions for this area are based on design recommendations from a comprehensive and multimodal (bicycle, pedestrian, transit, vehicle) circulation analysis that addresses impacts to the Grand Rounds National Scenic Byway parkways and trails.*

Outcome: *The design of this area makes clear that it is a “gateway” to the Minneapolis park system.*

Outcome: *A safe, free-flowing pedestrian and bicycle route with exceptional wayfinding exists between the LRT station area and Lake Calhoun and adjacent park land.*

Outcome: *There is no loss of vehicle parking for park and trail users.*

Outcome: *Greenspace at the northwest corner of Lake Calhoun is preserved for park visitors and recreational purposes.*

Page 3-52

West Calhoun: The West Calhoun neighborhood sits between Minneapolis' border with St. Louis Park and Lake Calhoun. The neighborhood is principally residential, although the commercial region of West Lake Street has developed into a thriving shopping area. The Grand Rounds Scenic Byway, encircling Lake Calhoun, is a heavily used parkway road system that includes the off-street trails of a portion of the Minneapolis Chain of Lakes Regional Park. In addition to Lake Calhoun and the interim

use trails and park space, the neighborhood is also home to the Bakken Museum and the Minikahda Club golf course.

Comment: *The Calhoun Commons business area is newly developed. There is concern about the curb cut onto Market Plaza, which slows traffic flow. Increased traffic at the West Lake Station could exacerbate the situation. A traffic study in this area is required.*

In building Calhoun Commons, the street was vacated and is now private parking. In-depth study of access routes to the station is required, including the feasibility of reopening the vacated street.

The Fire Station at Market Plaza will be impacted by its proximity to the West Lake Station. We request a Fire Department analysis of accessibility at Market Plaza.

The West Lake Station will serve as the gateway to the City of Minneapolis and the Grand Rounds National Scenic Byway and the Chain of Lakes. User counts on the Chain of Lakes are the second highest in the state of Minnesota; the count is 1.3 million at Lake Calhoun. Further in-depth analysis of traffic flow and linkages to and from these two assets and the station is required. Safety and connections should be enhanced. Most recent data shows the daily traffic count on Lake Street to be 39,500 cars.

Outcome: *The Grand Rounds National Scenic Byway (eligible for the National Register of Historic Places) fully retains its integrity and intention.*

Outcome: *Motorized and nonmotorized vehicles and pedestrians experience continuous and safe flow.*

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3.2.2.6 Neighborhoods and Community Cohesion

Segment A [LRT1A and LRT 3A (LPA)] and Freight Rail Relocation

However, the operation of LRT service along Segment A is not anticipated to adversely affect community cohesion because Segment A is currently bisected by a freight rail line and adding LRT service does not alter the existing barrier. [...] The operation of LRT service along Segment A is not anticipated to adversely affect community cohesion.

Comment: *The infrequency and slow speeds of the current freight trains means tracks are easily crossed, as evidenced by the many informal pathways across the tracks that provide access from residences to parks, trails, and retail stores. LRT, on the other hand, would run every 7.5 minutes in each direction at high speeds. This change clearly alters the existing linkages within and among neighborhoods. Also, the Kenilworth Trail now functions as a community connector where neighbors meet in a recreational context. So while WCNC agrees that new transit services and linkages would become available to neighborhood residents, we disagree that there would be no impact on community cohesion. We urge Southwest Transitway designers to consider a full range of measures, in consultation with the community, to mitigate this impact.*

At the West Lake Station, there is high-density residential housing adjacent to the proposed line. Casual walking connections need attention to safety measurements for pedestrians on either side of the tracks and enhanced connections to new or existing service, activity centers, or social amenities (parks and open spaces) in the study area. Barriers should not impede safe pedestrian circulation.

Page 3-64

3.2.2.8 Community Facilities and Resources: Places of Worship, Schools, and Public Housing

Summary of Potential Impacts to Community Facilities by Build Alternative

The study area contains several community facilities and neighborhood amenities that provide public services (see Summary Table of Potential Impacts). These facilities include law enforcement, fire stations, public health, education, recreation, libraries, post offices, community facilities, and religious institutions. Implementation of any of the Build Alternatives considered would improve access to community facilities and resources, places of worship, schools, and public housing in the study area.

Comment: *More information about the access to the Fire Station at Market Plaza is needed. Further in-depth analysis is required to evaluate the impact of West Lake Station on the response time to emergencies. In addition, the effects of increased traffic on ExcelsiorBlvd. at the Fire Station ambulance entrance needs to be assessed.*

Page 3-66

3.2.5 Summary

Table 3.2-2. Summary of Neighborhood, Community Services, and Community Cohesion Impacts by Build Alternative

Environmental Metric	Build Alternative				
	LRT 1A	LRT 3A (LPA)	LRT 3A-1 (Co-location)	LRT 3C-1 (Nicollet Mall)	LRT 3C-2 (11th/12th Street)
Connections or movement between land uses maintained	Yes	Yes	Yes	Yes	Yes
Neighborhood character maintained	Yes: Segment 4 follows HCRRRA ROW. No: Segment 1 High intensity, high density station areas and park-and-ride lots in residential areas of Segment 1 could change character.	Yes: Segment 3 is mostly commercial and industrial. Yes: Segment 4 follows HCRRRA ROW. No: Segment A May have aesthetic and traffic impacts in historic areas.	Yes: Segment 3 is mostly commercial and industrial. Yes: Segment 4 follows HCRRRA ROW. No: Segment A May have aesthetic and traffic impacts in historic areas.	Yes: Segment 3 is mostly commercial and industrial. Yes: Segment 4 follows HCRRRA ROW. Yes: Segment C: High density land uses are compatible along this segment.	Yes: Segment 3 is mostly commercial and industrial. Yes: Segment 4 follows HCRRRA ROW. Yes: Segment C: High density land uses are compatible along this segment.

Comment: Mitigation for the aesthetic and traffic impacts in the historic area is needed.

In Table 3.2.2, we disagree with the conclusions of both environmental metrics as they affect Segment A. The table asserts that connections or movement between land uses will be maintained. The table also indicates that neighborhood character will be maintained, with the exception of some aesthetic and traffic impacts to historic areas. It strains belief that such unremarkable outcomes are possible when two tracks of LRT will travel through this corridor at, roughly, 7.5-minute intervals, permanently severing communities on either side of the corridor. This is not the case today, as the freight trains are few and infrequent.

Not only will the neighborhood character be impacted by sheer number and frequency of trains, but Segment A should also be given extremely high consideration for mitigation of noise. The section of LRT between West Lake Station and 21st Street Station has 87.5% of the total properties severely impacted by noise on the entire LRT line.

These are but two of the potentially destructive impacts to this residential area. WCNC suggests that tunneling is the only means of mitigation in Segment A.

Page 3-79

3.4.5.3 Build Alternatives

Segment 4 [LRT 1A, LRT 3A (LPA), LRT 3A-1 (Co-location), LRT 3C-1(Nicollet Mall), and LRT 3C-2 (11th/12th Street)]

Other potential effects to historic properties in Segment 4 relate to station area development in the Hopkins, Wooddale, and West Lake Station areas, access issues, and potential vibration issues.

[...]

Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (Co-location)]

Architectural properties in Segment A which are listed in or eligible for the National Register include seven individual properties and five historic districts. The segment also includes three individual architectural properties and one historic district which are under evaluation for eligibility. [...]

Potential long-term effects may occur at the following properties:

- Cedar Lake Parkway, Grand Rounds (potential effects of the changes to the intersection of the LRT corridor with the historic parkway, including the LRT overpass bridge, and, under the co-location alternative, the effects of widening the trail/rail corridor; these changes may affect the parkway itself and may alter its setting)

- Kenilworth Lagoon/ Channel, Grand Rounds (potential effects of the construction of new bridge structures within the historic district; the design and footprint of these structures may affect the banks of the historic channel and may affect the district's overall feeling and setting)

Other potential effects to historic properties in Segment A relate to station area development in the West Lake, 21st Street, Penn, and Van White Station areas, traffic issues and potential noise and vibration issues.

Comment: *We urge Southwest Transitway designers and engineers to adopt the highest design standards to protect our local, regional, and national cultural assets including, but not limited to, Cedar Lake Parkway and the Historic Grand Rounds National Scenic Byway. We expect that these critical urban resources will be honored and preserved for future generations and must be addressed in the FEIS and Preliminary Engineering.*

3.4.7 Mitigation

Methods for avoidance, minimization, or mitigation of impacts to historic and archaeological property would be developed and coordinated under the Section 106 consultation process as the project advances, and included in the Section 106 Agreement. The agreement for the selected alternative will be developed in consultation with the SHPO and other consulting and interested parties. As described in Section 3.4.4.3, potential mitigation measures may include:

- Consultation on the design of the project, when historic properties are located nearby;
- Educational efforts and incentives aimed at the rehabilitation of historic properties in areas that may experience project-related redevelopment
- Development of a plan to address potential vibration or noise effects on historic properties
- Public education and interpretation about historic properties in the project area, often as a part of the project itself

Comment: *The West Calhoun Neighborhood Council requires mitigation of impacts to the Historic Grand Rounds National Scenic Byway. This must be addressed in the FEIS and Preliminary Engineering*

Page 3-85

3.5 Parklands and Recreation Areas

It is important to note that at this stage of the project, estimates of direct park impacts are based on conceptual engineering drawings. Therefore, sufficient engineering detail is not available to fully eliminate all potential impacts. It is anticipated that during Preliminary Engineering, reasonable and prudent efforts will be made to adjust engineering designs in order to avoid or minimize direct impacts.

Comment: *The West Calhoun Neighborhood Council requires being a stakeholder in Preliminary Engineering to estimate direct park impacts.*

Page 3-85

3.5.3 Existing Conditions

Public parks, conservation areas, and recreation areas are owned and maintained by the municipalities in which they are located. In the City of Minneapolis, these properties are owned and maintained by the independent Minneapolis Park and Recreation Board.

and

Pages 3-91 and 3-92

Section of Table 3.5-1. Public Parks, Recreation Areas, and Conservation areas within the Study Area by Segment

Park Name	Jurisdiction or Ownership	Segment	Park Resources
Lake of the Isles segment of the Minneapolis Chain of Lakes Regional Park	Minneapolis Park and Recreation Board	A and C	Lake with 2.86 miles of shoreline, bike path, display fountain, fishing dock, hockey rink, ice rink, , soccer field, walking path, wells, off-leash recreation area
Kenwood Parkway	Minneapolis Park and Recreation Board	A	Parkway, open space
Bryn Mawr Park	Minneapolis Park and Recreation Board	A	50.84-acre park; 2 baseball fields, biking path, 2 broomball rinks, cricket field, ice rink, 10-table picnic area, restroom facilities, soccer field, 11 softball fields, sports facility, tennis court, tot lot/playground, wading pool, and walking path
Dean Parkway segment of the Minneapolis Chain of Lakes Regional Park	Minneapolis Park and Recreation Board	C	Parkway with 17.5 acres of parkland, 0.6 mile of bicycle and walking paths
Lake Calhoun Parkway segment of the Minneapolis Chain of Lakes Regional Park	Minneapolis Park and Recreation Board	C	Parkway; scenic drive that circles Lake Calhoun; beach, boat dock, eatery/concessions, fishing dock, picnic area, restroom facilities, soccer field, walking path
Lake Calhoun segment of the Minneapolis Chain of Lakes Regional Park	Minneapolis Park and Recreation Board	C	3.2-mile bike/skate path, 3.1-mile walking path, three supervised beaches, archery, boat dock, eatery/concessions, fishing dock, parkway, picnic area, restroom facilities, soccer field, softball field, volleyball court, wells

Comment: Note these are all a part of the Historic Grand Rounds National Scenic Byway. These elements of the Historic Grand Rounds need to be taken into consideration when designing the Southwest Transitway and related adverse impacts. West Calhoun Neighborhood Council supports the Minneapolis Park and Recreation Board's request for a transportation analysis/recommendations for the area's circulation system, including all jurisdictional levels (city, park board, county), to preserve the integrity of the Grand Rounds National Scenic Byway.

Pages 3-94 and 3-95

Segment A [LRT 1A and, LRT 3A (LPA)]

Temporary direct impacts

The conceptual engineering completed for the project identifies approximately 0.016 acre of potential temporary impact to land from Park Siding for grading associated with future trail reconstruction. However, this is not directly associated with the project, as HCRRA would not conduct the grading unless requested to do so by the Minneapolis Park and Recreation Board (MPRB) to allow the reconstruction of the interim use trail. Completion of the trail would be conducted by MPRB or others. Should MPRB choose not to accept HCRRA's offer of grading for trail reconstruction, there would be no impact to Park Siding.

Comment: *The West Calhoun Neighborhood Council expects bicycling and pedestrian trails to remain open during construction to the largest degree possible.*

Page 3-104

3.6.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative)]

Segment A is located on existing rail ROW owned by HCRRA that is currently used as a pedestrian and bike trail and parallels existing freight lines (Photo 3.6-4). The corridor travels through the Cedar-Isles-Dean and Kenwood neighborhoods, the Minnesota Chain of Lakes Regional Park, and travels between a pair of lakes (Cedar Lake and Lake of the Isles) in Minneapolis. Land uses adjacent to the segment between West Lake Street and I-394 include transportation uses for freight, parkland, and single- and multi-family residential land uses.

Comment: *Please note the heavy use of bicycle and pedestrian trails along the Kenilworth Corridor. According to information provided to the Minneapolis Park and Recreation Board's Community Advisory Committee, the Kenilworth Trail received 617,000 visits in 2009 and use has only grown since then. The Regional Park Visitor Survey 2008 indicates that 63% of these visits were non-local, meaning that more than six out of 10 users came from outside Minneapolis.*

Page 3-115

3.6.3.3 Build Alternatives

Segment 4 [LRT 3A-1 (Co-location alternative)]

[...] Visual impacts on sensitive receptors located in the multi-family residential development areas on both sides of the corridor as it approaches the West Lake Station would generally not be substantial because of mature vegetation buffers and the presence of an existing freight rail corridor where the LRT, freight rail, and trail would be co-located.

Seven at-grade center-track platforms are proposed for each station in the segment, but no sensitive receptors (in addition to the trail users aforementioned) are located adjacent to the station sites; therefore no visual impacts are anticipated except at West Lake Station, where sensitive receptors in a multi-family residential tower would have views from upper floors to the station. However visual impacts would not be substantial because the proposed station would fit the current urban context.

Comment: In paragraph two above, visual impacts to residents in West Lake Station multi-family residential towers are noted but considered as not substantial because this is a built urban environment and the proposed station would fit the current urban context. Respondents disagree on this point; there is no current equivalent to the visual impact of two tracks of light rail passing through this area every 7.5 minutes. Significant engineering and landscape design is required to mitigate the sizable visual impacts on all immediately adjacent residential units.

Page 3-115

Segment A [LRT 1A and LRT 3A (LPA)]

The project elements in Segment A corridor would be located on HCRRA property. Although the segment is located in an existing transportation corridor (Kenilworth Regional Trail), the project would introduce new visual elements—the fixed guideway, including track, catenary poles, and wires—into the area. Catenary poles and wires could have substantial visual impacts on trail users who would share the corridor with the fixed guideway.

Visual impacts on sensitive receptors located at single-family and multi-family parcels throughout the corridor would generally not be substantial because of mature vegetation buffers and the presence of an existing freight rail corridor. Visual impacts may be substantial where the alignment is not screened by vegetation. Visual intrusion and privacy impacts of the project elements on the sensitive receptors may be substantial where views from the alignment into previously private spaces are created. Visual intrusion and privacy impacts on the outdoor living areas of residential properties could be substantial where vegetation or landscape buffers do not exist.

Comment: WCNC agrees that there will be substantial visual effects on trail users and residences not screened by well-designed landscape and hardscape elements, including land berms and evergreens, as well as seasonal leaf-off periods. We agree that privacy impacts to indoor and outdoor living areas of residential properties will also be significant without excellent landscape design. We urge project engineers to employ the highest standards of creativity and design as they attempt to preserve the quality of this vital urban green space.

Page 115, cont. (Cedar Lake Parkway)

The proposed alignment is on a bridge over Cedar Lake Parkway. Visual impacts on sensitive receptors adjacent to the corridor in the multi-family residential parcel and Cedar Lake Parkway could be substantial. Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment where it is bridged structure could be substantial.

Comment: WCNC agrees that a bridge over Cedar Lake Parkway clearly would have substantial visual impacts on residences from Lake Street to the Kenilworth Channel. (See Appendix I.) It would also have substantial impacts on users of the Historic Grand Rounds National Scenic Byway (drivers, bicyclists, pedestrians), as well as Cedar Lake

Park and beach users, a fact not mentioned in the present study. Such a bridge is also likely to violate the Shoreland Overlay District zoning requirements, which state:

“Except for structures subject to a more restrictive maximum height limitation in the primary zoning district, the maximum height of all structures within the SH Overlay District, except for single and two-family dwellings, shall be two and one-half (2.5) stories or thirty-five (35) feet, whichever is less.”

Source: Minneapolis, Minnesota, Code of Ordinances; Title 20 – Zoning code; Chapter 551. – Overlay Districts; Article VI. – SH Shoreland Overlay District

We do not see any evidence in the present study that the feasibility of trenching, tunneling, or depressing the LRT below Cedar Lake Parkway was examined. We strongly request that a thoughtful and serious study of these options be undertaken, since a bridge would have such grave quality of life impacts on area residents and users, and an at-grade crossing is likely to have significant traffic and safety impacts. West Calhoun Neighborhood Council supports tunneling or trenching at Cedar Lake Parkway.

Page 3-123

3.6.5.3 Build Alternatives

The need for additional landscaping to mitigate potential visual intrusion/privacy impacts following clearing and grubbing activities during construction will be addressed in the Final EIS. Station design and aesthetics will be addressed during Preliminary Engineering and Final Design. Mitigation treatments for visual impacts would be developed during the Final Design process through discussion with affected communities, resource agencies, and stakeholders. Measures would be taken to ensure the design and construction of the Build Alternative considers the context of the corridor and that sensitive receptors receive adequate mitigation. Possible mitigation measures could include:

- Landscaping vegetation such as shrubs and bushes to supplement existing vegetation buffers
- Evergreen vegetation screening to supplement deciduous vegetation buffers in leaf-off conditions
- Fencing
- Tunneling

Comment: *Appreciating the present study’s approach that mitigation treatments would be developed through discussion with affected communities, WCNC joins the joint neighborhood task force in requesting the definition of “measures [that] would be taken to ensure that the design and construction of the Build Alternative considers the context of the corridor and that sensitive receptors receive adequate mitigation.” We assume that consideration of placement and screening/mitigation of Traction Power Substations would also be done in cooperation with affected communities and stakeholders.*

Page 3-125

3.6.6 Summary

LRT 3A (LPA) would have the second highest effects on visual quality in the project area because of substantial impacts on sensitive receptors located on trails, which are present in three (4, A, and

FRR) of the alignment's segments. Further, LRT 3A (LPA) would have possibly substantial effects on the visual quality of one of its three segments, which includes sensitive receptors in residential land uses adjacent to the segment (A) where the alignment is on a bridge.

Comment: We agree that LRT 3A will have huge visual quality impacts to the Segments 4, A, and FRR area. In particular, the visual impacts of the proposed aerial bridge at Cedar Lake Parkway will impact not only residents but also all users of the Historic Grand Rounds National Scenic Byway.

Page 3-128

3.7.1.1 Light Rail Transit

Safety and security aspects of the Southwest Transitway would be developed in accordance with the Metropolitan Council's policies and procedures. At this time, specific safety and security policies and procedures have not been developed for the Southwest Transitway; policies, procedures, and any mitigation measures required for safety and security will be specified at an appropriate level of detail in the Final EIS.

Comment: The adjacent neighborhoods will be stakeholders in the development of Southwest Transitway Safety and Security Policies. Of particular concern is the report of studies that show an increase in crime rates when mass transit is adjacent to liquor stores, as it will be at the West Lake Station.

Page 3-129

3.7.2 Existing Conditions

Public safety and security within the study area is provided by the police departments, fire departments and emergency response units of the cities of Eden Prairie, Minnetonka, Hopkins, St. Louis Park, and Minneapolis. Emergency medical services are located in each city.

Comment: Please note that the Minneapolis Park Police also provide service within Minneapolis. The joint neighborhood task force requests that the MPRB Police be consulted on security issues related to the impact of the proposed West Lake Station.

Page 3-129, cont.

Primary safety concerns associated with the freight rail relocation segment of the proposed project, as expressed by the community, are derailments, chemical spills, the accessibility and safety of pedestrians (particularly near schools), and vehicular and traffic safety at grade crossings. These issues are addressed in the discussion below.

Comment: Please note that residents of the co-location corridor option have no less concern about issues such as derailments, chemical spills, pedestrian and bicyclist safety, and traffic safety.

Chapter 4 Environmental Effects

General comment: *Presently, the LPA corridor from the West Lake Station to I 394 is a high quality residential area with many parklands that are low noise, vibration and light, and with abundant native plants including ongoing community restoration efforts such as 40+ acres of native prairie within or adjacent to the proposed rails and station. There is abundant wildlife and dark night skies. More detailed analysis of multiple variables is necessary to determine mitigation options to preserve, even enhance, the status quo.*

General comment: *There is no examination and discussion in this DEIS about the impact of LRT light on the corridor between the West Lake Station and the Intermodal Station. There is nothing about train light, corridor light, quantitative measurements, impacts on presently dark areas of neighborhoods and parklands. There is nothing about light scatter, color, distortion, or pollution. There is nothing about the effects of new constant and intermittent light sources on animals and people. More in-depth analysis is required to determine mitigation.*

Page 4-75

4.6.4 Long Term Effects

The traffic analysis completed for this Draft EIS indicates that several intersections are anticipated to degrade to LOS D, E, or F as a result of at-grade crossings... LRT stations, specifically those with park and ride, will cause localized increases in traffic along adjacent roadways.

Comments: *Studies have not been conducted about future traffic patterns on the already saturated streets surrounding the proposed West Lake Station. Presence of small businesses in the area as well as visitors who have a destination of Lake Calhoun Parkway and other park and trail facilities contribute to current traffic congestion and overload within the half-mile radius of the proposed West Lake Station. Please refer to the Capstone Project (online at <http://pwpg.org/lake-st-excelsior-blvd/>) that discusses traffic and trail usage in Minneapolis. Currently, automobile traffic is frequently gridlocked in the area surrounding the proposed West Lake Station. It is expected that the West Lake Station will attract additional automobile use in this area.*

No degree of degradation of the air quality should occur in this already saturated area as a result of the West Lake Station. We require additional study of the current traffic flow and projected traffic flow increase related to LRT use.

Page 4-76 through Page 4-77

4.7.1 Methodology

Airborne noise effects associated with the proposed Southwest Transitway Project were evaluated using the FTA's Detailed Noise Assessment methods (FTA 2006). The methodology included identifying noise-sensitive land uses, measuring existing outdoor noise levels in the project area,

using the existing noise levels to identify noise impact thresholds, calculating project-related outdoor noise levels, and determining if project-related noise levels exceed FTA noise impact thresholds. FTA noise impact thresholds vary depending on land use and existing noise exposure. Two types of noise impacts are included in the FTA criteria. The type of impact affects whether noise mitigation is implemented.

- Severe Impact. A significant percentage of people are highly annoyed by noise in this range. Noise mitigation would normally be specified for severe impact areas unless it is not feasible or reasonable (unless there is no practical method of mitigating the impact).
- Moderate Impact. In this range, other project-specific factors are considered to determine the magnitude of the impact and the need for mitigation. Other factors include the predicted increase over existing noise levels, the types and number of noise-sensitive land uses affected, existing outdoor-indoor sound insulation, and the cost-effectiveness of mitigating noise to more acceptable levels. Refer to Appendix H for details on the noise impact criteria.

Comment: Noise at high frequency and high decibel levels like wheel squeal and low frequency like train movement sway and rumble are not included in Table 1 (pg. 4-78). Noise monitoring locations listed in the table on pg. 4-82 do not include study of noise levels at elevations higher than the ground. Residents in high-rise condos near the proposed LRT report that noise at the ground level is amplified at higher levels. Sound travels in buildings and the frequency is changed and becomes more audible. Noise monitoring locations should include higher elevations so that appropriate mitigation can be implemented.

Noise monitoring at locations 30 and 31 (see pg. 4-82, Figure 4.7-1) is inadequate due to the complexity of our neighborhoods, especially at the narrowest point of the corridor.

Page 4-118

4.8.6 Mitigation

Detailed vibration analyses will be conducted during the Final EIS in coordination with Preliminary Engineering. The Detailed Vibration Assessment may include performing vibration propagation measurements. These detailed assessments during the Final EIS/preliminary engineering phase have more potential to reduce project related effects than assessments of mitigation options at the conceptual engineering phase of the project. Potential mitigation measures may include maintenance, planning and design of special trackwork, vehicle specifications, and special track support systems such as resilient fasteners, ballast mats, resiliently supported ties, and floating slabs.

Comment: As design of mitigation of vibration impacts occurs, the range of frequencies must be taken into consideration. Segment A will experience high frequency vibrations, for example when brakes are applied, to low frequency as the trains rumble along the tracks' curves.

Neighborhood associations should be included in the alternative design of this mitigation. Alternatives may include tunneling or trenching in areas with severe impact from noise and vibration.

Chapter 5 Economic Effects

Page 5-15

Table 5.2-2. Short-Term Station Area Effects

Environmental Metric: Traffic

LRT 3A (LPA) Low--During construction temporary closures or rerouting of traffic from at-grade intersections will be required. The area is well served by a mature integrated network of roadways so traffic diversions should have minimal affect upon the transportation system.

Comment: Accessibility and disruption of traffic around the West Lake Station will occur during and after construction. In the planning and budgeting process, funds for mitigation need to be made available. Limited accessibility and heavy traffic loads, often approaching gridlock, already exist in this area, as several sources report.

- According to Hennepin County in 2011, the Lake Street/Excelsior Boulevard corridor was the busiest county state road in Hennepin County, with 39,500 cars daily.
- The Minneapolis Park and Recreation Board has reported that the Minneapolis Chain of Lakes, including Lake Calhoun (within a half-mile radius of the West Lake Station) is the second most-visited location in Minnesota (behind the Mall of America).
- Capstone studies by students from the Civil Engineering Department at the University of Minnesota have assembled existing data and background information from the city, county and state, and have conducted extensive traffic counts and other observations, including using digital video: “Traffic Assessment and Recommendations for Lake Street and Excelsior Boulevard Intersection and Adjacent Intersections.” See this and other student Capstone studies relating to the Lake St. and Excelsior Blvd. intersection online at www.pwpg.org/lake-st-excelsior-blvd/.
- A November 2012 parking study commissioned by the West Calhoun Neighborhood Council and conducted by Spack Consulting found that parking was near to or over capacity in some locations near the proposed West Lake Station. The study was conducted outside the busy lake and park recreation season on cool cloudy days. When the estimated 2,800 daily Southwest Transitway riders are added to the mix, parking spaces will be at a premium. (For the full report, go to www.westcalhoun.org.)

Page 5-19

5.2.4 Long-Term Station Area Effects

Environmental Metric: Displacement Parking/Access Regulations

LRT 3A (LPA) Low--Parking and access to businesses along this route are unlikely to be affected. Business parking is provided off site and is not anticipated to be affected by the LRT project. Permanent access restrictions for businesses are not anticipated. 20 on-street and 11 off-street parking spaces will be eliminated.

Comment: Business parking is already at saturation point around the West Lake Station. See November 2012 parking study at www.westcalhoun.org and the University of Minnesota Capstone Studies at pwp.org/lake-st-excelsior-blvd/.

It is essential to maintain the viability of businesses in the two shopping centers (Calhoun Village and Calhoun Commons on Lake St. and Excelsior Blvd., respectively) adjacent to the West Lake Station. The irregular configuration of streets adjacent to these commercial centers already presents some parking and accessibility problems; with the addition of the Lake Street Station those problems will be exacerbated.

In addition, residential parking is limited, especially with the addition of 187-unit Dwell apartments at 3129 Ewing, built by Bigos Development Corp., which also manages the adjacent 151-unit Calhoun Greenway Apartments. Only 322 parking stalls will accommodate this increase in residences. The complex is near the West Lake Station and will increase parking congestion.

The goal of WCNC is that in conjunction with the creation of the West Lake Station, parking issues in this area will be addressed to the satisfaction of the neighborhood.

Outcome: A public parking analysis is required.

Pages 5-19 and 5-20

Environmental Metric: Developmental Potential (station development potential and transportation) LRT 3A (LPA) High--Segments 3, 4, and A all have high potential for development around station locations. The areas, with the exception of 21st Street in Minneapolis, are identified as areas for transit-oriented development consistent with the implementation of LRT.

For Segments 3, 4 and A, the expansion of the transportation system and service to areas designated for growth and redevelopment will equate to a positive economic effect in terms of development around station locations.

Comment: The land use around the West Lake Station includes several commercial properties, including Calhoun Village and Calhoun Commons. There are few undeveloped parcels around this station and no plans to upgrade the current commercial parcels. Traffic flows are currently at saturation and private parking is fully utilized near this station, contrary to the statements made in Section 5.2.5.2 about parking and access to businesses. Two proposals to add residential apartment buildings on land zoned as residential, namely, the Bigos proposals for the vacant Weisman property on Lake St. and for vacant property behind Calhoun Commons. Hence, the prospects for economic development near the West Lake Station are minimal. In 2009 the city of Minneapolis retained R-1 zoning for properties near the station. Limited public parking will restrict even more the area's growth potential, and the lack of public parking could even deteriorate the present economic richness.

5.2.5.2 Mitigation for Parking and Access

Parking

Build Alternatives LRT 1A, LRT 3A (LPA), and LRT 3A-1 (co-location alternative) are all anticipated to have a relatively modest impact on parking with the removal of 20 on-street parking spaces on Royalston Avenue. Mitigation of this effect may include working with staff from the City of Minneapolis to identify needs and opportunities for providing alternative parking solutions. However, based on adjacent land uses and long-term city plans for this area, the need for alternative parking solutions is believed to be low.

Access

Build Alternatives LRT 1A and LRT 3A (LPA) are not anticipated to have any long-term effects on business access; therefore, no mitigation is required.

***Comment:** While parking at Royalston Ave. is cited, there are also serious parking and access issues around the West Lake Station. With 2,800 riders predicted to enter this area daily, further study of how to mitigate these issues is requested. See below for further evidence of congestion issues that already exist.*

- *According to Hennepin County in 2011, the Lake Street/Excelsior Boulevard corridor was the busiest county state road in Hennepin County, with 39,500 cars daily.*
- *The Minneapolis Park and Recreation Board has reported that the Minneapolis Chain of Lakes, including Lake Calhoun (within a half-mile radius of the West Lake station) is the second most-visited location in Minnesota (behind the Mall of America).*
- *A study by students from the Civil Engineering Department at the University of Minnesota have assembled existing data and background information from the city, county and state, and have conducted extensive traffic counts and other observations, including using digital video: “Traffic Assessment and Recommendations for Lake Street and Excelsior Boulevard Intersection and Adjacent Intersections.” See this and other student Capstone studies relating to the Lake St. and Excelsior Blvd. intersection online at www.pwpg.org/lake-st-excelsior-blvd/.*
- *A November 2012 parking study commissioned by the West Calhoun Neighborhood Council and conducted by Spack Consulting found that parking was near to or over capacity in some locations near the proposed West Lake station. The study was conducted outside the busy lake and park recreation season on cool cloudy days. When the estimated 2,800 daily Southwest Transitway riders are added to the mix, parking spaces will be at a premium. (For the full report, go to www.westcalhoun.org.)*

Chapter 6 Transportation Effects

Comment: *We have grave concerns that Transportation Effects were inadequately analyzed, especially around the West Lake and 21st Street Stations. Our concerns are outlined below:*

1. General Traffic Flow

The most important contextual factor regarding transportation in the West Calhoun and CIDNA neighborhoods is the over-saturated W. Lake St./Excelsior Boulevard vehicle corridor. This thoroughfare is the primary east-west route through our neighborhoods.

The W. Lake St./Excelsior Boulevard vehicle thoroughfare currently carries 39,500 vehicles per day, a number confirmed by Hennepin County at the October 9, 2012, MPRB charette on park improvements between Lake of the Isles and Lake Calhoun. This makes this corridor the most heavily traveled in Hennepin County. Capstone studies conducted by University of Minnesota Civil Engineering students in 2010 and 2011 (go to pwp.org/lake-st-excelsior-blvd/) show that this corridor is already over-congested, requiring 2.75 minutes to traverse the section of Excelsior Boulevard between Market Plaza and W. Calhoun/Dean Parkway, giving it an "F" rating for traffic flow at evening rush hour. The studies did not include the effect of existing traffic lights at the Excelsior Boulevard/W. 32d St. intersection (the Minikahda Club intersection) and at the main Calhoun Commons entrance on Excelsior.

Hennepin County stated at the MPRB charette meeting that there are no plans or funds allocated to improve traffic flows on this corridor in the next five years, during which the Southwest Transitway is scheduled for construction. The W. Lake St./Excelsior corridor will remain uniquely vulnerable to any and all impediments to traffic flow, including the impact of Southwest Transitway construction near the corridor.

Southwest Transitway construction will surely impede traffic through the corridor. How this will be mitigated is not specifically addressed in the DEIS. We fully understand that Southwest Transitway is designed to alleviate the saturation problem that is due to heavy drive-through traffic, but this can happen only over the long run. The West Calhoun Neighborhood Council is concerned with how the disruptions of transitway construction will be mitigated in the meantime. It is important to mitigate these potential problems with careful planning and involvement of neighborhood residents. In particular, we seek assurance that construction is not disruptive to the point of true gridlock. Further, any

additional major construction abutting the corridor may have to be put on hold for better traffic flow and neighborhood livability.

NOTE: Both a fire station and an ambulance station are located on Market Plaza close to the convergence of Lake St. and Excelsior Blvd. These critical emergency services are hindered on occasion by the traffic congestion that exists on Lake and Excelsior. The West Calhoun Neighborhood Council requires that clear steps for mitigation be outlined.

The West Calhoun Neighborhood Council encourages creative planning rather than reliance on “standard practices,” as referenced in the DEIS, for mitigating construction effects on parking and traffic flow (i.e. diverting traffic, mitigating parking problems, etc.). This approach is not satisfactory given the unique features of the critical W. Lake St./Excelsior corridor. It is particularly vulnerable to further impediments that would be caused by construction. There is no mention of staging out construction to assure reasonable traffic flow and adequate parking in the neighborhood for its residents. The W. 32nd/Chowen/Abbott area is especially vulnerable to disruption by heavy construction traffic. Further, hundreds more people will soon be living in this area when the six-story 185-unit Dwell is completed in 2013.

2. Traffic Flow on Excelsior Boulevard

The DEIS does not comment on the effect of an additional stoplight at the proposed traffic entrance to the West Lake Station and the impact of park-and-ride or kiss-and-ride vehicle traffic from Linden Hills, Edina, and Uptown on the southern entrance to the West Lake Station. Nor does it comment on how the additional boardings/disembarkations at the West Lake Station will affect traffic flow on Excelsior Boulevard. The additional traffic on Excelsior Boulevard will take an over-congested artery and transform it into a parking lot, having a negative impact on business users at Calhoun Commons and Calhoun Village, commuters who continue to use Excelsior Boulevard, park users crossing Excelsior Boulevard, and neighborhood residents.

3. Traffic Flow on W. Lake Street

The DEIS does not comment on how traffic will access the West Lake Station from the W. Lake St. bridge. By law, additional turn-out lanes on both the east- and west-bound lanes are prohibited because of reduced visibility for exiting from and merging onto Lake St.; hence, access to the West Lake Station for kiss-and-ride or park-and-ride LRT customers from the north side of Lake St. or from those coming east on Lake St. will be prohibitively restricted to using the south entrance to the station on Excelsior Boulevard, further exacerbating traffic congestion on that artery. There is no room to provide for exits and entrances to W. Lake St. without the taking of condominium property on the

westerly approach to the bridge or commercial property (Calhoun Village) on the easterly approach to the bridge.

4. Traffic in Residential Neighborhoods

In addition to the busy arteries around the West Lake Station, residential streets in West Calhoun will be impacted by traffic. If 2,800 people per day are expected to board at the West Lake Station, there will be significant traffic impacts that need to be mitigated.

5. Parking

The full range of parking options (and combinations thereof) need to be evaluated and openly discussed, including (but not limited to) paid district parking with validation, meters on nearby streets, residential permit parking on surrounding neighborhood streets, as well as additional structured parking (at some reasonable distance from the station platform, preferably with some ground-level commercial space).

Given the complexity of the West Lake area, to maximize the positive influences that a new transit station can produce, it is critical that the Preliminary Engineering work (managed by the Southwest Project office) and the Transitional Station Area Action Planning (TSAAP) work (managed by Hennepin County) include well-devised and executed stakeholder involvement and public outreach. This will entail a far greater level of effort than that contemplated in the TSAAP consultant's contract. It is essential that the staff and elected/appointed officials of the various governmental entities collaborate constructively with each other in a manner that is transparent to the public.

It is apparent that traffic circulation is limited due to the geographically constricted area and that it is critical to establish way-finding.

Chapter 7 Section 4(F) Evaluation

Comment: *Missing from this chapter of the DEIS:*

- *The Historic Grand Rounds National Scenic Byway is a nationally designated urban scenic byway.
It appears detailed information for this area where the LRT corridor is proposed to be located has not received appropriate documentation.*
- *Concerns for placing the transit corridor in or adjacent to a nationally designated urban scenic byway might include:*
 - *Would the area lose its designation?*
 - *Would it cause an economic loss due to the impact of transit corridor?*
 - *Could mitigating measures justify the location of the transit corridor in this area/corridor of the Ground Rounds and the outcome be justifiably and acceptably appropriate?*
 - *Is there an opportunity to strengthen the connection between the West Lake Station and the Historic Grand Rounds National Scenic Byway?*

Chapter 8 Financial Analysis

Capital cost estimates for the Build Alternatives are in 2012 dollars, as shown in Table 8.1-1. These cost estimates will be refined during Preliminary Engineering (PE). The Enhanced Bus Alternative is intended to be a lower cost transportation solution that addresses the mobility issues defined in the project's Purpose and Need statement. This alternative includes two new express bus routes and minor modifications to existing express bus service including an increase in service frequencies.

COMMENT: Table 8.1-1 Capital cost estimates do not include the cost of a park and ride lot at the Lake Street station; however, Appendix F, Conceptual Engineering Drawings, calls for a park and ride. Budgeting and planning processes need to reconcile the differences, given the existing parking congestion in the area.

Appendix H, Part 2

Southwest Transitway – Potential Effects on Historic Properties Segment 4– Shady Oak Station to West Lake Station

COMMENT: This table notes potential effects on two historic properties and the

Historic Grand Rounds National Scenic Byway at Lake Calhoun in the Lake Street station area. It is important to take into account especially the impact on and ease of access to Lake Calhoun Parkway for recreational use and to consider all impacts on environmental quality.



Louis Smith
<Smith@smithpartners.com>

12/21/2012 11:38 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>,
"Peter.McLaughlin@co.hennepin.mn.us"
cc "jrcampbell@earthlink.net" <jrcampbell@earthlink.net>

bcc

Subject Southwest Transitway DEIS Comment

Attached please find a comment letter on the Southwest Transitway DEIS submitted by Jim Campbell on behalf of the Southwest Corridor Investment Partnership. Please do not hesitate to contact me with any questions.

Sincerely,

Louis N. Smith

smith
partners
PLLP

400 Second Avenue South

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December 21, 2012

Mr. Peter McLaughlin, Chair
Hennepin County Regional Rail Authority
A2400 Government Center
300 S. 6th St.
Minneapolis, MN 55487-0241

Ms. Susan Haigh, Chair
Metropolitan Council
390 Robert St. N.
St. Paul, MN 55101

Re: Southwest Light Rail Transit Project – Draft Environmental Impact Statement

Dear Commissioner McLaughlin and Chair Haigh:

I am writing on behalf of the Southwest Corridor Investment Partnership to express support for the Southwest Light Rail Transit Project. Our Partnership, which first convened in October 2012, seeks to mobilize and align long term investments in the Southwest Corridor to leverage the success of the LRT Project and promote economic prosperity for Corridor residents, employees, and the Twin Cities region. Our members include United Health Group, Xcel Energy, Park Nicollet, Target, Japs-Olson, Cargill, and SuperValu.

The business community strongly supports this project because it serves over 210,000 jobs and believes that it is a good and necessary investment in 21st Century transit to promote our competitive position as a state and region. Our Partnership is committed to working together so that our respective long term investments in capital facilities and job growth will create synergies with the public investment in transit.

We recognize that the HCRRA and Metropolitan Council are currently collecting public comments on the Draft Environmental Impact Statement to assess the potential impacts of the project and also possible ways to mitigate those impacts. We trust that the DEIS and public comments will help to assure that this is the best possible project for the region and local communities.

Our message is simply that as you and your colleagues consider the DEIS and comments, we hope that you and the Federal Transit Authority will also keep in mind the critical importance of this Project for the future economic vitality of our region. Southwest LRT will be a great investment.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Campbell". The signature is fluid and cursive, with a long horizontal stroke at the end.

James R. Campbell, Chair



Louis Smith
<Smith@smithpartners.com>

12/21/2012 11:54 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>,
"Peter.McLaughlin@co.hennepin.mn.us"
cc "jrcampbell@earthlink.net" <jrcampbell@earthlink.net>

bcc

Subject Southwest Transitway DEIS Comment

Attached please find a comment letter on the Southwest Transitway DEIS submitted by Jim Campbell on behalf of the Southwest Corridor Investment Partnership. Please do not hesitate to contact me with any questions.

Sincerely,

Louis N. Smith

smith

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PLLP

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Sincerely,

A handwritten signature in black ink, appearing to read "Jim Campbell". The signature is fluid and cursive, with a long, sweeping underline.

James R. Campbell, Chair



Joan Vanhala
<joan@metrostability.org>
12/21/2012 02:05 PM

To swcorridor@co.hennepin.mn.us
cc Marisol.simon@fta.dot.gov, Russ Adams
<russ@metrostability.org>, Malik Holt-Shabazz
<malik@hnampls.org>
bcc
Subject SWLRT DEIS public comment AMS

TO: Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

From: Alliance for Metropolitan Stability
2525 E. Franklin Avenue
Minneapolis, MN 55406
Contact: Joan Vanhala, Coalition Organizer
612-332-4471; joan@metrostability.org

Please accept the Alliance for Metropolitan Stability's attached public comment for the Southwest Light Rail Transit Draft Environmental Impact Statement. Please include these attachments with our comments to the SWLRT DEIS:

Attachments:

1. Corridors of Opportunity Outreach and Engagement grantee map
2. Southwest LRT Community Works Investment Framework timeline
3. Harrison neighborhood station area map for SWLRT and Bottineau LRT
4. Bassett Creek Valley zoning map
5. Alliance for Metropolitan Stability comments to the Van White Station area plan

Please let us know if any of the attachments did not come through electronically.

TO: Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

From: Alliance for Metropolitan Stability
2525 E. Franklin Avenue
Minneapolis, MN 55406
Contact: Joan Vanhala, Coalition Organizer
612-332-4471; joan@metrostability.org

Public Comment for the Southwest Light Rail Transit Draft Environmental Impact Statement

December 21, 2012

The [Alliance for Metropolitan Stability](#) (AMS) is a coalition of grassroots organizations that advances racial, economic and environmental justice in growth and development patterns in the Twin Cities region. Our 30 [member groups](#) represent communities of color, low-income communities, housing advocates, faith-based organizations, research and policy organizations, economic developers and environmental, transit and land-use policy advocates.

For the past 6 years AMS has been providing technical and organizing support to Environmental Justice communities along our metropolitan region's planned transitways to ensure that they are included in the decision making and receive community benefits from these major infrastructure investments.

1. AMS supports Southwest LRT 3A alignment because it provides benefits for environmental justice communities throughout the study area by:
 - a. Connections to the regional transit system
 - b. Access to job centers along Southwest LRT
 - c. Economic development opportunities along SWLRT
 - d. Economic development opportunity for the Harrison neighborhood at the Van White Station with the build out of the Bassett Creek Valley master plan, a 230-acre, largely industrial area bound on the west by Cedar Lake Road, on the east by I-94, on the north by the Heritage Park redevelopment area and on the south by I-394
2. AMS has been working with these EJ communities along the Southwest LRT: [Harrison Neighborhood Association](#); [Blake Road Corridor Collaborative](#); [New American Academy](#); [Centro de Trabajadores Unidos en la Lucha](#) (CTUL).

Each of these environmental justice communities are also [Corridors of Opportunity](#) Outreach and Engagement [grantees](#) receiving funds from our regions HUD Sustainable Communities Regional Planning grant¹. These funds provide support for under-represented communities to organize around the development of the 7 identified transitway corridors. The implementation of these grants ensures the capacity for under-represented communities to participate in the planning and decision making of the Southwest LRT.

The Southwest Draft Environmental Impact Statement is inadequate in assessing the environmental justice communities throughout the document. Specifically:

¹ See attached map of the Corridors of Opportunity Outreach and Engagement grantees

- Page 3.55, 3.2.2.3 *Community Facilities and Resources* does not include environmental justice communities' facilities and resources. This section of the DEIS should include environmental justice communities facilities and resources.
- Page 3.42, 3.2.2.1 *Neighborhoods* does not include the specific demographic information that identifies the environmental justice communities along the Southwest LRT. Although the suburban cities do not have officially recognized neighborhoods, pockets of suburban cultural communities recognize their geographic area as a "neighborhood". We recommend the resource MN Compass website 2010 census profiles for cities on <http://www.mncompass.org/twincities/index.php> and Minneapolis neighborhoods on <http://www.mncompass.org/twincities/neighborhoods.php#.UNDPo-Q8B8H>. We recommend that environmental justice communities are assessed in a chart by city and neighborhood for the SWLRT study area.
- 9.6.9.4 *Mitigation* - One concern across all environmental justice communities is the displacement of affordable housing in the station areas of the Southwest LRT, especially in suburban areas. The mitigation described on page 10.22 of *Chapter 10 Acquisitions and Displacements* is inadequate. Often the affordable housing lost in the station areas is privately owned and responds to the market. We recommend the inclusion of the environmental justice communities in the prioritizing of the public investments through the Southwest LRT Community Works Investment Framework² to establish strategies to ensure the minimizing of the displacement of environmental justice communities and to ensure that adequate priorities and resources are directed to preserving and expanding affordable housing.
- 10.0 *ENVIRONMENTAL JUSTICE* chapter inadequately analyses environmental justice communities by using a broad overview map of demographic clusters of environmental justice communities. To ensure environmental justice communities benefit we recommend a specific environmental justice demographic analysis of each of the station areas of the Southwest LRT using 2010 census statistics.

3. We recommend the following principle of equitable development is included in Goal 5 Support Economic Development. This definition and principles were endorsed by the Corridors of Opportunity Policy Board November 30, 2011 (co-chaired by the Metropolitan Council and the McKnight Foundation) see <http://www.metrocouncil.org/planning/COO/CoODefinitions.htm>:

Equitable Development

Equitable Development creates healthy vibrant communities of opportunity where low income people, people of color, new immigrants and people with disabilities participate in and benefit from systems, decisions, and activities that shape their neighborhoods.

The Principle of Equitable Development

The principle is to ensure that everyone regardless of race, economic status, ability or the neighborhood in which they live has access to essential ingredients for environmental, economic, social and cultural well-being including: living wage jobs, entrepreneurial opportunities, viable housing choices, public transportation, good schools, strong social networks, safe and walkable streets, services, parks and access to healthy food.

- a. We recommend that the following two aspects are critical and necessary to achieve catalytic Transit Oriented Development on the Southwest LRT and the best outcomes for environmental justice communities:
 - i. Prioritized public investments catalyzing private investment plus
 - ii. Prioritized public investments catalyzing equitable development
- b. The Bassett Creek Valley master plan at the Van White Station provides a premier opportunity for catalytic TOD on the SWLRT. See attached Harrison neighborhood station areas map for SWLRT and Bottineau LRT:
 - i. Land is publicly owned by the city of Minneapolis
 - ii. Ryan Companies has purchased development rights from the city of Minneapolis
 - iii. Bassett Creek Valley is a prime example of equitable development

² See attached Southwest LRT Community Works 2012 – 2013 Activities timeline

- iv. Build out catalyzes future economic development in North Minneapolis, composed of environmental justice neighborhoods³:
 - o On Glenwood Avenue
 - o Bottineau Van White Station along with other available land on Olson Memorial Hwy.
 - o Future transit connections to West Broadway

4. Economic development opportunities from the Southwest LRT is a critical benefit to the environmental justice communities: SWLRT DEIS GOAL 5: *Support economic development*

Objectives:

- a) *Provide a travel option that supports economic development and redevelopment with improved access to transit stations Provide a travel option that supports local sustainable development/redevelopment goals” Page 1.13*
- a. Entrepreneur opportunities for environmental justice communities should be a prioritized investment in the station areas.
- b. The fulfillment of the Bassett Creek Valley Master plan at the Van White Station will increase ridership and greatly contribute to the successful vitality of the Southwest LRT project. The Harrison Neighborhood Association has been vigorously engaged in the planning and advocating for the Bassett Creek Valley Master Plan at the Van White Station. The Harrison neighborhood is an environmental justice community with 71.1% people of color and 21.5% of their residents below the poverty level⁴. Since 2000, the Harrison Neighborhood Association along with the Bryn Mawr Neighborhood Association has been involved in creating the Bassett Creek Valley (BCV) Master Plan. This development would revitalize the environmental justice community of the Harrison neighborhood and repair the decades of land use neglect and disinvestment at the Van White Station.”

“THE NEED FOR A NEW VISION: *For more than a decade, Harrison neighborhood residents have recognized the opportunity for change, investment, and innovative land use within the Bassett Creek Valley. In its existing condition, the Harrison neighborhood is dominated by a post industrial land use.*

MASTER PLAN PROCESS AND OUTCOMES: *The planning process began in 2000 when the City of Minneapolis established the Redevelopment Oversight Committee (ROC), composed of residents of Harrison and Bryn Mawr neighborhoods, businesspeople from Bassett Creek Valley, City Council and mayoral representatives, and Ryan Companies as the expected development partner. In total, over 650 residents and other stakeholders participated in this effort. This process also led to a set of redevelopment principles that embody the community’s values and wishes for a strong, sustainable, vibrant and attractive home. The [Bassett Creek Valley Master Plan of 2006](#), which was approved by the Minneapolis City Council on January 12th, 2007, calls for the redevelopment of Linden Yards East, West and the Impound Lot. These industrial use areas would be replaced with a mixed use development featuring a mix of housing densities and prices, retail and office spaces, green and open spaces, and other civic use spaces.*

Expected Redevelopment Outcomes Based on Bassett Creek Valley Master Plan:

- *More than 3,000 housing units*
- *2.5 million square feet of commercial space (office and retail)*
- *40 acres of new open, green space*
- *5000 to 6000 jobs*

³ See attach Harrison neighborhood station area map

⁴ Retrieved from MN Compass website Harrison neighborhood profile 12/20/12

http://www.mncompass.org/_pdfs/neighborhood-profiles/Minneapolis-Harrison-102011.pdf

The transformation of the Bassett Creek Valley is also being advanced by the connections to be created by the addition of the Van White Memorial Boulevard and Van White LRT station on the future Southwest Light Rail Transit line. Following the City Council adoption of the Bassett Creek Valley Master Plan, the city proceeded with a rezoning study intended to make the neighborhood's zoning consistent with the Plan's vision of mixed use, higher density redevelopment. These zoning conversions went into effect on February 15th of 2008, and brought the neighborhood properties down from 65% to 6.5% industrial use-zoned. Two-thirds of all properties were rezoned. In addition to these zoning changes, the City of Minneapolis Comprehensive Plan then adopted the Bassett Creek Valley Master Plan and designated the Bassett Creek Valley area at Glenwood Avenue as a "growth center."

*Bassett Creek Valley is home to one of the largest publicly owned underutilized parcel of land remaining near downtown Minneapolis. It also provides the key as-yet-to-be-developed link between economically struggling North Minneapolis and wealthier neighborhoods immediately to the south. As a result of 3A locally preferred alternative decision for the Southwest Light Rail Line, Bassett Creek Valley will now include the Van White Station, making this area even more strategic as an area to redevelop."*⁵

5. AMS points out the incomplete land use analysis in "**3.1.2.4 Segment A [LRT 1A, LRT 3A (LPA), and LRT 3A-1(co-location alternative)] Land Use**". The rezoning of Bassett Creek Valley to accommodate future development was approved February 2008 by the city of Minneapolis⁶. This rezoning should be included in the SWLRT DEIS **3.1.2.4 Segment A Land Use**.
6. Re: "**3.1.3 Land Use Plans** This section identifies the plans and studies that relate to land use within the Southwest Transitway study area. The plans have been prepared at a regional (multi-county), county, city, and site-specific basis.

Table 3.1-2 summarizes the contents of the plans, and provides links to their internet location. For more background information about each of the plans, see Appendix H.

from Table 3.1-2 Summary of Local and Regional Comprehensive Plans and Studies

Station Area Strategic Planning (Minneapolis and HCRRA) <http://www.southwesttransitway.org/station-area-planning.html>"

- a. AMS has serious concerns about the Station Area Planning at the Van White Station⁷. To summarize the Harrison Neighborhood Association February 28th, 2011 letter addressed to Adele Hall, Hennepin County senior planner:
 - The Harrison community requests for station area design without a commuter rail layover facility were never met. The final document clearly advocates for the siting of rail storage at Van White Station. The final document misrepresents the formal Minneapolis city council position on the sale of Linden Yards East at the Van White Station. The city directed city staff to explore joint development strategies at Linden Yards East and report back to city council.
 - The Van White Station Area Plans illustrations are misleading for policy makers by representing a platform (plinth) that could accommodate development above and rail storage below. This is misleading because the key feasibility work has not been completed and does not include the environmental assessment of siting a passenger rail storage yard and maintenance facility at the Van White Station

⁵ "**Revitalizing Bassett Creek Valley: Potential Costs and Opportunity Losses of Locating a Train Storage Facility in Linden Yards vs. Mixed-Use Development**", December 2009 Prepared for the Harrison Neighborhood Association at the HHH Institute by J. Armstrong, K. Maudal Kuppe, P. Stewart, K. Wayne

⁶ See attached city of Minneapolis zoning map for Bassett Creek Valley

⁷ See attached AMS comments to Van White Station Area plan

- The Van White Station Area plan does not adequately assess Harrison neighborhood property owners, renters and business owners. The Bassett Creek Valley is home to over 170 businesses and over 150 homes all of which are in the ½ mile radius of the Van White Station. The accessibility of this station to pedestrians, bicycles and automobiles were limited to the future improvement of Van White Memorial Boulevard. Increasing the accessibility to the Van White State is critically important to our environmental justice communities access to jobs along the Southwest LRT.

7. Re: **3.1.4 Socioeconomics; Page 3.34, 3.1.5.1 Effects to Land Use and Socioeconomics; Segment A:** *The land uses closest to downtown are reflective of the industrial development patterns at the turn of the 20th Century. Implementation of LRT service and stations along the Segment A alignment would likely result in some land use changes surrounding the stations, particularly north of the lakes where tracts of undeveloped land are being considered for development.*

- a. AMS finds the Segment A description inadequate and should include mention of the Bassett Creek Valley project area. “The boundaries for the Bassett Creek Valley project area were established by the Minneapolis City Council in 1998. The Valley is a 230-acre, largely industrial area bound on the west by Cedar Lake Road, on the east by I-94, on the north by the Heritage Park redevelopment area and on the south by I-394.”⁸ At the center of the Bassett Creek Valley project area is the Van White Station. Because of its significant size and city of Minneapolis site control, this project area deserves mention in this section of the SWLRT DEIS.

8. AMS comments on these following plans in **APPENDIX H - Land Use and Socioeconomic Analysis Methodology:**
Hennepin County Sustainable Development Strategy 2011
<http://www.hennepin.us/files/HennepinUS/Housing%20Community%20Works%20and%20Transit/Department/Sustainable%20Development%20Strategy%20for%20Web.pdf>
The County Housing, Community Works and Transit Department’s Sustainable Development Strategy aims to integrate multi-modal transportation, economic development, housing, and community choices.

Downtown Minneapolis Intermodal Station Siting and Feasibility Study
<http://www.hennepin.us/files/HennepinUS/Housing%20Community%20Works%20and%20Transit/Transportation/Transit%20Planning/Intermodal%20Station%20Final%20Report%202006.pdf>

The Interchange Environmental Assessment
http://www.theinterchange.net/index.php?option=com_phocadownload&view=category&id=4&Itemid=217

- a. Harrison Neighborhood Association has been told by Interchange (multi-modal station in downtown Minneapolis) project staff and MNDOT staff that Linden Yards East was the preferred site for the rail storage/layover facility that will accommodate the needs of the Interchange, an intermodal station in downtown Minneapolis. The preference for this site is on page 53 of *Downtown Minneapolis Intermodal Station Siting and Feasibility Study*.
- b. On June 22, 2011, HNA sent a letter requesting a comprehensive environment justice analysis for the rail storage and maintenance facility (scoping) to FTA, EPA, MN Dept. of Transportation, Hennepin County, and city of Minneapolis. The FTA region 5 was the only responder.
- c. A pending decision to locate the commuter train storage yard at Linden Yards East would substantially compromise the Bassett Creek Valley (BCV) Master Plan, by undermining the Master Plan strategy to use high intensity development in Linden Yards thereby reducing the benefits of the SWLRT at the Van White Station. This proposed passenger rail storage and maintenance facility creates a fourfold adverse impact to an environmental justice community. First, it effectively reduces or eliminates tax increment

⁸ Bassett Creek Valley Master Plan Executive Summary, Hoisington Koegler Group, Inc. with: SRF Consulting, Braun Intertec, Biko Associates, Maxfield Research; January 12, 2007

funding to finance redevelopment for the larger neighborhood. Second, it removes much of the potential to develop housing, both affordable and market rate. Third, it dramatically reduces the potential for Linden Yards to create a catalytic effect for the larger area. Fourth, it reduces the amount of available commercial space and the amount of newly created jobs.

The Minneapolis Plan for Sustainable Growth

http://www.minneapolismn.gov/cped/planning/plans/cped_comp_plan_2030

- d. AMS recommends that Bassett Creek Valley on page 1.24 (see following excerpt) in the comprehensive plan for the city of Minneapolis be included to references of Segment A in all analysis related to transportation supportive land use and economic development for the SWLRT DEIS:

“Bassett Creek Valley. Bassett Creek Valley is a designated Growth Center just outside of Downtown Minneapolis that is anticipated to experience intensive office and residential development. Guided by the approved Bassett Creek Valley Master Plan, and with large tracts of City-owned land that are available for development, the area is proposed to include a large new park along Bassett Creek, a neighborhood retail node at Glenwood Avenue and Van White Memorial Boulevard, and high-rise office and residential development along Interstate 394. Redevelopment priorities include ensuring affordable housing, creating living wage jobs, and promoting good design. The City is partnering with public and private entities to assist in this major redevelopment project.”

Bassett Creek Valley Master Plan http://www.minneapolismn.gov/cped/planning/plans/cped_basset-creek

- e. AMS supports the Bassett Creek Valley Master Plan and its implementation at the Van White Station.
 - *Minnesota Department of Transportation Comprehensive Statewide Freight and Passenger Rail Plan* <http://www.dot.state.mn.us/planning/railplan/finalreport/MNRRailPlanFinalReportFeb2010.pdf>
- f. Minnesota Department of Transportation is the lead agency in the Chicago-Minneapolis/St. Paul Corridor Work. MN DOT has stated that their preferred location for high speed rail storage and maintenance facility is at Linden Yards East at the Van White Station. Harrison Neighborhood Association is still awaiting response to their correspondence requesting an environmental justice analysis for the proposed passenger rail storage and maintenance facility at the Van White Station at Linden Yards East.
9. AMS does not support locating the OMF at the Minneapolis 2 Van White Blvd. Station site re: **“3.1.5.2 Operations and Maintenance Facility** *Four potential locations for the operation and maintenance facility (OMF) have been identified.”* Harrison Neighborhood Association does support the consultants recommendations on *“Appendix H Page 53 OPERATIONS & MAINTENANCE FACILITY SITE EVALUATION; Eden Prairie 1; Eden Prairie 2, Eden Prairie 3, and Minneapolis 4”*
10. Re: **“5.1 Economic Conditions;** *The Southwest Transitway will contribute to regional growth by improving the mobility of residents and increasing access to businesses within the study area. New transportation capacity could create competitive advantages for businesses located in the study area, along with providing a fast, convenient, and reliable transit service transporting the public to jobs and shopping opportunities both in the corridor and beyond. The project would also effectively link several primary activity and employment centers in the region, including downtown Minneapolis, and establish a critical connection in the region’s mass transit system. Additional connections include major activity and job centers beyond the study area, such as the University of Minnesota (U of M), State Capitol Complex, Minneapolis-St. Paul International Airport, and Mall of America.”*
 - a. AMS recommends SWLRT Community Works hosts a workshop with environmental justice communities within the SWLRT corridor to develop equity criteria for public investments to ensure community benefits such as workforce agreements, affordable housing goals, construction hiring, DBE contracting, and economic development opportunities in the station areas.

11. *"Chapter 6 Transportation Effects, Page 6-2 6.1.1 Methodology; Results from the computer model provide detailed information relating to transit ridership demand. Estimates of passenger boardings on all of the existing and proposed transit lines can be obtained from the model output. The model also generates a number of statistics that can be used to evaluate the performance of a transportation system at several levels of geographic detail."*

- a. In the Southwest Transitway Alternative Analysis Technical Memorandum #6 Travel Demand forecasting, the Van White Station is predicted to have an average weekday boarding of 600 riders by 2030⁹. This ridership estimate does not include the Bassett Creek Valley Master Plan in the city of Minneapolis comprehensive plan. AMS would like confirmation that the SWLRT DEIS current ridership model includes updated Van White Station ridership projections in alignment with the City of Minneapolis comprehensive plan adopted 10/2/09 which includes Bassett Creek Valley Master Plan.

12. RE: "Chapter 9 **INDIRECT EFFECTS AND CUMULATIVE IMPACTS**, Page 9.7 Table **9.4-1. Reasonably Foreseeable Future Actions**; The Transportation Interchange intermodal facility – The Interchange will unite transit and development creating a civic space connecting multiple transportation options, supporting a vibrant regional economy, reducing greenhouse gas emissions, and increasing mobility. The Interchange project will initially focus on LRT enhancements, then expansion of commuter and passenger rail service. The goal is to complete LRT enhancements prior to the opening of Central Corridor LRT in 2014. Hennepin county website, the Interchange. <http://hennepin.us/portal/site/HennepinUS/menuitem.b1ab75471750e40fa01dfb47ccf06498/?vgnextoid=25652a31f8c2e210VgnVCM1000000b124689RCRD>"

- a. AMS points out that the Interchange need for a passenger rail storage/maintenance facility will have an adverse impact on the economic development potential at the Van White Station.

13. Community Engagement is key to ensuring environmental justice communities' voice and vision are included in the planning and implementation of the SWLRT. Full and fair participation will result a better project and in equitable outcomes and community benefits for the environmental justice communities in the SWLRT corridor:

- a. AMS is a member of the [Community Engagement Team of the Corridors of Opportunity Initiative](#). The Community Engagement Team's (CET) purpose is to develop and support targeted strategies that engage underrepresented communities in planning, decision-making, and implementation processes on and around transit-oriented corridors. The CET develops strategies that promote social equity, inclusion and access to economic opportunity. Community engagement should focus not only on equitable process but also on equitable outcomes for underrepresented communities.
- b. CET supports the [Community Engagement Steering Committee](#), a body of environmental justice community leaders working on the development of our regions planned transitways. The Steering Committee made these recommendations to the Metropolitan Council and the SWLRT project staff that the SWLRT Community Advisory Committee:
 - i. Be a community driven body with staff support.
 - ii. Be a resource and check point for community engagement by reviewing and approving a corridor project community engagement plan.
 - iii. Identify issues and assign problem solving teams that include community members and project staff.
 - iv. Elect a representative member on the transitway corridor policy advisory committee/management committee.
 - v. Be formed early in the scoping phase of the transitway corridor planning process.
 - vi. Membership will be selected by communities they represent.
 - vii. Elect a chairperson who represents a grassroots community.

⁹ Retrieved from the Southwest Transitway Alternative Analysis 4/15/10 http://www.southwesttransitway.org/technical-documents/doc_download/124-aa-technical-memorandum-6-travel-demand-forecasting-methodology-a-ridership-results.html

- viii. Have the ability to set their own agenda, pass motions, and make recommendations to the corridor policy advisory committee/management committee.
 - ix. Will be combined with Business Advisory Committees ensuring coordinated issues and efforts.
 - x. CE Steering committee will support project staff with connections to underrepresented groups i.e.:
 - xi. Faith communities; Cultural communities; Place based groups; Communities of color ; Small and Ethnic businesses; Community Engagement Steering Committee members; Disability community; New immigrant communities; Low-income communities; Students at high schools, community colleges
 - xii. Orientation will include a focus on environmental justice, equitable development, and cultural awareness.
 - xiii. Construction Communication Committees set up at least one month in advance of construction, with representatives appointed by community groups.
- c. AMS recommends SWLRT project staff conduct the outreach and engagement specific to environmental justice communities utilizing the assistance of the CET and Corridors of Opportunity Outreach and Engagement grantees.
 - d. AMS recommends that SWLRT project staff review and revise their community engagement plan in alignment with FTA Environmental Justice Circular August 2012 Chapter III *Achieving Meaningful Public Engagement With Environmental Justice Populations*.
 - e. Harrison Neighborhood Association should have a seat on the Community Advisory Committee. Their designated seat was eliminated during the transition of the SWLRT project from Hennepin County to Met Council.
 - f. Southwest LRT Community Advisory Committee and the environmental justice communities were not invited to the SWLRT Community Works Development Opportunities workshop on November 15, 2012 to help shape the vision for infrastructure options and property prioritization critical to early public investments. One of the guiding EJ principles that are “followed by DOT and FTA are briefly summarized as follows:
 - To ensure the full and fair participation by all potentially affected communities in the transportation decision making process”¹⁰
- AMS recommends that the SWLRT Community Works project hosts a Development Opportunities workshop for the Community Advisory Committee and environmental justice communities to ensure their full and fair participation in establishing the priorities for public investments in the economic development within the SWLRT corridor.

Attachments:

- 1. Corridors of Opportunity Outreach and Engagement grantee map
- 2. Southwest LRT Community Works Investment Framework timeline
- 3. Harrison neighborhood station area map for SWLRT and Bottineau LRT
- 4. Bassett Creek Valley zoning map
- 5. Alliance for Metropolitan Stability comments to the Van White Station area plan

¹⁰ Page 7, FTA EJ Circular August 2012

Community Engagement Grants

Current and Recommended Grants: September 2012

- Round 1 Grantee
- Round 2 Grantee
- Round 1 & 2 Grantee

La Asamblea de Derechos Civiles

**Bottineau Corridor
Blue Line Extension**

Cleveland Neighborhood Organization

Centro de Trabajadores

Asian Economic Development Association

Asian Media Access

MICAH/Zion Baptist Church

Harrison/Heritage Park - Laos Assistance

Native American CDI

Centro de Trabajadores

Blake Road Collaborative

La Asamblea de Derechos Civiles

**Southwest Corridor
Green Line Extension**

New American Academy

Northstar Corridor

ACER

NRRC/NTN

Masjid An-Nur

MICAH

West Bank CDC

Advocating Change Together

Union Park/Skyline Town

**East Side
Prosperity Campaign**

Gateway Corridor
Numerous route
alternatives are currently
under review for the
Gateway Corridor

Asian Economic Development Association

NeDa/West Side Community Organization

**Aurora/St. Anthony
Neighborhood Development
Corporation**

**Hiawatha Corridor
The Blue Line**

**Central Corridor
The Green Line**

Robert Street Corridor

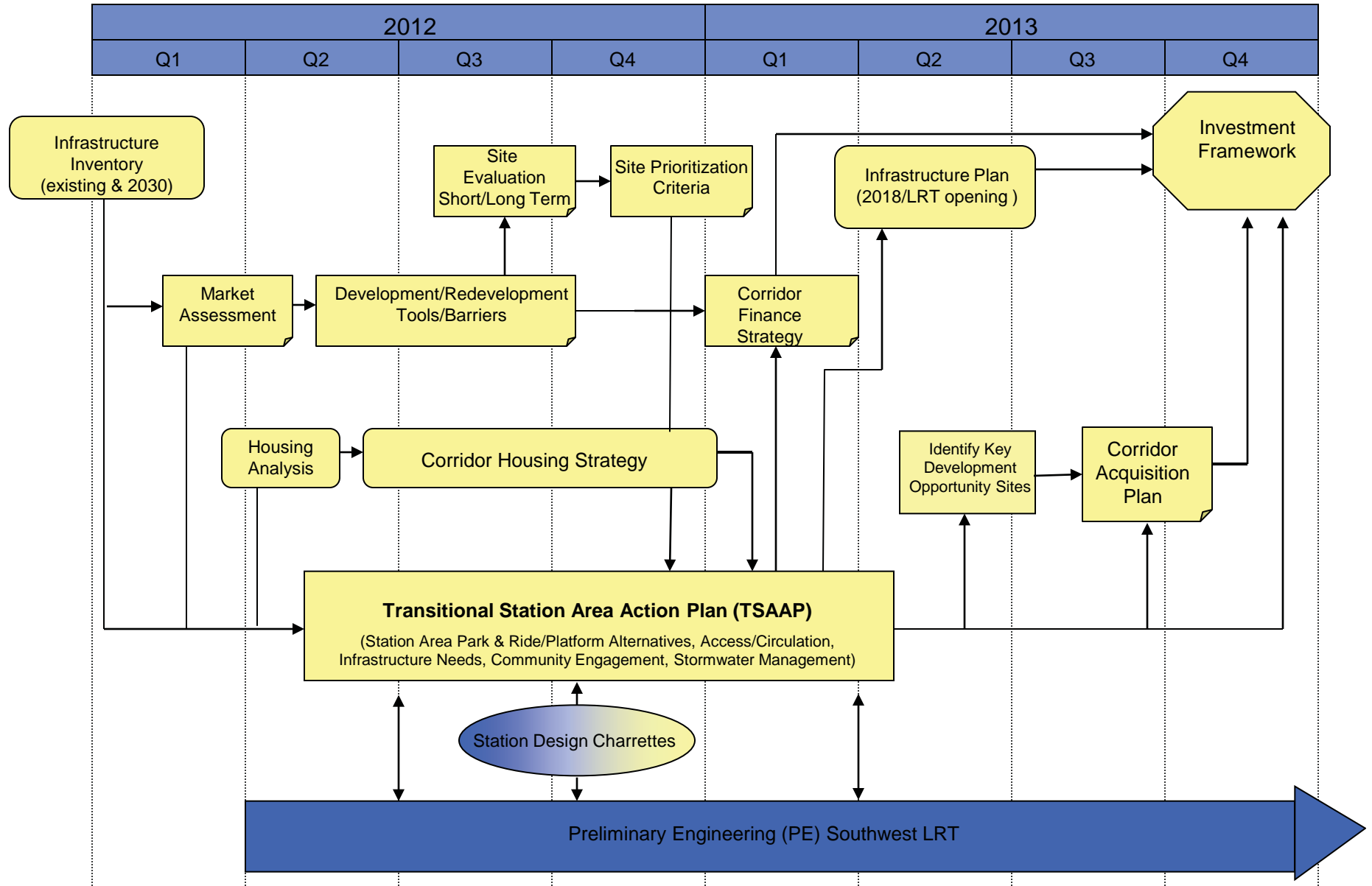
Numerous route and mode
alternatives are currently
under review for the
Robert Street Corridor

**Cedar Avenue BRT
The Red Line**

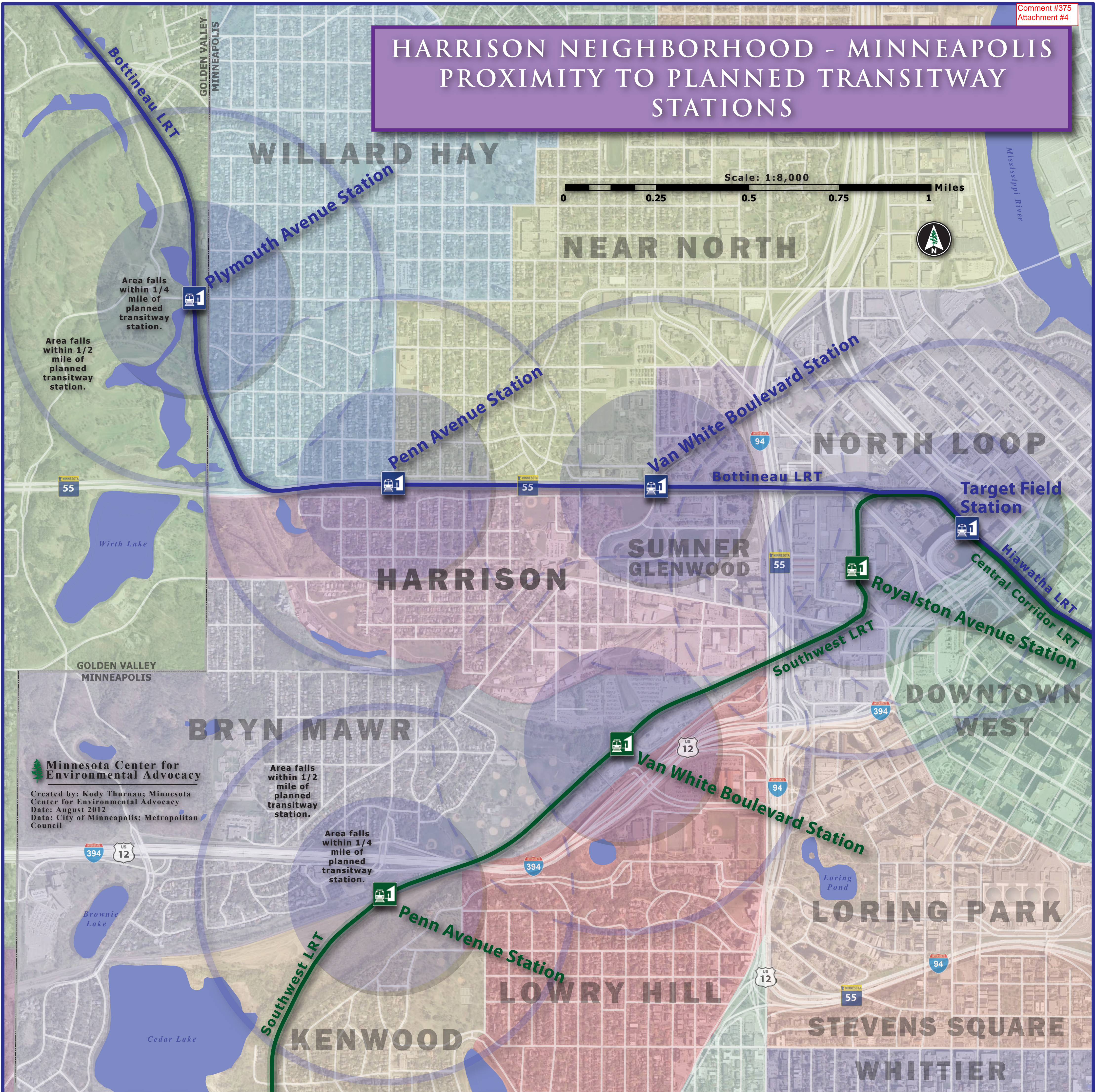
La Asamblea de Derechos Civiles

Southwest LRT Community Works 2012-2013 Activities (DRAFT April 2012)

Comment #375
Attachment #3

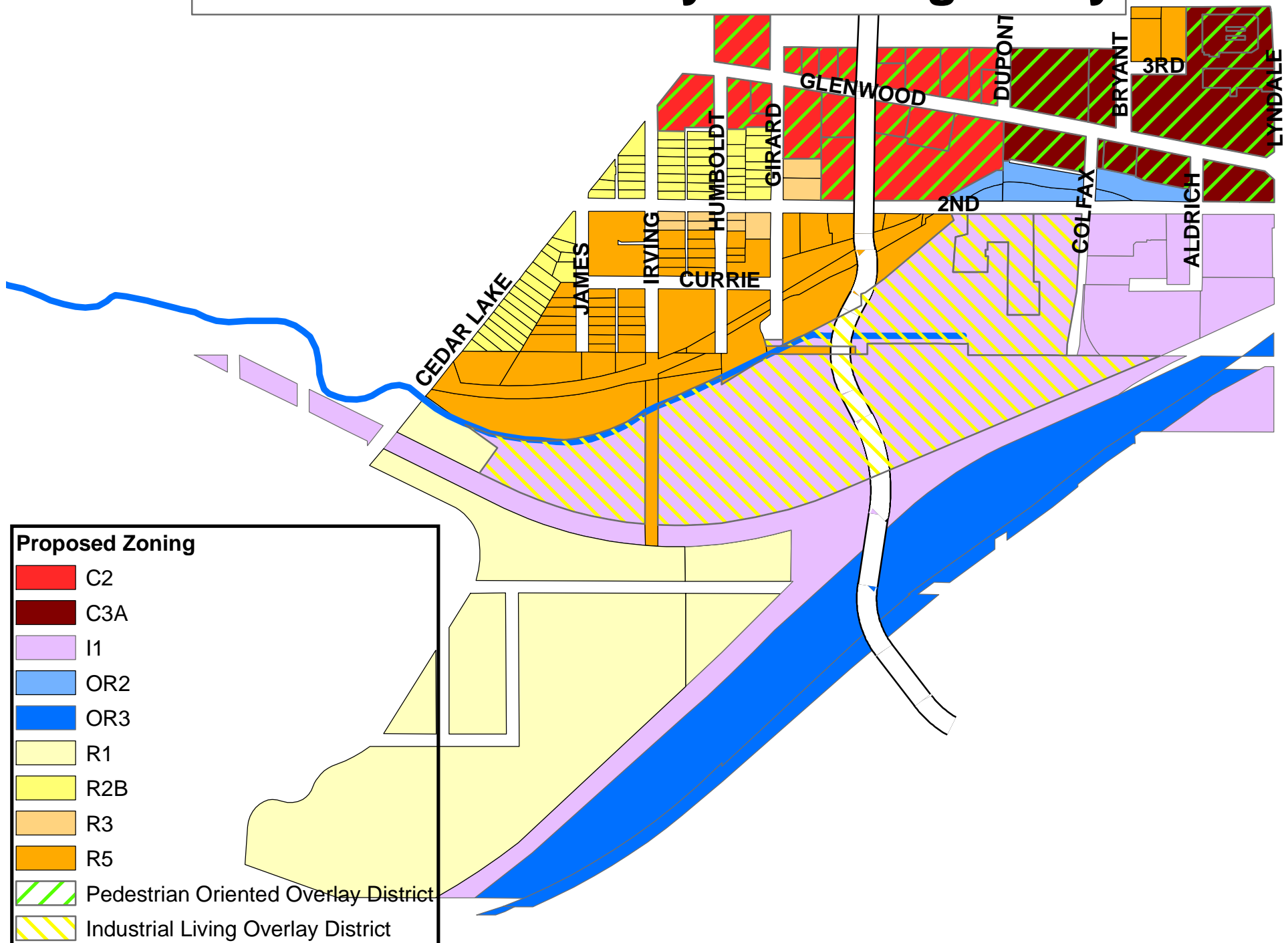


HARRISON NEIGHBORHOOD - MINNEAPOLIS PROXIMITY TO PLANNED TRANSITWAY STATIONS



Bassett Creek Valley Rezoning Study

Comment #375
Attachment #5



Joan Vanhala
Alliance for Metropolitan Stability
2525 E. Franklin Avenue
Minneapolis, MN 55406
612-332-4471
joan@metrostability.org

The Alliance for Metropolitan Stability is a broad coalition of 27 faith-based, social justice and environmental [organizations](#) advocating for public policies that promote equity in land use and urban development.

The Alliance for Metropolitan Stability is working with the Harrison Neighborhood Association to ensure the equitable development goals of the [Bassett Creek Valley Master Plan](#) are fully applied at the Van White Station. This 230 acre plan was included in the City of Minneapolis' comprehensive plan on January 12, 2007. Other active partners in this effort are Redeemer Center for Life, Lao Assistance Center of MN, Southeast Asian Community Council, ISAIAH, MICAH, and Housing Preservation Project.

The Harrison neighborhood is an environmental justice community with 78% people of color and 37% of their residents below the poverty level¹. Since 2000, the Harrison Neighborhood Association along with the Bryn Mawr Neighborhood Association has been involved in creating the Bassett Creek Valley (BCV) Master Plan. This development would revitalize the environmental justice community of the Harrison neighborhood and repair the decades of land use neglect and disinvestment at the Van White Station.

The current Van White Station Area Plan document advocates that commuter rail storage yard be located on Linden Yards East within the station area. Although no public decision has been made on where to locate a commuter rail storage yard, this publicly financed document clearly makes the case to store commuter trains on Linden Yards East. No alternative transit oriented development plans without rail storage were provided for the Van White Station area. Harrison leaders have made multiple requests for alternative scenarios integrating transit oriented development as outlined in the BCV Master Plan, but none were provided that did not include rail storage. Also the Van White Station Area Plan inaccurately states that city of Minneapolis has committed to sell Linden Yards East to Hennepin County Regional Rail Authority (HCRRA). The most recent City Council Action on April 2nd, 2010 struck language prioritizing rail storage and directed City Staff to first study feasibility of development and rail storage and report back prior to any land sale negotiations.

It is not clear that commuter rail storage is even feasible, technically or financially. The neighborhood has not approved it. So why is it taking primacy over all other considerations in the Van White Station Area Plan? We don't know what the cost of adding a train storage facility will be, nor do we know where the funds will come from to pay for it. What assurances do we have that we will be able to maximize the full build out

¹ Retrieved from City of Minneapolis website Harrison neighborhood profile 4/15/10
http://www.ci.minneapolis.mn.us/neighborhoods/harrison_profile_home.asp

of the BCV plan if a rail storage facility is placed there? Why would the rail storage yards be placed in the Station Area Plans when there has been no approval of land transfer by the City Council?

We would also like to point out that on page 40 of the Van White Station Area Plan under “Origins, Destinations & Connectivity” there is no mention of the existing businesses around Glenwood Avenue within the station area. International Market Square and the Bassett Creek Valley area currently have 171 small businesses. This significant business community would definitely benefit from the Southwest LRT station at Van White Boulevard. It would be useful to find out how many people are employed by these businesses in the future analysis for Southwest LRT. There is also a great future opportunity to grow the community of businesses in the area with its access to Southwest LRT, downtown Minneapolis, and I94.

In addition to this, city of Minneapolis Public Works has informed the Bassett Creek Valley Revitalization Oversight Committee that there are insufficient funds to build the Van White Memorial Bridge and road as originally designed. The original design for the bridge included two road beds, one going north and the other south. These road beds were wide enough that they could be striped into two lanes in each direction as and when traffic increased on Van White to warrant the increase in lanes. Initially, the road beds would be striped with one lane in each direction and the additional space was for pedestrian and bicycle traffic. In this original design, there were connections to the different bicycle trails that move through the Bassett Creek Valley (Cedar Lake Trail, Luce Line Trail, and Van White Trail). There were vehicular connections between east and west Linden Yards area. Van White Memorial Boulevard was designed to very carefully coexist/enhance the Van White SW LRT station, and vice versa. Hundreds of community and business stakeholders reviewed the plans and commented on them.

With the lack funds, only the east road bed of the bridge will be built, as well as the abutments for the second bridge. The connections between roadways, trails and the LRT station will be diminished as a result of these changes. It appears the city of Minneapolis and Hennepin County Regional Rail Authority are engaged in short sighted planning that lacks coordination on their efforts within the Van White Station area. It seems odd that Hennepin County is working to secure property for the Interchange that may not be up to capacity for another 50 years and yet the city of Minneapolis is short changing a bridge that could restrict that future capacity.

The Van White Station has the ingredients of land, community, planning, and developer to create a national model for transit oriented development. The fulfillment of the Bassett Creek Valley Master Plan at this station area will have a significant impact towards the success of the Southwest Light Rail Transit by increasing ridership and transit oriented development (transportation supportive land use and economic development). The economic development impact on the LRT station area would strengthen the Southwest LRT’s federal application by creating a vital transit oriented development bringing 2,800 jobs, 500 units of housing, 1,000 new residents and a vital new tax base to the City of Minneapolis and the Southwest Corridor at the Van White Station.



larrymfm@cs.com
12/21/2012 03:40 PM

To: swcorridor@co.hennepin.mn.us
cc
bcc
Subject: Fwd: Motion of Support Southwest Transitway -
Environmental Impact Statement

-----Original Message-----

From: larrymfm <larrymfm@cs.com>
To: swcooridor <swcooridor@co.hennepin.mn.us>
Sent: Fri, Dec 21, 2012 3:27 pm
Subject: Motion of Support Southwest Transitway - Environmental Impact Statement

To whom this may concern,

Attached please find our cover letter and our comments.

We are the Central Minnesota Vegetable Growers Association (CMVGA) a nonprofit association, that run the Minneapolis Municipal Farmers Market. We have been located at 312 East Lyndale Ave. North since 1937 and we serve the entire Hennepin county area with fresh fruits, vegetables and farmstead products throughout the growing season.

We felt it was important to comment and to have our comments submitted into the final records. Please let me know if more is needed or if you have any additional questions.

Regards,
Larry Cermak, Market Manager
CMVGA/Minneapolis Farmers Market
www.mplsfarmersmarket.com
612-333-1737 Office



Central Minnesota Vegetable Growers Association P.O. Box 2006, Inver Grove Heights, Mn. 55076
Office: 612-333-1737 Fax: 651-457-3319 www.mplsfarmersmarket.com

December 19, 2012

Housing Community Works & Transit
Atten: SW Transit Way
701 4th Avenue South
Suite 400
Minneapolis, Minnesota 55415

To whom this may concern,

On behalf of the Central Minnesota Vegetable Growers Association (CMVGA), thank you for the opportunity to comment on the SWLRT EIS.

A member-based, nonprofit association with over 200 members, the CMVGA is proud to operate the Municipal market of the city of Minneapolis, the Minneapolis Farmers Market, directly markets our fruits, vegetables and farmstead products to residents of the 13-county Metro area.

We appreciate the thoughtful, collaborative work that has gone into the EIS, and we look forward to continuing to work together.

Attached please find our comments and submit them into the final records. Thank You.

CMVGA Board Members:

Bonnie Dehn, President
Terry Picha, Vice President
Doug Harvey, Secretary
Xa Lor, Treasurer
Bill Brooks, Board Member
Dave Nathe, Board Member
Chang Vang, Board Member



Central Minnesota Vegetable Growers Association P.O.Box 2006, Inver Grove Heights, Mn. 55076
Office: 612-333-1737 Fax: 651-457-3319 www.mplsfarmersmarket.com

Motion of Support

Southwest Transitway Draft Environmental Impact Statement

The Minneapolis Farmers Market supports the SWLRT DEIS as is. The comprehensive process that produced it has resulted in a document that meets the stated goals and objectives of the project: improving mobility, providing cost-effective and efficient travel option, protecting the environment, preserving quality of life, and, supporting economic development.

A significant community asset since 1876, the Minneapolis Farmers Market is a vibrant retail market bustling with visitors seven days a week during the eight-month growing season and on winter weekends. The municipal market of the City of Minneapolis, it is the city's sole farmers market run by growers, the Central Minnesota Vegetable Growers Association (CMVGA), a non-profit association.

In 2012, the Market celebrated 75 years in this location, and its historic red sheds have become a landmark for both residents and tourists. Nationally recognized as one of the top ten farmers markets in the United States, it is a destination for the entire 13-county Metro area and serves up to 10,000 customers on any weekend.



2.1.3

The locally preferred route which sites Royalston Station on Royalston Avenue is ideally sited to provide access to the Minneapolis Farmers Market, Target Field, area residents, and the Downtown business district.

Issue: A proposed rerouting on Border Avenue.

Outcome: As Border Avenue is the actual eastern border of the Farmers Market, this reroute would significantly reduce access to the Market. With access and parking already challenging, the proposed reroute might necessitate relocating the entire Market.

Outcome: Customer access for up to 10,000 customers from Highway 55 to the Market would be lost. The sole remaining automotive access would be by already-clogged West Lyndale Avenue North.

Outcome: Vendor truck access from Highway 55 would be lost. Adding 200+ vendor trucks to the crush of vehicles already backed up on Lyndale Avenue North would bring traffic to a standstill.

Outcome: Without efficient access to Market sheds, vendors will not lease Market stalls. This will result in a loss of income for these small family farmers, as well as a loss of product for customers. Reducing access to fresh, local food is not compatible with the goals of Homegrown Minneapolis.

Outcome: Without vehicular access from Border Avenue, through-traffic within the market would cease, causing gridlock.



Customers would flee in droves, negatively affecting business.

Outcome: A hard-won increase in customer parking on Border Avenue, the result of two years of collaboration between CMVGA and the Minneapolis Traffic Engineering Department, would be lost. Without this close-in parking, customers are unable to carry standard purchases, which are heavy.

Outcome: An outreach program to households who use EBT to purchase fresh fruits and vegetables would end. Without close-in parking, this program, used by over 1000 low-income households a week, will not succeed. This is not compatible with the goals of Homegrown Minneapolis.

Outcome: The ability of CMVGA to rent parking lots for free customer parking would end.

Outcome: Handicapped parking would be reduced by 50%.

Outcome: Senior ride buses and shuttles would have no place to stop or park for unloading and loading, restricting access for senior citizens who shop the market daily.

Outcome: School tour buses would have nowhere to stop or park, seriously diminishing a thriving school education program.

Outcome: Safety would be compromised with trains running at the foot of the market. An increase in traffic control agents would be necessary to guarantee the safety of patrons. This would be a significant expense.

Outcome: A study by Center for Urban and Environmental



Studies found the market to be the most diverse public space in Minneapolis; one of the few remaining places where Minneapolitans from all walks of life cross paths. Restricting access would be a loss to the culture of Minneapolis, creating further divisions in an increasingly divided city.

Outcome: Noise pollution would rise to a level where vendors would be unable to communicate with customers. Any conversation would be difficult; for the 40% of growers who are Hmong, as well as the immigrant customers whose first language is not English, communication will be impossible. This would be an insurmountable handicap.

3.2

Issue: The Minneapolis Farmers Market is vital as both a regional and a community resource, providing food for the mind, body and soul of our communities.

Outcome: Recognize this within the EIS.



Peter Roos
<plroos@msn.com>
12/21/2012 03:52 PM

To <swcorridor@co.hennepin.mn.us>
cc "Scott Barriball " <scott@farmersmarketannex.com>
bcc
Subject DEIS comments SW Transitway project - Scott Barriball,
Farmers Market Annex

Please find attached the comments regarding the SW Transit way from Scott Barriball, owner of the Farmers Market Annex located at 200 E Lyndale Ave N. Could you please acknowledge that you received the attachment before the December 31, 2012 extended comment period deadline?

Thank You!

Peter L Roos
Roos and Associates
plroos@msn.com
612.269.2204

Southwest Transitway DEIS Comments

Scott Barriball, Owner
Farmer's Market Annex
200 East Lyndale Avenue N
Minneapolis, Minnesota 55405
Phone: 612.573.0148
e-mail: scott@farmersmarketannex.com

General Comments/Background

The Farmer's Market Annex property is a 30,000 square foot building that sits adjacent to the Minneapolis Farmer's Market at 200 East Lyndale Avenue North. It is a multipurpose building that I have owned and managed for 28 years and includes the following:

- rental spaces for 140 farmers, renters and vendors that operate throughout the summer and holiday season
- a daycare facility that serves both minority and low income populations
- a very successful DIY floral operation with sales in excess of \$275,000 in its first three years and is wholly dependent on its proximity to the Minneapolis Farmer's Market
- a unique urban outdoor event/entertainment facility equipped with a catering kitchen that was recently constructed at a cost in excess of \$250,000
- Wrecker Services, Inc – the city towing contractor, which by all accounts will be bought out in this process and leave me with over 10,000 square feet of vacant space to fill. It has been a tenant for 28 years and will be a major loss of revenue when it moves.

The Annex property is far removed from what it looked like when I bought it 28 years ago - through hard work and capital investment (close to a \$1 million) I have developed a business entity that, as an employer, owner operator and business incubator, contributes significantly to the quality of life in the area and the City of Minneapolis. The SW Transitway will profoundly impact this area – hopefully for the better. While there is a real potential for redevelopment as a result of the line, it is imperative that the planning for the alignment and construction of the line be done carefully to ensure that the existing property owners will be able to survive and thrive as a result of this unprecedented public investment.

DEIS Specific comments - by section and page:

Chapter 3 Social Effects 3.1.7 Mitigation

The properties in the Farmers Market area along Border Avenue and Holden will be severely affected by the construction and the subsequent loss of circulation for truck and customer traffic. As a result of the proposed closing of Holden Avenue to accommodate the line, a proposal to extend Border Avenue to Glenwood Avenue south through a portion of the Farmer's Market Annex property is being discussed. Such a measure could profoundly affect the current operation of the Annex and put the successful Annex event catering business in jeopardy depending upon the size of the right of way along the proposed Border extension. It could also effectively eliminate access to critical local on-street parking that this area depends upon. This proposal must be studied early on to make sure that area businesses have the benefit of a coherent plan to mitigate the damage that will be caused. The mitigation study should include working personally with the Annex and other Border Avenue businesses to assure construction work be planned in a fashion that accommodates summer weekend parking when the Market and related events are operating at peak volumes.

Chapter 3 Social Effects 3.2.2.6 Neighborhoods and Community Cohesion

The proposed alignment of the Locally Preferred Alternative will dictate the closure of Holden Avenue 300 feet west of the existing intersection of Holden Street and Royalston Avenue North affecting free circulation of truck and customer traffic throughout the area. The elimination of area on street parking before, during and after construction will be devastating to area businesses in the short and long term without adequate planning and implementation. This issue needs to be recognized and studied in detail to make sure that area businesses have the benefit of a coherent plan to mitigate the damage that will be caused. Any mitigation measures should include working personally with Farmer's Market area businesses to alter construction work to accommodate summer weekend parking when the Market is operating at peak volumes.

Of particular concern to the Farmer's Market area is that of customer accessibility - both vehicular and pedestrian. There must be adequate planning for automobile access as well as a pedestrian and bike path way between the proposed Royalston station and the Farmer's Market area. Moreover, the construction of the line, the pedestrian connections and the subsequent street modifications must be phased and implemented to allow for continued access to and from the Market area in the crucial spring and summer months.

Chapter 5 Economic Effects 5.2.2 Short Term Effects 5.2.3 Mitigation

Of particular concern to the Farmer's Market area is that of customer accessibility - both vehicular and pedestrian during the construction phase of the project. The construction of the line, the pedestrian connections and the subsequent street modifications must be phased and implemented to allow for continued access to and from the Market area during peak weekends. Loss of on-street parking in the area is a critical issue, especially during the spring and summer months. The lack of an existing coherent street grid in the area makes it imperative that street closures and detours be studied early and in detail to adequately mitigate the impact on area businesses. A cookie cutter approach will not work in this unique area – area businesses should have the benefit of onsite meetings with planners to discuss.

Chapter 5 Economic Effects 5.2.4 Long Term Effects 5.2.2.5 Mitigation

In the DEIS, long-term effects are defined as consistency with land use plans, displacement of parking and access, and development potential. The SW Transitway poses many potential opportunities to redevelop the surrounding Royalston station area – the key concern here is that the neighboring property owners may not have access to a plan that is inclusive and transparent. It is imperative that the City of Minneapolis, Hennepin County and the Met Council work with the area to provide redevelopment opportunities for the existing property owners that consider the underlying zoning.

The permanent loss of parking and access in the immediate area will affect the development opportunities there. Without assurances that parking and access will continue to be a priority, long term viability of the existing business base will be tenuous at best. As indicated on page 5-17 of the DEIS “accessibility is an important consideration when making development decisions for various types of land use, including residential, office and retail commercial, health and community services, and recreation facilities”. There must be an effort to preserve parking and circulation in the area.

While not designed to date, the Border Avenue extension property acquisition will certainly include the taking of Annex property on the eastern edge of the parcel and the Wrecker Services tenant property along Glenwood. Depending of the details, there will be significant a impact the Farmer's Market Annex patio event catering business, potential loss of annex tenant income, loss of Wrecker Services income and potential job losses for city. The loss of access and parking will have far reaching implications regarding the long term development potential of the Farmer's Market Annex properties.

Chapter 6 Transportation Effects 6.2.2.2 Physical Modifications to Existing Roadways

pp 19-20

While the DEIS does recognize that the proposed modification to the existing roadways will affect local circulation patterns, it characterizes the impact as not “regionally significant”. To the area businesses and their customers the effect will indeed be significant. The proposed closure of Holden Avenue 300 feet west of the existing intersection of Holden Street and Royalston Avenue North will result in a serious reduction in accessibility of the surrounding area and measures must be taken to mitigate the

impact that the closure will have on the ability of area businesses to operate and, more importantly, of the public trying to access businesses in the Farmer's Market area.

Holden Avenue Closing/Border Extension Effects

The proposal to close Holden and the much discussed plan to improve area circulation with the subsequent extension of Border Avenue will result in significant revenue losses to the Farmer's Market Annex property. While not designed to date, the Border extension property acquisition will certainly include the taking of Annex property on the eastern edge of the parcel and the Wrecker Services tenant property along Glenwood. Depending on the details, there will be significant impact on the Farmer's Market Annex patio event catering business, potential loss of annex tenant income, loss of Wrecker Services income and potential job losses for city.

In Conclusion:

The above comments reflect real, tangible concerns that I have as a property owner and businessman with over 28 years and significant personal investment in the area. As stated previously, I have worked hard to build a business entity that contributes significantly to the quality of life in the area and the City of Minneapolis. As a property owner, landlord, businessperson and employer I believe that the SW Transitway, as proposed with the Royalston station location, can and should be an asset to the area and region and spur much needed redevelopment in this part of the City and that it is imperative that the planning for the alignment and construction of the line be done carefully to ensure that the existing property owners will be able to not only survive, but also thrive as a result.

In closing, I would be remiss if I did not go on the record as opposing wholeheartedly any attempt to move the planned Royalston station to Border Avenue, especially without the benefit of an entirely new EIS process. There simply is not enough room to accommodate a station on Border Avenue given the mix of uses in the immediate area - such a move would be devastating to the operation of the surrounding Farmer's Market area. I understand that a Border station location was rejected early on in the planning process due to engineering issues related to grade and topography. The line must proceed with the station on Royalston as planned.

Thank you for the opportunity to offer my comments regarding the Draft Environmental Impact Statement – I look forward to participating in the process as it unfolds.

Scott Barriball, Owner
Farmer's Market Annex
200 East Lyndale Avenue N
Minneapolis, Minnesota 55405
Phone: 612.573.0148
e-mail: scott@farmersmarketannex.com



December 20, 2012

Hennepin County
Housing, Community Works & Transit
Attn: Southwest Transitway
701 4th Avenue South, #400
Minneapolis, MN 55414

To Whom It May Concern:

This letter is being written on behalf of The Fish Guys, LBP Mechanical and Stark Electronics in response to the DEIS. The DEIS has a number of inadequacies and reflects a lack of understanding of the current conditions and business operations on Royalston Avenue.

The DEIS does not reflect an understanding of the business operation of the Royalston Avenue businesses. These are profitable, thriving, industrial businesses with over 250 employees. While each business is different, all three require unfettered vehicular access. The DEIS shows that the SW LRT, as proposed, will make it virtually impossible for these businesses to continue to operate efficiently, effectively and profitably at their current locations.

The DEIS shows a clear lack of understanding of the geographic constraints of the Royalston Avenue Businesses. Additionally, the DEIS anticipates land use changes with no suggested implementation or mitigation for existing businesses on Royalston Avenue that will be affected by the SW LRT. At a minimum there will be business disruption during construction and the likelihood that the businesses will not be able to survive construction. In addition, it is clear that these businesses will be unable to conduct their business after construction.

Specific Comments (by section):

3.1.5 LONG TERM EFFECTS

The DEIS states "improved accessibility will help the study area become more attractive to business and residential opportunities, especially when linking to major employment centers with rapid transit." While the SW LRT may make the area more attractive to business and residential opportunities, the plan, as presented, could have the impact of dislocating the businesses on Royalston Avenue. Further study is required to insure the businesses' ability to continue at their current location.

The DEIS anticipates land use changes with no plan for implementation. The DEIS requires further study of how the proposed SW LRT will affect the current land use and how the proposed change in land use will be implemented. The DEIS proposes "no mitigation" for land use changes, stating that the preliminary engineering will work to mitigate local concerns. This is not adequate to meet the needs of the Royalston businesses.

3.1.7 MITIGATION

The DEIS states that “businesses and residents may experience difficulties with accessibility at certain times of day during the construction of the project, and minor detours for through traffic might be required. In general, these effects will not change the land use of the area during construction, but may affect the number of people using area businesses directly affected by access or construction traffic issues.” This statement shows a complete lack of understanding of the nature and operation of the businesses on Royalston Avenue. The properties along Royalston will have access totally eliminated during construction because they have only one driveway option. This particular issue must be studied early in order to adequately mitigate the impact of construction on the business operations. It will not be satisfactory to simply supply “appropriate notification and signage.”

3.2.2.6 NEIGHBORHOODS AND COMMUNITY COHESION

On page 3-58 there is a statement related to access: “The implementation of LRT service would not sever roadway or drive way connections or remove the existing multiple-use trail adjacent to the proposed guideway alignment of Segment A.” Again, this statement shows a lack of understanding and familiarity with the Royalston businesses. All three properties at the Royalston Station will be negatively impacted by the location of the alignment and platform. The Royalston businesses are industrial that require frequent, direct and unfettered access from semi-trucks. The sites contain only one access onto Royalston Avenue. It must be a priority in early Preliminary Engineering, to study the long-term effects of the route and station placement on these businesses. This study must determine if acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and eastside, should be evaluated for effects on adjacent businesses.

3.2.2.7 SUMMARY OF POTENTIAL IMPACTS BY BUILD ALTERNATIVE

The statement in the DEIS that the LRT 3A (LPA) alternative “is not anticipated to have significant impacts to neighborhoods or community cohesion” is inaccurate as it relates to the Royalston business community. Further study is required to determine its impact on this thriving business district.

3.3.5 MITIGATION

At least three properties at the Royalston Station will be negatively impacted by the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks. The sites have only one access onto Royalston Avenue. Construction will severely impact their access. The long term effects of conducting business on these sites must be a priority for study during early in the Preliminary Engineering process in order to determine if acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and east side – must be evaluated for effects on adjacent businesses.

5.1 ECONOMIC CONDITIONS

The DEIS states that the Southwest Transitway will contribute to the local businesses by increasing accessibility. This is not true for the Royalston Avenue businesses. The area businesses will have decreased access and therefore the SW LRT will not contribute to competitive advantage for the businesses. Further study, during early preliminary engineering, is required to insure that the businesses on Royalston Avenue are able to remain competitive.

5.2.2 SHORT TERM EFFECTS

At least three businesses at the Royalston Station will be negatively impacted by the location of the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks and the sites contain only one access onto Royalston Avenue. The long-term effects on the businesses at this site should be a prior to study early in the Preliminary Engineering process to determine if acquisition is necessary. Alignment along the Royalston Avenue right of way – center, west side and east side- should be evaluated for effects on adjacent businesses.

If construction is to occur during the day, as the DEIS states, this will have a devastating impact on the Royalston Avenue businesses. Further study is required during Preliminary Engineering to identify means of addressing the short term effects on the existing businesses.

The DEIS states that “short-term construction effects to the social or economic characteristics of the study are anticipated to include short and long-term economic gains to each community resulting from the implementation of any Build Alternative. This is not true for the Royalston businesses. As proposed, the construction effects will have no short or long-term economic gain to the businesses and further study is required to determine how to mitigate the short and long-term effects of construction on these businesses.

5.2.3 MITIGATION

The DEIS states that a Construction Access Plan will be developed at the start of major construction activities. The businesses along Royalston Avenue have only one point of access. Preliminary Engineering must further study how these businesses will be affected during construction and develop a detailed access plan to insure business viability. Table 5.2.3 is not sufficient to address the issues of the Royalston Avenue businesses. Further study is required and mitigation must be identified to address the concerns of the Royalston businesses.

5.2.4 LONG-TERM EFFECTS

In Table 5.2-4, under the LPS’s Environmental Metrics, access on Royalston Avenue will be affected. At least three properties at the Royalston Station will be negatively impacted by the location of the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks and the sites contain only one access onto Royalston Avenue. The long-term effects to businesses on these sites should be a priority to study in early Preliminary Engineering in order to determine if acquisition is necessary. Alignment along the Royalston Avenue right-of-way, center, west side and east side – should be evaluated for affects on adjacent businesses.

In table 5.2.4 the DEIS contemplates a future change of land use to higher density, mixed use at the Royalston Station. There is the potential for the Royalston Business community to be completely changed due to the SW LRT. Further study is required, during Preliminary Engineering to determine if acquisition is necessary to mitigate negative impacts on the existing businesses or to determine if acquisition is necessary to facilitate the move to the proposed land use.

Table 5.2-4 states the “parking and access to businesses along this route are unlikely to be affected.” This is not true for the Royalston businesses. Both parking and access, critical to the Royalston Businesses, will be greatly affected by the SW LRT. These businesses have semi-traffic and require frequent, direct and unfettered access to their businesses. The Royalston businesses have only one access point for the businesses. Early Preliminary Engineering must identify alternative access and parking for these businesses.

6.2.2.2 PHYSICAL MODIFICATIONS TO EXISTING ROADWAYS

The DEIS states that “conceptual designs indicated that construction of the Southwest Transitway is likely to result in minor physical modifications to existing roadways that may affect local circulation patterns.” This is not true for the Royalston businesses. The SW Transitway will have major effects to the circulation patterns around Royalston Avenue.

On page 6-20, closing of Holden Street is identified. The closing of this intersection will have a significant impact on access to the Royalston Avenue businesses. Early Preliminary Engineering must identify alternative access for the Royalston businesses to mitigate the effect of closing Holden Avenue

At the top of page 6-35, the closing of the Royalston and 5th Avenue North intersection is identified as a necessity for Segment C-2. Since this alignment is the same as the LPA in this area and the closing of this intersection has not been mentioned under the LPA, this inconsistency needs to be addressed. The Royalston businesses have serious concerns about closing this intersection.

6.2.2.6 BUILDING/FACILITY ACCESS

Royalston Avenue properties should be included in the list of properties with affected access in the Build Alternative.

6.3.1.3 TRUCKING

There is an error in the sentence describing industrial areas. With the assumption that the Royalston area is mistakenly being attributed to Eden Prairie, rather than Minneapolis, at least three properties at the Royalston Station will be negatively impacted by the location and alignment of the platform. These are industrial businesses that require frequent, direct and unfettered access from semi-trucks and the sites contain only one access onto Royalston Avenue. The long-term effects to doing businesses on these sites should be a priority to study early in early Preliminary Engineering to determine if acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and east side – should be evaluated for effects on adjacent businesses.

6.3.2.3 TRUCKING

At the top of page 6-58, truck access and movement issues are discussed. There is no mention of the industrial businesses on Royalston Avenue and it states that no significant impacts are anticipated. That is not true for the Royalston businesses. The industrial businesses on Royalston Avenue could have minimized access for trucks due to turning movement constraints. This must be studied further during early Preliminary Engineering.

9.2.2 INDIRECT EFFECTS

The DEIS identifies that the indirect effects are desired and consistent with local plans. While consistent with existing land use plans, there is no plan for addressing the issues of the existing businesses. The impact of the SW Transitway on the existing businesses must be studied during early Preliminary Engineering to determine whether acquisition is necessary.

9.6.21.3 ANTICIPATED CUMULATIVE IMPACTS

The DEIS anticipates job creation as a result of the SW Transitway. The Royalston businesses currently have in excess of 200 jobs. There is the potential for these jobs to be lost and a resulting decrease in jobs, as a result of the impact of the SW Transitway on the Royalston businesses.

9.6.22.4 MITIGATION

While the indirect and cumulative impacts of the SW Transitway at the Royalston station may be anticipated, further study is required to determine if the impacts are so negative on the businesses that acquisition is required.

9.6.2.4 MITIGATION

The DEIS states that “no mitigation for the expected indirect effects and cumulative impacts to land use is proposed for any of the Build Alternatives.” The statement that Preliminary Engineering will work to mitigate local concerns is not adequate to address the impact on the Royalston businesses. Preliminary Engineering must study the impact on the Royalston businesses to determine if acquisition is necessary and to identify potential relocation areas.

11.1 EVALUATION RELATIVE TO PROJECT GOALS AND OBJECTIVES

The DEIS states that the "Southwest Transitway" would be developed to avoid as much disruption as possible to neighborhoods, commercial districts and historic areas in the corridor." In addition, "another objective of the Southwest Transitway" project is to support public and private economic development . . . "This statement of goals and objectives is in direct conflict with the impact the SW Transitway will have on the Royalston business community. As proposed, the SW Transitway will totally disrupt the Royalston business community and will not support private economic development. Further study is required in Preliminary Engineering to insure the goals and objectives of the project can be achieved with minimal disruption to the existing business community.

Eaton Corporation
14615 Lone Oak Rd
Eden Prairie, MN
55344



December 20, 2012

RESPONSE OF EATON CORPORATION- HYDRAULICS GROUP TO SOUTHWEST
TRANSITWAY-DRAFT ENVIRONMENTAL STATEMENT

Eaton Corporation-Hydraulics Group ("Eaton") hereby submits its comments on the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway.

Eaton acknowledges the substantial benefits that will arise from, and supports the need for, the Southwest Transitway, which is the subject of the DEIS. Eaton has followed with interest the progress of this project from initial discussions to the current proposals being considered. Because the terminal station of the Southwest Transitway is the Mitchell Station that sits directly on its campus, Eaton has been particularly concerned about the impact of this project on its Hydraulics Group Global Headquarters site.

Eaton's Hydraulics business is a worldwide leader in the design, manufacture and marketing of a comprehensive line of reliable, high-efficiency hydraulic systems and components for use in mobile and stationary applications. Mobile and stationary markets include agriculture, alternative energy, construction, forestry, manufacturing, material handling, mining, oil and gas, processing, transportation and utility equipment.

Eaton has been deeply interested in how the DEIS would evaluate the impact of the Mitchell Station and associated development on the Eaton site. Unfortunately, the DEIS does not even mention the detrimental impact that the Mitchell station and associated development will have on the Eaton site. This may be due to the lack of knowledge of the unique nature of the Eaton campus, which places the fundamental elements of research, design, manufacturing, and administration in a compact and single location. This configuration provides significant and irreplaceable benefits to Eaton in the efficient and profitable operating of this global business.

To provide the reviewing authority with important and objective information about the detrimental impact of the Southwest Transitway, Eaton retained the firm of Shenehon and Associates to assist it in assessing the impact of the Mitchell station and associated development on the Eaton Hydraulics Group Global Headquarters campus. Shenehon's Consulting Memorandum setting forth a preliminary determination of the devastating impact the project will have on the operational efficiency of the campus is attached. Shenehon's analysis and conclusions confirms Eaton's own internal analysis. Again, these negative impacts were not mentioned in the DEIS

The impact of the Mitchell Station will likely involve the loss of the manufacturing building, and also the loss of Eaton's future expansion land. In addition, the Mitchell Station will bring a high volume of traffic into the area of the campus that will create

ingress/egress issues, which will negatively impact any existing operations that will remain at the campus. The continued viability of the site, which employs nearly 650 people, will be in doubt. These impacts were not noted in the DEIS.

In reviewing the Mitchell Station plans and DEIS, it appears to both Eaton and Shenehon that there is a very high likelihood that this plan will move forward and that its impacts will compel Eaton to find a suitable replacement for its campus. Replicating this campus will be difficult and very expensive. In addition to substantial relocation costs, Eaton will incur the costs of purchasing or leasing replacement space and the impairment of the existing property, plant and equipment.

The only alternatives in the DEIS that appear to ensure the continued viability of the Eaton campus are the 'No Build Alternative' and the 'LRT 1A', with all other plans involving a Park & Ride and, except for the 'Enhanced Bus Alternative', a Light Rail Transit Station.

Eaton looks forward to discussing with local, regional, and state agencies how the potential loss of a significant employer can be avoided. It is also important that as this project moves forward that significant funding is made available for the relocation of the Eaton campus and that Eaton is given adequate time to relocate their operations, which could take several years to facilitate.

Sincerely,

A handwritten signature in black ink, appearing to read "William VanArsdale", with a stylized, flowing script.

William VanArsdale
Group President
Hydraulics, Filtration, & Golf Grip
Eaton Corporation

CONSULTING MEMORANDUM

TO: File #12188

FROM: Shenehon Company

DATE: December 17, 2012

SUBJECT: Consulting Services for Eaton Corporation in Anticipation of Southwest Transitway Development.

INTRODUCTION

The purpose of this memorandum is to summarize the potential impacts to the Eaton Hydraulics Global Headquarters campus that will likely result from the Southwest Transitway Mitchell Station – Office and Park & Ride and to provide comment on the Southwest Transitway - Draft Environmental Impact Statement (DEIS). In analyzing the potential ramifications of the taking, it is our opinion that the Mitchell Station – Office and Park & Ride will pose a serious threat to the continued viability of the Eaton Hydraulics Group Global Headquarters campus. It is our opinion that the Mitchell Station plans completely disregard the campus that Eaton has established in favor of redeveloping the campus and surrounding area into a mixed use development, to include residential, commercial, and civic/institutional/office development.

In addition, the Mitchell Station - Office and Park & Ride plans include a major light rail station with ±800 spots for its Park & Ride program located on the north end of the Eaton campus, where the manufacturing facility and excess land are currently located. At a minimum, the light rail station and Park & Ride will result in the loss of the manufacturing facility and the excess land and negatively impact the campus by eliminating the integrated nature of the Eaton Hydraulics Group, along with the ability of future expansion. This will leave Eaton with a small, segregated, quasi-campus that will severely diminish the established synergy of the Eaton campus as it exists today.

In reviewing the DEIS the considered alternatives are a 'No Build Alternative,' an 'Enhanced Bus Alternative' and five Light Rail Transit (LRT) options. After studying the DEIS and Southwest Transitway Area Planning report, the only alternatives that appear to ensure the continued viability of the Eaton campus are the 'No Build Alternative' and the 'LRT 1A'; all other plans involve a Park & Ride and, except for the 'Enhanced Bus Alternative', a Light Rail Transit Station. The recommended alternative identified in DEIS is the 'LRT 3A-1' plan and the 'Co-Location Alternative' is only a slight variation on the 'LRT 3A-1' plan. Both of the recommended plans will have a significant negative impact on the viability of the Eaton campus, likely requiring the relocation of Eaton and involving significant relocation and capital improvement costs which may not even provide Eaton with a truly suitable replacement site.

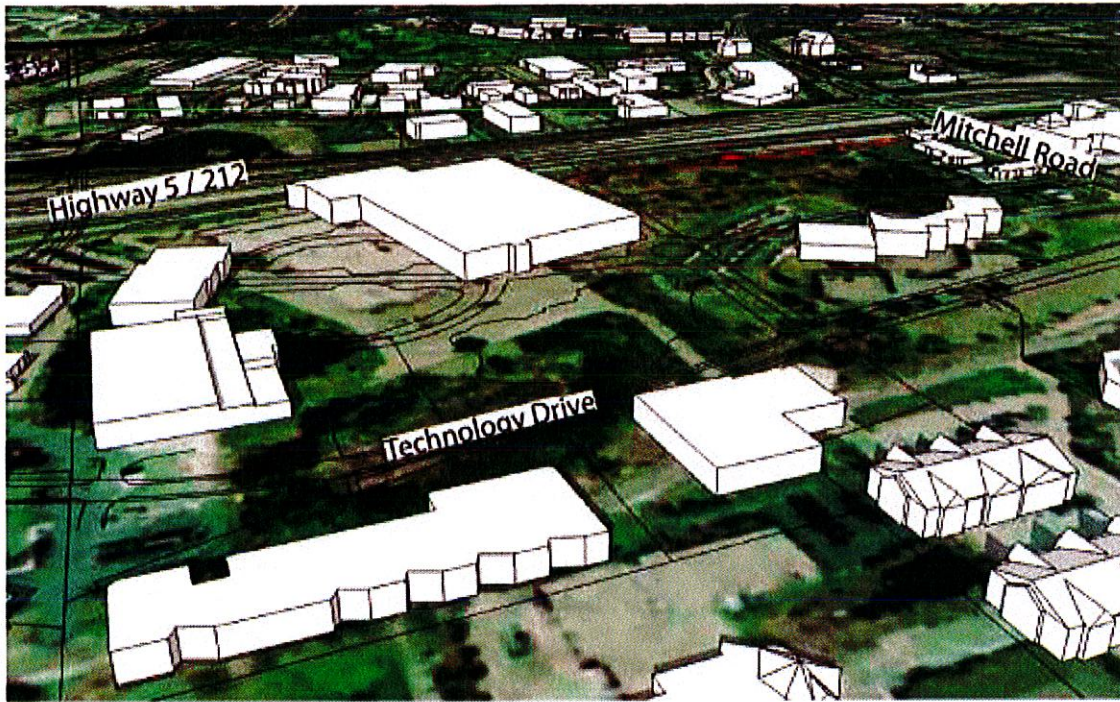
BEFORE CONDITION

The subject campus was initially established in the 1960s when Char-Lynn established its operations in Eden Prairie. Eaton expanded the campus in 1998 and 1999, assembling 61.57 acres of land with a very prominent presence along Highway 212 in Eden Prairie. The campus consists of four buildings: (1) the Hydraulics Group Global Headquarters (office), (2) the Manufacturing Plant, (3) the Technology Building (IS Innovation Center & Test Labs), and (4) the Test Lab - Noise Chamber and Display Area Building. The campus benefits from its proximity to a strong employment base in a first-tier Twin Cities community and from very good access characteristics and visibility. Eaton is the primary property owner of the land, which is bounded by Highway 212 to the north, Mitchell Road to the east, Technology Drive to the south, and Wallace Road to the west. Eaton's ownership comprises over 75% of the total land area within this block. In addition, the Eaton campus includes a 7.64-acre vacant parcel of land with the potential to be utilized for expansion as the company continues to grow and expand. Eaton currently employs approximately 650 people at the subject property and the campus has an assessed value of \$22,606,000 with current real estate taxes of \$853,845.

Campus developments like Eaton's, with strong locations in fully developed areas, are difficult to replicate. Eaton has established a fully integrated campus that creates exceptional efficiencies by having research and development, manufacturing, and executive offices in one location, while also possessing available land to expand operations as the company continues to grow. This environment streamlines communication and teamwork among employees and promotes effortless interactions and exchanges of ideas. At their Eden Prairie campus, Eaton is able to provide their employees with onsite training and the opportunity to see the diverse branches of the business firsthand.

The seclusion and ease of connection between the facilities that a contiguous parcel of land provides is extremely beneficial to the organization. Another common trait shared by Eaton and other comparable corporate campuses is proximity to a strong, highly skilled workforce. Corporations like Eaton will typically invest significantly more capital to create a campus environment than they would invest in standalone office, R & D, and manufacturing facilities, due to the synergistic benefits. The subject site also benefits from having great access and visibility due to its location on Highway 212, only 1.5 miles west of Interstate 494, within 20 minutes from both downtown Minneapolis and the airport. With the surrounding area already mostly developed it would be extremely difficult to find a suitable replacement site similar in size and location. A likely replacement site would either involve a costly redevelopment site or an inferior site located further from the core of the Twin Cities area.

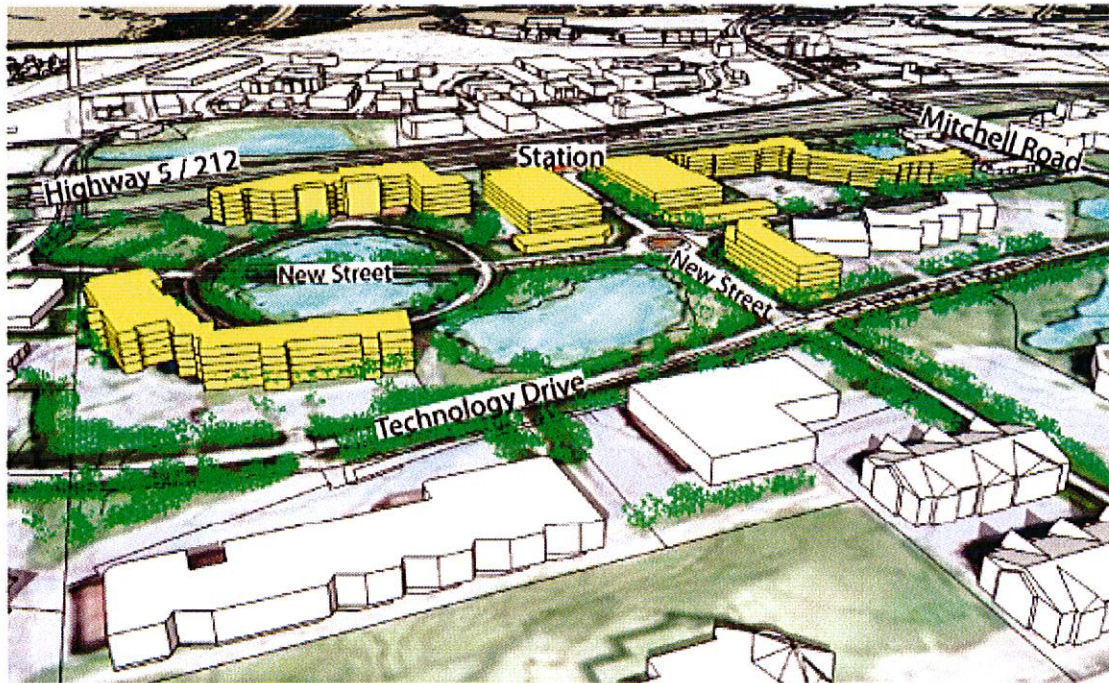
The following graphic was taken from the Southwest Transitway Planning Study and depicts a bird's eye view of the existing area primarily occupied by the Eaton campus.



THE PROJECT

The Mitchell Station – Office Park & Ride as quoted by the Southwest Transit Area Planning Study will be the “end of the line” and “will act as a MAJOR park-and-ride location.” The Southwest Transitway Station Area Planning and DEIS studies the surrounding area within a half-mile radius of the proposed Mitchell Station, but clearly focuses on the block bounded by Highway 212, Mitchell Road, Technology Drive, and Wallace Road. In fact, the plan focuses almost exclusively on the redevelopment of this block. Despite Eaton owning approximately 75% of the land within this block, the plans make almost no mention of the existence of the Eaton campus and do not address the potential impacts to the viability of one of Eden Prairie’s major employers. Preliminary plans indicate that most of this block will be completely redeveloped and that north/south and east/west roadways will run through the center of the current Eaton Campus. Further study of the plan reveals that of the four buildings and land that comprise the Eaton campus, only the office structure and the small Test Lab building are to remain once the area is fully redeveloped. Though complete redevelopment of the entire block may not happen immediately, the LRT Station and ±800 car Park & Ride do appear as immediate threats to the viability of the Eaton Campus.

The following graphic was taken from the Southwest Transitway Plan and depicts the redevelopment of the block that is primarily comprised by the Eaton campus.



Note: yellow structures indicate new development with white buildings representing existing structures. The plan illustrates the loss of not only the manufacturing facility but also the technology building. In addition, there are significant road expansions (including a roundabout) and added retention pond infrastructure.

The Southwest Transitway is marketing the Mitchell Station – Office Park & Ride as a redevelopment opportunity that intends to completely redevelop the block where the Eaton campus is located. The plan specifically references development involving “New Buildings Only,” intending to create the developments listed below.

Commercial Development	108,000 square feet
Civic/Institutional/Office	494,400 square feet that will accommodate 1,412 people
Park and Ride, Ramp	800 cars

In addition, the plan describes the development of a new roadway system that will connect Technology Drive with the Station and Transit Plaza, which will facilitate bus and car drop-off activities. The plan envisions “large parking structures” and a new series of streets that will connect the Station to the Eden Prairie Municipal Campus. There is also an intention to “introduce a significant residential component into the station area near the station itself.” The plan indicates an “opportunity to develop or expand one to three corporate campuses” but fails to mention the existing campus that occupies 75% of the primary Transitway and redevelopment area.

TIMING OF REDEVELOPMENT

The plans for the Southwest Transitway leading to the Mitchell Station – Office and Park & Ride date back to 2002, when feasibility studies were being completed on eight transit alternatives. In 2005 and 2006 the Transitway placed its focus on three transit routes and in 2008 and 2009 plans began to emerge that focused on creating a Transitway Station at Mitchell Road where the Eaton campus is currently situated. Over this period an unprecedented level of economic growth and prosperity occurred, followed by a deep economic recession and financial crisis from which we continue to slowly recover.

As a result, continued office and commercial development growth is currently very speculative and should focus on new development opportunities as opposed to redeveloping thriving, existing campus developments. In this case, the subject provides approximately 650 local jobs and close to \$1,000,000 in annual property tax revenue. The potential to add 1,400+ jobs is enticing to any community, but it would take several years (if not longer) for this to be realized, and at the risk of losing 650 existing jobs. Assuming 1,400 jobs would be created through the redevelopment of the site, this is essentially a net gain of 750 jobs, but at a significant cost to the community. Costs associated with this redevelopment would include the expensive cost to relocate Eaton, extensive infrastructure costs, and likely tax increment financing to entice corporations to the redevelopment area. Additionally, it would take several years before the jobs lost from the Eaton campus would be replaced, and even longer to reach the projection of 1,400+ jobs.

Based on published reports and the DEIS, it is clear that there is a high probability that the Transitway plan will move forward. Yet it appears that the Southwest Transitway Authority has not completed a cost-to-cure analysis which would consider the consequences of keeping Eaton in their current location. As a result, it is critical that the Southwest Transitway consider the potential relocation of a 60 plus acre, four-building campus, which currently employs approximately 650 people, and the extensive costs associated with this relocation. It appears that even if the Transitway project were scaled back to accommodate the continued viability of Eaton, the risk of continued eminent domain would always remain, given the stated intention to see the area redeveloped into a high density, pedestrian and vehicle oriented redevelopment project.

The DEIS indicates that “acquisitions/displacements would be necessary for all of the Build Alternatives-some acquisitions would be very small areas needed to expand right-of-way, but others would involve entire parcels of land that would necessitate relocating a resident or business.” The DEIS also references the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, [42 U.S.C. 4601 et seq.] The Uniform Act requires that property owners be paid fair market value for their land and buildings, and that they be assisted in finding replacement business sites or dwellings. Further defined, the fair market value is based on the highest and best use of the site, which in the instance of the subject would be for continued use as a corporate campus. Based on the Transitway plans it is our opinion that the Eaton facility would have a high likelihood of requiring relocation.

The relocation costs alone would be very expensive for Eaton and would also require significant capital investments to re-establish a corporate campus in the southwest Twin Cities. It is also

likely that the location of any replacement campus would be inferior in comparison to its current location. This also impacts Eaton's ability to recruit talented employees given the strong uncertainty involving the continued viability of the Eaton campus. The following is a summary of the issues involved in relocating Eaton.

Building 1 – Eden Prairie Manufacturing Plant

Replace a 241,227 square foot manufacturing space that is used by Eaton to produce steering units and motors. Eaton aggressively estimates that it would take approximately 18 months to relocate, but it could take longer.

Building 2 – Technology Building

Replace the 60,000 square foot technology/innovation center and test labs. Costs considered in relocating would be the cost to purchase or lease a replacement facility plus moving expenses, capital, and infrastructure upgrades.

Building 3 – Hydraulics Group HQ

Replace the 93,748 square foot office building that is used for marketing, engineering, customer services, and finance. Costs considered in relocating would involve purchase or lease of a replacement office facility and moving and information technology costs.

Building 4 – Engineering Test Lab/Noise Chamber

Replace a 20,000 square foot building. Costs would include purchasing or leasing a replacement building and would also include moving and capital infrastructure costs.

The cost to move the campus would be substantial and there is no guarantee that Eaton will be able to find a suitable replacement property. In addition to relocation costs, Eaton will incur the costs of purchasing or leasing replacement space and the impairment of the existing property, plant and equipment.

Conclusion

Eaton has committed significant capital investments to establish a global headquarters campus for its Hydraulics Group, and it will be extremely costly and difficult to replace. The Mitchell Station – Office and Park & Ride will significantly impact Eaton and will likely involve the loss of the manufacturing building, which is considered the primary building of the campus, and also the loss of land for future expansion. In addition, the Park & Ride and Transit Station will bring a high volume of traffic into the area of the campus, which will in turn create ingress/egress issues and negatively impact any existing operations that will remain at the campus.

Eaton's loss of any of their buildings will have a negative effect on the functionality and operations of the Hydraulics Group headquarters campus. Further, the Mitchell Station plans call for the complete redevelopment of the block where the Eaton campus is currently situated and where Eaton controls approximately 75% of the land area. In reviewing the plans, it appears that the manufacturing plant and technology building will be lost as a result of the project and

would leave Eaton with less than half of the space it had prior to the taking. In reviewing the Mitchell Station plans, it seems the impact of the redevelopment plans will force Eaton to find a suitable replacement for their campus. It will be very difficult and very expensive to replicate what Eaton has created over the past 50 years. In addition to the substantial relocation costs, Eaton will incur the costs of purchasing and/or leasing replacement space and the impairment of the existing property, plant and equipment.

After studying the DEIS and Southwest Transitway Area Planning the only alternatives that appear to ensure the continued viability of the Eaton campus are the 'No Build Alternative' and the 'LRT 1A', with all other plans involving a Park & Ride and, except for the 'Enhanced Bus Alternative', a Light Rail Transit Station. The recommended plans for a light rail station at this site will likely involve the loss of the Eaton campus. The plans to redevelop the site assume the creation of 1,400 jobs, but ignore the potential loss of nearly 650 jobs from the loss of the Eaton campus. As this project moves forward, it is imperative that significant funding is made available for the relocation of the Eaton campus and that Eaton is given adequate time to relocate their operations, which could take several years to facilitate.



tomschuster@43hoops.com

12/25/2012 08:46 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Southwest LTR

Please see attached.

Thank you,

Tom

--

Tom Schuster

Partner, CFO

43 Hoops Basketball Academy

952-294-4667

December 26, 2012

To: Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415
swcorridor@co.hennepin.mn.us

cc: Marisol Simon, Regional Administrator
Region V Federal Transit Administration
ATTN: Southwest Transitway
200 West Adams Street Suite 320
Chicago, Illinois 60606
marisol.simon@fta.dot.gov

The proposed Blake Station for the Southwest Corridor Light Rail is slated to be located at 1002 2nd St NE, the site currently occupied by 43 Hoops Basketball Academy. We believe, first of all, that this is not the most optimal site for a station intended to serve the surrounding community. Driving to this site from any major freeway or street would require the driver to make multiple turns onto 2nd Street, which is not a major thoroughfare. To improve convenience and reduce congestion, the more optimal location for this station would seem to be on the south side of the tracks, off Excelsior Boulevard (Hwy 3), which is a major thoroughfare.

The 43 Hoops Basketball Academy, moreover, has become an integral part of our local community. First, we bring a thriving business to the local economy. We serve the communities of Hopkins, Minnetonka, St Louis Park, Edina, and Eden Prairie, as well as many other neighboring communities within a 50-mile radius of Hopkins. We have developed successful programs for youth basketball, volleyball, baseball, and soccer. We have served thousands of young adults over the past five years, and for many of them the lessons taught at 43 Hoops have changed their lives. Additionally, we are located in the heart of the Blake Road Corridor, and since we opened in April of 2007, we have been an active member of the Blake Road Corridor Collaborative, a partnership of community and government organizations working to improve the quality of life in the neighborhood. We have thereby developed strong relationships with the Hopkins School District, Hopkins Community Ed, the City of Hopkins, and the Hopkins Police Department. There is no public community center in the area, and we have come to fill that role in many ways. To support the BRCC's mission, we have used our facility to host numerous community meetings, business fares, and even religious gatherings. We have awarded scholarships to area youths to attend our camps, clinics, and training. Last summer, we provided a space for youths and adults in the area to receive a hot lunch through the Hopkins School District. All of this we have done at *no cost*.

If it is deemed necessary to locate a station on the site occupied by 43 Hoops, we would encourage consideration of the following alternative: leave 43 Hoops as is, and utilize the parking stalls on the site (approximately 150) for LRT users. Our peak parking usage is limited to evenings and weekends, which would likely be off-peak for LRT users. There would be several advantages to this alternative. First, 43 Hoops, a major asset to the corridor, would be allowed to continue serving the community. Second, a significant number of parking stalls (150) would remain available for LRT users. Third, by sharing the site with 43 Hoops, the HCRRA would continue to receive rental income from 43

Hoops – over \$10,000 per month – guaranteeing income for LRT. Even if additional parking were deemed necessary at a later date, there would still be two viable alternatives: (1) secure additional parking on the south side of the tracks (off Excelsior Boulevard), or (2) secure additional parking on the north side, such as the site currently occupied by WH McCoy Gas Station.

We have seen many changes in the Blake Road Corridor over the past five years, most notably a decrease in crime, which we feel is in part a reflection of our commitment to provide the local youth with the opportunity to participate in healthy and productive activities. We recommend that 43 Hoops be allowed to continue serving the Corridor and creating an environment that benefits the local community.

Sincerely,

Tom Schuster
Partner and CFO
43 Hoops, LLC
1002 2nd St NE, Hopkins, MN 55343
tomschuster@43hoops.com



"Jay Peterson"
<jaya.peterson@comcast.net>

12/26/2012 03:38 PM

To <swcorridor@co.hennepin.mn.us>
cc "Barry Schade" <barryschade@mac.com>,
<themist@paradisemn.com>
bcc

Subject Bryn Mawr Neighborhood Association DEIS Comments

The Bryn Mawr Neighborhood Association (BMNA) appreciates the opportunity to respond to the Draft Environmental Impact Statement for the Southwest Transitway project.

We are also mailing a hard copy of the report.

Jay Peterson
Bryn Mawr Neighborhood Association Board Member



Bryn Mawr Neighborhood Association
452 Newton Avenue South
Minneapolis, MN 55405
www.bmna.org

December 19, 2012

Hennepin County
Housing, Community Works and Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415
swcorridor@co.hennepin.mn.us

Re: Bryn Mawr Neighborhood Association (BMNA) Comments on the Southwest Transitway Draft Environmental Impact Statement

Dear Project Manager:

The Bryn Mawr Neighborhood Association (BMNA) appreciates the opportunity to respond to the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway project. The BMNA formed a committee to review the DEIS and present these findings. This committee held a public meeting to review what would be presented. Members of the committee also presented issues of concern at the Hennepin County public hearing held on November 13 and at the December BMNA Board Meeting on December 12.

The BMNA has a long record of supporting light rail and has been active in its support of the Southwest Transitway system. Bryn Mawr sees great potential benefits from light rail for Bryn Mawr and Minneapolis and strongly supports the Southwest Transitway project and the findings of the DEIS. We acknowledge the noise impact, construction challenges, access issues and potential increased vibrations. We look to mitigation in the design phase to manage these.

Bryn Mawr has four main points related to the DEIS –

- The BMNA has passed resolutions that strongly support Alternative 3A, the Locally Preferred Alternative – LPA.
- The BMNA strongly opposes Alternative 3A-1, the Co-Location Alternative for all the reasons cited in the DEIS.
- Without the development of the Penn Station to provide access to the light rail and the park systems, Bryn Mawr will be negatively impacted by the transitway project without any of the attending benefits realized.
- The BMNA supports two stations, Penn Avenue and Van White Boulevard, located within Bryn Mawr boundaries, with each station offering distinctly different benefits for the neighborhood.

Bryn Mawr actively participated on the Minneapolis Park and Recreation Board CAC and supports the submittal of the MPRB comments, particularly maintenance of access to and from parks such as Bryn Mawr Meadows. The BMNA supports activities of its bordering neighborhoods, Harrison and Kenwood, as they seek to have their concerns mitigated.

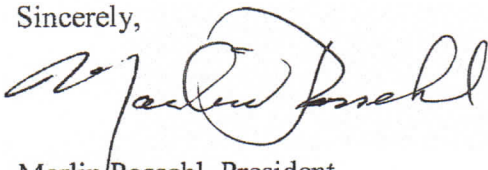
Bryn Mawr has been an active member of the Bassett Creek Valley Redevelopment Oversight Committee since 1997 and supports its plans for development in the Bassett Creek Valley and advocates for the Van White Boulevard station, as critical to potential development in the area. With the Harrison Neighborhood, the BMNA advocates for the improved mobility to the jobs and activity centers in the Minneapolis Business District, as well as along the length of the corridor for reverse-commute trips to the expanding suburban employment centers that the Van White and Penn stations provide.

The BMNA recognizes that the Bryn Mawr neighborhood will realize the benefits identified in the DEIS only if the Penn Station is built, including, but not limited to, improving mobility, efficient travel options, protecting quality of life, and preserving the environment. Consequently, the BMNA support is based on the description of the project as contained in the DEIS, which includes the development of the Penn station.

Our primary concern is with what is not strongly stated in the DEIS. The DEIS does not indicate that without the Penn station, Bryn Mawr would be negatively impacted and would receive few benefits of having light rail traverse our neighborhood.

Again, thank you for the opportunity to provide comments to the DEIS. We look forward to participating in the next steps of the project.

Sincerely,



Marlin Possehl, President
Bryn Mawr Neighborhood Association
president@bmna.org
612 377-5662

Enclosure



December 2012

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Bryn Mawr Neighborhood Association (BMNA)

Comments and Notes on the Southwest Transitway DEIS

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
Introduction and Background	<ul style="list-style-type: none">• The BMNA has a long record of supporting light rail and has been active in its support of the Southwest Light Rail system.• Bryn Mawr has passed resolutions that strongly support Alternative 3A, the Locally Preferred Alternative – LPA.• The BMNA strongly opposes Alternative 3A-1, the Co-Location Alternative for all the reasons cited in the DEIS.• Bryn Mawr has actively participated on the Minneapolis Park and Recreation Board CAC and supports the submittal of the MPRB comments, particularly maintenance of access to and from parks such as Bryn Mawr Meadows.• The BMNA formed a committee to review the DEIS and present these findings. This committee held a public meeting to review what would be presented. Members of the committee also presented issues of concern at the Hennepin County public hearing held on November 13.• The BMNA sees great potential benefits from light rail for Bryn Mawr and Minneapolis and strongly supports the Southwest Transitway project.• The BMNA strongly supports the DEIS findings. We acknowledge the noise impact, construction challenges, access issues and potential increased vibrations. We look to mitigation in the design phase to manage these.• The BMNA supports two stations, Penn Avenue and Van White Boulevard, located within its boundaries, with each station offering distinctly different benefits for the neighborhood.• The BMNA also supports activities of its bordering neighborhoods, Harrison and Kenwood, as they seek to have their concerns mitigated.• The BMNA recognizes that the Bryn Mawr neighborhood will realize the benefits identified in the DEIS only if the Penn Station is built, including, but not limited to, improving mobility, efficient travel options, protecting quality of life, and preserving the environment. Consequently, the BMNA support is based on the description of the project as contained in the DEIS, which includes the development of the Penn station.



Bryn Mawr Neighborhood Association (BMNA) ***Comments and Notes on the Southwest Transitway DEIS***

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
	<ul style="list-style-type: none"> • Bryn Mawr strongly advocates for the Penn Station, not only for its own neighborhood benefit, but also on behalf of myriad riders who would use this station to access the Minneapolis Parks' Grand Rounds northern amenities. It is the one station on the Southwest Transitway line that brings riders into the Parks' Grand Rounds. • Without a Penn station, Bryn Mawr would realize few benefits of the Southwest Transitway. Without a Penn Avenue station, Bryn Mawr residents would lose the existing ready access to the Cedar Lake Regional Trail and Kenilworth Trail and the Minneapolis Parks' Grand Rounds. • A Penn station, as represented in the DEIS, provides access to broader transportation opportunities to downtown, the Metrodome, Target Field, Mall of America, the airport, St. Paul and both western and eastern suburbs, along with access to the park and lakes. • With no Penn Station, Bryn Mawr is more severely divided into a north and south neighborhood – the connectivities that currently exist within the neighborhood will be disrupted by the Southwest Transitway line and its safety features, if a station is not built at this location. • Our primary concern is with what is not strongly stated in the DEIS. The DEIS does not indicate that without the Penn station, Bryn Mawr would be negatively impacted and would receive few benefits of having light rail traverse our neighborhood. • Because the LPA will be a permanent investment, this new transit service, with its station at Penn Avenue, has the potential to positively influence economic development, consistent with community plans, such as a the Comprehensive Plan (1997), The Bryn Mawr Land Use Plan (2006) and the Capstone Project (2011). These are studies the BMNA conducted, as a neighborhood, which have looked at the development potentials of the Penn Station and the BMNA wants to be assured that their opportunities are not under-estimated. • The BMNA also supports the development of the Van White Station, based on the project description in the DEIS. • Bryn Mawr has been an active member of the Bassett Creek Valley Redevelopment



Bryn Mawr Neighborhood Association (BMNA) **Comments and Notes on the Southwest Transitway DEIS**

December 2012

DEIS Reference	BMNA Notes and Comments
	<p>Oversight Committee since 1997 and supports its plans for development in the Bassett Creek Valley and advocates for the Van White Boulevard station, as critical to potential development in the area.</p> <ul style="list-style-type: none"> • With the Harrison Neighborhood, the BMNA advocates for the improved mobility to the jobs and activity centers in the Minneapolis Business District , as well as along the length of the corridor for reverse-commute trips to the expanding suburban employment centers that the Van White station provides. • A Van White Boulevard station, as represented in the DEIS, provides access to broaden transportation opportunities to downtown, the Metrodome, Target Field, Mall of America, the airport, St. Paul and both western and eastern suburbs, along with access to the park and lakes.
Chapter 1: Purpose and Need for the Proposed Action	
Page 1-3 – 1.1 Overview of Proposed Action	
	<ul style="list-style-type: none"> • In partnership with the Harrison neighborhood, the BMNA would like to add the proposed Bottineau line to the list of related transportation lines in paragraph 3.
Page 1-14 – 1.3.2.2 Limited Competitive, Reliable Transit Options and 1.4 Project Goals and Objectives	
	<ul style="list-style-type: none"> • Whenever possible, please use 2010 census data. • The BMNA strongly supports that the Southwest Transitway will bring a regional connectivity and travel time reliability that a high capacity transit line offers. • The BMNA strongly supports the Project Purposes, Goals and Objectives as outline in this chapter.
Chapter 2: Alternatives Considered	
Page 2-31 – 2.3.3.2 – LRT 3A (Locally Preferred	



Bryn Mawr Neighborhood Association (BMNA) **Comments and Notes on the Southwest Transitway DEIS**

December 2012

DEIS Reference	BMNA Notes and Comments
Alternative)	
	<ul style="list-style-type: none"> • The BMNA strongly endorses the LPA, including Penn Avenue and Van White Boulevard stations. • Bryn Mawr strongly endorses the relocation of all freight rail traffic out of the Kenilworth Corridor. • Bryn Mawr strongly advocates that the Kenilworth Trail (with 450,000 trips per annum) be left intact in the Kenilworth Corridor, an outcome that is not possible if freight rail and SOUTHWEST TRANSITWAY co-locate in the Kenilworth Corridor
Page 2-52 – 2.3.3.9 Operations and Maintenance Facility	
	<ul style="list-style-type: none"> • The BMNA acknowledges concerns expressed by the Harrison Neighborhood for OFM site – Minneapolis 4 (centered on 5th Street North between 6th Avenue North and 10th Avenue North) and supports further documentation of remediation options to address those concerns before final site selection.
Page 2-54 – Table 2.3-10 – Bus Service Changes	
	<ul style="list-style-type: none"> • The DEIS does not identify the potential to integrate the LPA with the new Bottineau line. This section should reference the possibility of bus shuttle connection to this line and connection to Route 9.
	<ul style="list-style-type: none"> • The DEIS also does not acknowledge that there is no identified bus service to the Van White station to and from Bryn Mawr.
Chapter 3: Social Effects	
Page 3-20 – 3.1.3 Land Use Plans	
	<ul style="list-style-type: none"> • In conjunction with the University of Minnesota’s Humphrey School of Public Affairs, the BMNA conducted a Capstone Project study of development opportunities near the Penn Station site. • The BMNA would like the Capstone Project document added as a study to the City



Bryn Mawr Neighborhood Association (BMNA) **Comments and Notes on the Southwest Transitway DEIS**

December 2012

DEIS Reference	BMNA Notes and Comments
	<p>of Minneapolis section of Table 3.1-2 Summary of Local and Regional Comprehensive Plans and Studies.</p> <ul style="list-style-type: none"> A link for this study is - http://www.bmna.org/images/SWLRT_Bryn_Mawr_Small_Area_Plan_May_3_2011.pdf
	<ul style="list-style-type: none"> On November 14, 2010, the Cedar Lake Park Association and Bryn Mawr Neighborhood Association co-sponsored a Charette that looked at a number of features for the proposed Southwest Transitway, including the Penn Station. The BMNA would like the Charette document added as a study to the City of Minneapolis section of Table 3.1-2 Summary of Local and Regional Comprehensive Plans and Studies. A link for this document is – http://www.bmna.org/images/SWLRT_charrette_drawings_and_photos_11_10.pdf
Page 3-34 – 3.1.5.1 Effects to Land Use and Socioeconomics	
	<ul style="list-style-type: none"> The potential for development and the change in land use associated with the Penn Station are identified in the Capstone Project (2011) for that site. The potential for development and the change in land use associated with the Penn Station are also identified in Bryn Mawr’s Land Use Plan (2006) accepted by the City of Minneapolis as a small area plan. The potential for development and the change in land use associated with the Van White Boulevard station are identified in the Bassett Creek Master Plan (2007) incorporated into the City of Minneapolis’ Comprehensive Development Plan and approved by the Metropolitan Council. The BMNA stands in strong support of relocation of the TCW line to the MN&S line in St. Louis Park. The BMNA stands strongly in favor of the Kenilworth Trail being left intact at its current location in the Kenilworth Corridor. This off street trail is part of the first federal bicycle commuter route, joining the Cedar Trail that runs through a large segment of Bryn Mawr.
Page 3-37 – 3.1.5.2 Operations and Maintenance	



Bryn Mawr Neighborhood Association (BMNA)

Comments and Notes on the Southwest Transitway DEIS

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
Facility	
	<ul style="list-style-type: none">• The BMNA acknowledges concerns expressed by the Harrison Neighborhood for OFM site – Minneapolis 4 (centered on 5th Street North between 6th Avenue North and 10th Avenue North) and supports further documentation of remediation options to address those concerns before final site selection.
Page 3-58 – 3.2.2.6 Neighborhoods and Community Cohesion	
	<ul style="list-style-type: none">• Bryn Mawr was greatly impacted with the building of Interstate 394 and has worked hard to maintain cohesion since it was implemented. We feel there may be the same kind of impact if a Penn Station is not built.• The DEIS incorrectly states that “operation of Southwest Transitway service along Segment A is not anticipated to adversely affect community cohesion because Segment A is currently bisected by a freight rail line and adding light rail service does not alter the existing barrier” (3.2.2.6, p.3-58) Adding light rail service would introduce new barriers, such as fences and additional track. Bryn Mawr would be adversely affected by the Southwest Transitway line and experience a decrease in opportunity for community cohesion if no Penn Station is built.• The DEIS also indicates that “light rail service would assist in providing a new rapid transit service enabling a more direct connection to downtown Minneapolis and the regional transit network.” (3.2.2.6, p3-58) This is true only if the Penn Station is built. Without the Penn Station, Bryn Mawr would experience little connection with the light rail network. The Van White Station, as currently conceived, offers little access for residential Bryn Mawr without creating connecting direct bus service.• The BMNA would like the Segment A section to include comments on the impact to Bryn Mawr of not having the Penn Station. We are concerned that the current access to the parks and Bike Trail system will be curtailed by the need for safety barriers that would be erected. This would greatly limit neighborhood access to the light rail and current access to the commuter bike trail and lakes chain.• Further, as stated in the Minneapolis Park and Recreation Board comments, Bryn



Bryn Mawr Neighborhood Association (BMNA)

Comments and Notes on the Southwest Transitway DEIS

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
	<p>Mawr Meadows is a heavily used sports recreational park, with potential for significant usage of transit at the Penn Station by park users. Maintaining access to and from Bryn Mawr Meadows will encourage continued strong usage of the park.</p> <ul style="list-style-type: none">• The DEIS incorrectly focuses on distance to downtown Minneapolis as a benefit of both the Penn and Van White Stations. It does not focus sufficiently on the social effects of Southwest Transitway travel westward (reverse commuting) or on ridership that comes from all areas of the region to the “Chain of Lakes region, with connections to parks, trails, the lakes, and community amenities and attractions” (Page 3-50, DEIS), Central Corridor, Hiawatha line and to the Northstar.• The social effects of stations at Penn Avenue and Van White Boulevard are immense. Using current transportation means, it takes upwards of two hours and three transfers to travel from Bryn Mawr and Harrison to jobs in the west. A station at Van White Boulevard and a station at Penn Avenue would drastically reduce travel time.
Page 3-66 – 3.2.5 Summary	
	<ul style="list-style-type: none">• A Penn Station would improve economic development. Table 3.2-2 only calls out Target Field station as having potential for development. The BMNA strongly believes that there are development opportunities at the Penn Station and that the Southwest Transitway will have tremendous leverage impact on development at the Van White station.• Also, the BMNA believes that many of the metrics listed in Table 3.2-2 assume the building of the Penn Station. Without this station, Bryn Mawr is impacted in several of the metrics. Particularly the metric related to Community cohesion.
Page 3-116 – 3.6.3.3 Build Alternatives	



Bryn Mawr Neighborhood Association (BMNA) **Comments and Notes on the Southwest Transitway DEIS**

December 2012

DEIS Reference	BMNA Notes and Comments
	<ul style="list-style-type: none"> • Bryn Mawr residents are active users of the Minneapolis bike trails, parks and lakes. As such, we have strong concerns about how the intersection of the Southwest Transitway with the Cedar Lake Parkway will be addressed. • The BMNA has been an active participant in the Minneapolis Park and Recreation Board CAC and supports their findings related to the intersection of the Southwest Transitway with the Cedar Lake Parkway. • The BMNA has concerns about the visual impact to the Grand Rounds if a fly-over is built. The fly-over does not seem to fit with the park nature of the area and alternatives should be considered. • The interface of the freight train, motor vehicles, bicyclists and pedestrian is an area of concern as it exists today. The introduction of the light rail provides a great opportunity to do this right and not leap to design decisions without the involvement of interested parties, especially the Minneapolis Park and Recreation Board. • The BMNA is also concerned that the flow of traffic during construction, particularly related to emergency vehicles, will need careful thought for mitigation. The BMNA recommends that this topic be added to the Segment A section for remediation consideration.
Chapter 4: Environmental Effects	
Page 4-111 – 4.8.2.1 Vibration-Sensitive Land Uses	
	<ul style="list-style-type: none"> • While 4.8.2.1 addresses vibration-sensitive land uses, the vibration effects of the relocation of TC&W freight trains currently operating in the Kenilworth Corridor to the portion of the BNSF line west of Penn are not clear. • A neighborhood concern has been raised that the BNSF line west of Penn is over moraine material and the additional TC&W trains may have an impact. • This concern does not seem to be addressed in the DEIS. The BMNA asks that it be made clear in the FEIS whether or not there will be an impact on land adjacent to the BNSF line west of Penn.



Bryn Mawr Neighborhood Association (BMNA) **Comments and Notes on the Southwest Transitway DEIS**

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
Chapter 5: Economic Effects	
BMNA – General comment	
	<ul style="list-style-type: none"> • The BMNA supports that the DEIS calls for building of all of the stations and identifies development opportunities for all of the stations except the 21st Street Station. • The BMNA is concerned that support for a Penn station may be excluded due to competing costs of the Southwest Transitway. • The removal of the Penn Station is the greatest concern that the BMNA can express because the neighborhood would suffer all the negative effects of the Southwest Transitway project without realizing any of the benefits.
Chapter 6: Transportation Effects	
BMNA – no comments to this chapter	
Chapter 7: Section 4(f) Evaluation	
BMNA – no comments to this chapter	
Chapter 8: Financial Evaluation	
BMNA – no comments to this chapter	
Chapter 9: Indirect Effects and Cumulative Effects	



Bryn Mawr Neighborhood Association (BMNA) **Comments and Notes on the Southwest Transitway DEIS**

December 2012

DEIS Reference	BMNA Notes and Comments
Page 9-4 – 9.4.1 Reasonably Foreseeable Future Action	
	<ul style="list-style-type: none"> • Hennepin County section of Table 9.4.1 – The Bottineau Line seems to be a foreseeable action and should be included for its impact. • The BMNA feels the Bottineau line could have impact on the Penn and Van White stations and offer more direct opportunities for access and ridership from the North Side. • City Actions – Minneapolis section of Table 9.4.1 – the BMNA feels there should be a stronger statement of the impact the Van White station would have in supporting and leveraging development of Linden Yards / Bassett Creek Valley.
Page 9-23 – 9.6.6 Parklands and Recreation Areas	
	<ul style="list-style-type: none"> • In its Comprehensive Plan, the BMNA described the Bryn Mawr Neighborhood as a “Garden within a Park.” • Bryn Mawr is committed to supporting this characterization through our Land Use Plan, our active participation in the Minneapolis Park and Recreation Board CAC and active participation with the Cedar Lake Park Association. We would like this description of the neighborhood included in the FEIS. • The BMNA reiterates its strong request that the neighborhood’s access to and from the parks and trails, whether or not a Penn Station is determined to be built, not be curtailed. • If the Penn Avenue Station is not built, the Southwest Transitway project needs to consult with the BMNA on mitigation that provides access across the Southwest Transitway line to the parks and trails.
Page 9-26 9.6.9 – Environmental Justice	
	<ul style="list-style-type: none"> • Bryn Mawr is a close neighbor to the Harrison and Near North communities. The BMNA supports their drive for economic justice. • The BMNA feels there are access opportunities to these communities and development of the Bottineau Line that should not be underestimated.



Bryn Mawr Neighborhood Association (BMNA)

Comments and Notes on the Southwest Transitway DEIS

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
Page 9-35 9.6.22 – Station Area Development	
	<ul style="list-style-type: none">• The BMNA strongly supports the findings of the DEIS in this section. We see the Bryn Mawr neighborhood as linked in a broader network.• The BMNA also recognizes how important the Penn Station and Van White Station are to our participating in this network.
Chapter 10: Environmental Justice	
BMNA – no comments to this chapter	
Chapter 11: Evaluation of Alternatives	
BMNA – support for recommendation	
	<ul style="list-style-type: none">• The BMNA strongly supports the selection of Alternative 3A (LPA).• The BMNA strongly opposes the selection of Alternative 3A-1 (Co-location alternative).
Chapter 12: Public Agency Coordination & Comments	
BMNA – no comments to this chapter	



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To <swcorridor@co.hennepin.mn.us>
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bcc
Subject ROC review of DEIS - 2012.docx

Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

December 26, 2012

Dear Project Manager
Please accept these comments on the SW DEIS from the Bassett Valley Redevelopment
Oversight Committee (The ROC).

Thank you
ROC Executive Committee

Bassett Creek Valley Redevelopment Oversight Committee (the ROC)

Comments and Notes on the Southwest Transitway DEIS

December 2012

Comment #398
Attachment #1

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		Chapter 10: Environmental Justice.....	8
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		BMNA – support for recommendation.....	8
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		BMNA – no comments to this chapter	8

Bassett Creek Valley Redevelopment Oversight Committee (the ROC)

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<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
<div data-bbox="128 415 894 467" data-label="Section-Header"> <h3>Introduction and Background</h3> </div>	<ul style="list-style-type: none"> • The Bassett Creek Valley Redevelopment Oversight Committee, herein referred to as the ROC, has a long record of supporting the Southwest Light Rail system. • The ROC was first created by the Minneapolis City Council in 1996 to advocate for development in the Bassett Creek Valley and to advise the Minneapolis City Council on development in the Bassett Creek Valley. • The ROC's voting members are appointed by the Bryn Mawr and Harrison neighborhood associations and the Bassett Creek Valley businesses. • The ROC has passed resolutions that strongly support Alternative 3A, the Locally Preferred Alternative – LPA. • The ROC strongly opposes Alternative 3A-1, the Co-Location Alternative in the Kenilworth Corridor for all the reasons cited in the DEIS. • The ROC sees great potential benefits from light rail for the Bassett Creek Valley and Minneapolis and strongly supports the Southwest Transitway project. • The ROC strongly supports the DEIS findings. It acknowledges the noise impact, construction challenges, access issues and potential increased vibrations. We look to mitigation in the design phase to manage these. • The ROC supports the Van White Boulevard station which offers distinct benefits to the Bassett Creek Valley – in development opportunities, transportation opportunities to jobs for those less able to have private transportation. • The ROC recognizes that the Bassett Creek Valley will realize the benefits identified in the DEIS only if the Van White Boulevard Station is built, including, but not limited to, improving mobility, efficient travel options, protecting quality of life, and preserving the environment. Consequently, ROC support is based on the description of the project as contained in the DEIS, which includes the development of the Van White Boulevard Station. • The ROC strongly advocates for the Van White Boulevard Station, not only for its benefits to the Bassett Creek Valley, but also on behalf of myriad riders who would use this station and the Penn Avenue Station to access the Minneapolis Parks' Grand Rounds northern amenities.

Bassett Creek Valley Redevelopment Oversight Committee (the ROC)

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December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
	<ul style="list-style-type: none"> • Current redevelopment plans for the Bassett Creek Valley is entirely dependent upon a Van White Boulevard Station being built. • Current plans for job creation, some 2600 in the vicinity of the Van White Boulevard Station is dependent upon a Van White Boulevard Station being built. • A Van White Boulevard Station, as represented in the DEIS, provides access to broader transportation opportunities to downtown, the Metrodome, Target Field, Mall of America, the airport, St. Paul and both western and eastern suburbs, along with access to the park and lakes out of an area that has few amenities and accesses to the larger community. • Because the LPA will be a permanent investment, this new transit service, with its station at Van White Boulevard, will positively influence potential economic development, consistent with community plans, such as the Bassett Creek Valley Master Plan (2007) which was adopted into the City of Minneapolis Comprehensive Plan which was approved by the Metropolitan Council (Met Council), • With the Harrison Neighborhood and the BMNA, the ROC advocates for the improved mobility to the jobs and activity centers in the Minneapolis Business District , as well as along the length of the corridor for reverse-commute trips to the expanding suburban employment centers that the Van White station provides.
Chapter 1: Purpose and Need for the Proposed Action	
Page 1-3 – 1.1 Overview of Proposed Action	
	<ul style="list-style-type: none"> • In partnership with the BMNA, Harrison neighborhood, the ROC would like to add the proposed Bottineau line to the list of related transportation lines in paragraph 3.
Page 1-14 – 1.3.2.2 Limited Competitive, Reliable Transit Options and 1.4 Project Goals and Objectives	

Bassett Creek Valley Redevelopment Oversight Committee (the ROC)

Comments and Notes on the Southwest Transitway DEIS

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<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
	<ul style="list-style-type: none"> • Whenever possible, please use 2010 census data. • The ROC strongly supports that the Southwest Transitway will bring a regional connectivity and travel time reliability that a high capacity transit line offers. • The ROC strongly supports the Project Purposes, Goals and Objectives as outline in this chapter.
Chapter 2: Alternatives Considered	
Page 2-31 – 2.3.3.2 – LRT 3A (Locally Preferred Alternative)	
	<ul style="list-style-type: none"> • The ROC strongly endorses the LPA, including Penn Avenue and Van White Boulevard stations. • The ROC strongly endorses the relocation of all freight rail traffic out of the Kenilworth Corridor. • The ROC strongly advocates that the Kenilworth Trail (with 450,000 trips per annum) be left intact in the Kenilworth Corridor, an outcome that is not possible if freight rail and SOUTHWEST TRANSITWAY co-locate in the Kenilworth Corridor
Page 2-52 – 2.3.3.9 Operations and Maintenance Facility	
	<ul style="list-style-type: none"> • The ROC acknowledges concerns expressed by the Harrison Neighborhood for the OFM site – Minneapolis 4 (centered on 5th Street North between 6th Avenue North and 10th Avenue North) and supports further documentation of remediation options to address those concerns before final site selection.
Page 2-54 – Table 2.3-10 – Bus Service Changes	
	<ul style="list-style-type: none"> • The DEIS does not identify the potential to integrate the LPA with the new Bottineau line. This section should reference the possibility of bus shuttle connection to this line and connections to Route 9.
	<ul style="list-style-type: none"> • The DEIS also does not acknowledge that there is no identified bus service to the

Bassett Creek Valley Redevelopment Oversight Committee (the ROC)

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<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
	Van White station to and from Bryn Mawr.
Chapter 3: Social Effects	
Page 3-20 – 3.1.3 Land Use Plans	
	<ul style="list-style-type: none"> • There have been three Master Plans for the Bassett Creek Valley area dating back to 1996. The most recent Master Plan was approved by the Minneapolis City Council in 2007, incorporated into the City's Comprehensive Plan and approved as part of the Comprehensive Plan by the Metropolitan Council. • The Master Plan for the Bassett Creek Valley is a long range land use plan whose potential is dependent upon a station at Van White Boulevard.
Page 3-34 – 3.1.5.1 Effects to Land Use and Socioeconomics	
	<ul style="list-style-type: none"> • The potential for development and the change in land use associated with the Van White Boulevard station are identified in the Bassett Creek Master Plan (2007) incorporated into the City of Minneapolis' Comprehensive Development Plan and approved by the Metropolitan Council. • The ROC stands in strong support of relocation of the TCW line to the MN&S line in St. Louis Park. The ROC stands strongly in favor of the Kenilworth Trail being left intact at its current location in the Kenilworth Corridor. This off street trail is part of the first federal bicycle commuter route, joining the Cedar Trail that runs through a large segment of Bryn Mawr, right to and past the Van White Boulevard Station.
Page 3-37 – 3.1.5.2 Operations and Maintenance Facility	
	<ul style="list-style-type: none"> • The ROC acknowledges concerns expressed by the Harrison Neighborhood for OFM

Bassett Creek Valley Redevelopment Oversight Committee (the ROC)

Comments and Notes on the Southwest Transitway DEIS

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
	site – Minneapolis 4 (centered on 5th Street North between 6th Avenue North and 10th Avenue North) and supports further documentation of remediation options to address those concerns before final site selection.
Page 3-58 – 3.2.2.6 Neighborhoods and Community Cohesion	
	<ul style="list-style-type: none"> • The DEIS indicates that “light rail service would assist in providing a new rapid transit service enabling a more direct connection to downtown Minneapolis and the regional transit network.” (3.2.2.6, p3-58) This is true only if the Van White Boulevard Station is built. • The DEIS focuses on distance to downtown Minneapolis as the major benefit of the Van White Station. It does not focus sufficiently on the social effects of Southwest Transitway travel westward (reverse commuting) or on ridership that comes from all areas of the region to potential jobs in the Bassett Creek Valley and “connections to parks, trails, the lakes, and community amenities and attractions” (Page 3-50, DEIS), Central Corridor, Hiawatha line and to the Northstar. • The social effects of a station at Van White Boulevard are immense. Using current transportation means, it takes upwards of two hours and three transfers to travel from Harrison to jobs in the west. A station at Van White Boulevard and a station would drastically reduce travel time.
Page 3-66 – 3.2.5 Summary	
	<ul style="list-style-type: none"> • A Van White Boulevard Station would improve economic development. Table 3.2-2 only calls out Target Field station as having potential for development. The ROC strongly believes that there are major development opportunities the Southwest Transitway will have at the Van White station.

Bassett Creek Valley Redevelopment Oversight Committee (the ROC)

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<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
Page 3-116 – 3.6.3.3 Build Alternatives	
	<ul style="list-style-type: none"> The interface of the freight train, motor vehicles, bicyclists and pedestrian is an area of concern as it exists today. The introduction of the light rail provides a great opportunity to do this right and not leap to design decisions without the involvement of interested parties.
Chapter 4: Environmental Effects	
Page 4-111 – 4.8.2.1 Vibration-Sensitive Land Uses	
	<ul style="list-style-type: none"> While 4.8.2.1 addresses vibration-sensitive land uses, the vibration effects of the relocation of TC&W freight trains currently operating in the Kenilworth Corridor to the portion of the BNSF line west of Penn are not clear. A neighborhood concern has been raised that the BNSF line west of Penn is over moraine material and the additional TC&W trains may have an impact.
Chapter 5: Economic Effects	
BMNA – General comment	
	<ul style="list-style-type: none"> The ROC supports that the DEIS calls for building of all of the stations and identifies development opportunities for all of the stations except the 21st Street Station.

Bassett Creek Valley Redevelopment Oversight Committee (the ROC)

Comments and Notes on the Southwest Transitway DEIS

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
Chapter 6: Transportation Effects	
BMNA – no comments to this chapter	
Chapter 7: Section 4(f) Evaluation	
BMNA – no comments to this chapter	
Chapter 8: Financial Evaluation	
BMNA – no comments to this chapter	
Chapter 9: Indirect Effects and Cumulative Effects	
Page 9-4 – 9.4.1 Reasonably Foreseeable Future Action	
	<ul style="list-style-type: none"> • Hennepin County section of Table 9.4.1 – The Bottineau Line seems to be a foreseeable action and should be included for its impact. • City Actions – Minneapolis section of Table 9.4.1 – the ROC feels there should be a stronger statement of the impact the Van White station would have in supporting and leveraging development of Linden Yards / Bassett Creek Valley.
Page 9-23 – 9.6.6 Parklands and Recreation Areas	
	<ul style="list-style-type: none"> • In the Bassett Creek Master Plan, the ROC has committed to supporting and preserving the parks and trails through which the Southwest Transitway line travels not be curtailed.

Bassett Creek Valley Redevelopment Oversight Committee (the ROC)

Comments and Notes on the Southwest Transitway DEIS

December 2012

<i>DEIS Reference</i>	<i>BMNA Notes and Comments</i>
Page 9-26 9.6.9 – Environmental Justice	
	<ul style="list-style-type: none"> • The ROC supports the drive for economic justice in the Bassett Creek Valley. • There are access opportunities to these communities and development of the Bottineau Line that should not be underestimated.
Page 9-35 9.6.22 – Station Area Development	
	<ul style="list-style-type: none"> • The ROC strongly supports the findings of the DEIS in this section. • The ROC also recognizes how important the Van White Station is to our participating in this network.
Chapter 10: Environmental Justice	
BMNA – no comments to this chapter	
Chapter 11: Evaluation of Alternatives	
BMNA – support for recommendation	
	<ul style="list-style-type: none"> • The ROC strongly supports the selection of Alternative 3A (LPA). • The ROC strongly opposes the selection of Alternative 3A-1 (Co-location alternative).
Chapter 12: Public Agency Coordination & Comments	
BMNA – no comments to this chapter	

Bassett Creek Valley Redevelopment Oversight Committee (the ROC)
Comments and Notes on the Southwest Transitway DEIS

December 2012

Comment #403

→ From: mnrealtors <mnrealtors@aol.com>

To: swcorridor <swcorridor@co.hennepin.mn.us>; Katie.Walker <Katie.Walker@co.hennepin.mn.us>

Cc: gail.dorfman <gail.dorfman@co.hennepin.mn.us>; lisa.goodman <lisa.goodman@minneapolismn.gov>

Subject: Response to SWLRT DEIS

Date: Mon, Dec 17, 2012 9:39 am

DEC 26 2012

Date: December 17, 2012

To: whom it may concern

Re: response to the SWLRT DEIS

From: Paul and Cheryl LaRue

First, we would like to acknowledge your reasoning for the need for LRT and we understand that the SWLRT is an integral part of Met Council's 2030 Transportation Policy Plan, Met Council's 2030 Regional Development Framework, Hennepin County Transportation Systems Plan, Hennepin County Sustainable Development Strategy 2011, as well as The Minneapolis Plan for Sustainable Growth.

1) One of our concerns lies with the **environmental and socioeconomic impacts of a flyover bridge at Cedar Lake Pkwy**. We understand that a flyover bridge would address 'traffic congestion' at the intersection of LRT with Cedar Lake Pkwy. However, we support alternative means of addressing such issues. We support Cedar Lake Parkway crossing OVER LRT transit as presented by the Minneapolis Park and Rec Board and supported by the Joint Neighborhood Task Force consisting of CIDNA (Cedar Isles Dean Neighborhood Association), KIAA (Kenwood Isles Area Association), WCNC (West Calhoun Neighborhood Council), CLSHA (Cedar Lake Shores Homeowners Association), CIHA (Calhoun Isles Condos Condo Association) and CLPA (Cedar Lake Park Association).

A flyover works against the goals of the 2030 Regional Development Framework. Per the DEIS Appendix H - Land Use Plans, The Metropolitan Council Plans and Studies, **2030 Regional Development Framework**, page 7 of 750, item #4: "The RDF addresses four primary policies...**4) Working with local and regional partners to reclaim, conserve, protect, and enhance** the region's vital natural resources".

Per 3.6.3 Long-Term Effects, 3.6.3.3 Build Alternatives, Segment 4, page 3-115: "Although the segment is located in an existing transportation corridor (Kenilworth Regional Trail), the project *would introduce new visual elements--the fixed guideway, including track, catenary poles, and wires--into the area. Catenary poles and wires could have substantial visual impacts on trail users who would share the corridor with the fixed guideway*" ... "The proposed alignment is on a *bridge over Cedar Lake Parkway. Visual impacts on sensitive receptors adjacent to the corridor in the multi-family residential parcel and Cedar Lake Parkway could be substantial. Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment where it is bridged structure could be substantial.*"

A flyover bridge, infrastructure and supporting walls, poles, and cantenary over Cedar Lake Pkwy are not compatible with current scenic views and would obstruct rather than "conserve, protect, and enhance" views in designated scenic areas at Cedar Lake and throughout Cedar Lake Regional Trail/Kenilworth Trail and the Grand Rounds as well as Park Siding Park. This drastic visual change would impact setting, integrity, and feeling of Cedar Lake and Cedar Lake Regional Trail/Kenilworth Trail, the Grand Rounds, and Park Siding Park. We support working with local partners (such as the Park Board), the residential community, and neighborhood associations to investigate alternative ways for LRT to cross at Cedar Lake Parkway. We support Cedar Lake Parkway crossing over transit.

An environmental concern with a flyover bridge at Cedar Lake Parkway would be the introduction of a NEW noise source(s) at Cedar Lake, throughout the Cedar Lake Regional Trail/Kenilworth Trail and Park Siding Park, and into the Grand Rounds. Per 4.7.3.4 Project Noise Levels: "The project team measured airborne noise from the Hiawatha LRT as the basis for the sound exposure levels used in the analysis". Per table 4.7.2 the Hiawatha LRT measurements were done 'at grade'. Measurements did not include airborne noise at the various elevations of a flyover* at Cedar Lake Parkway. Recommend analysis for noise and vibration at various heights of a flyover*, taking into consideration the unique situations of Segment A, particularly between West Lake Stn. and 21st St. Stn. *Unique situations include: A) close proximity of the flyover to Cedar Lake, a large body of water which would carry sound farther than over land or through trees, B) two 14-story high rise residential buildings with close proximity to the flyover which would reflect a new noise source throughout Park Siding Park, the Cedar Lake Regional Trail/Kenilworth Trail, and the Grand Rounds, C) most of the Xerxes Historic District multi-story residences would have an unobstructed view of the flyover, structure, catenary poles and wires, and trains; and would be directly affected by a new noise source introduced by a flyover. The Shoreland Overlay District Zoning requirements also need to be observed.*

Per 3.6.5.3, Mitigation, Build Alternatives, page 3-123: "*Mitigation treatments...would be developed...through*

discussion with affected communities, resource agencies, and stakeholders. Measures would be taken to ensure the design and construction of the Build Alternative considers the context of the corridor and that sensitive receptors receive adequate mitigation. Possible mitigation measures could include: A) Landscaping vegetation such as shrubs and bushes to supplement existing vegetation buffers, B) Evergreen vegetation screening to supplement deciduous vegetation buffers in leaf-off conditions, C) Fencing, D) Tunneling." Comment: Due to the uniqueness of the narrow rail corridor in the residential area between West Lake Stn. and Cedar Lake Parkway existing vegetation is minimal and supplementing it may be difficult as there is very little space to add a burn or mature landscaping. The DEIS suggestion of a tunnel as a means of mitigation needs to be studied as a viable means of mitigation. We do not support taking of any residential properties in Segment A north of West Lake Stn.

*Per Appendix H-1, page 204, Table: Aweighted Sound Levels (FTA): Rail transit horn 89 dBA, rail transit on modern concrete aerial structure 84 dBA. These dBA corresponded on the same table to sounds similar to an outdoor concrete mixer and jack hammer. Comment: A flyover would introduce these NEW sounds, and these sounds would not "conserve and enhance" the region's vital natural resources. Therefore, we support Cedar Lake Parkway crossing over transit.

*Per Appendix H-1, page 201, The FTA Transit and Noise Vibration Impact Assessment indicates, "Reflections off topographical features or buildings (structures) can sometimes result in higher noise levels...than would normally be expected. Temperature and wind conditions can also diffract and focus a sound wave to a location at considerable distance from the noise source. As a result of these factors, the existing noise environment can be highly variable depending on local conditions." Again, we support Cedar Lake Parkway crossing over transit.

2) Our second concern is regarding **mitigation for the Impacted Land (Units) from LRT in Segment A, in particular the residential area between West Lake Stn. and 21st St. Stn.** Of the LRT Segments in the preferred alignment 3A, Segment A has the lowest ambient noise* of Segments 3, 4, and A (per 4.7.3.5). Segment A also has the highest percentage of Severe Land Impact** (Units) (91.0% of the total for alignment 3A as per tables 4.7-3 and 4.7-8), in particular the area **between West Lake Stn. and 21st St. Stn. (87.6% of the total Severe Land Impact units for all of alignment 3A)**. Segment A consists mainly of residential/multi-family residential, whereas Segments 3 and 4 consist mainly of commercial properties (table 3.2-2). LRT Sound Exposure Levels (per table 4.7-2) would be in the HUD threshold for Unacceptable Housing Environment (Appendix H-1, "Odors, Noise, and Dust), above the MN Noise Pollution Control Limits (Appendix H-1, Table 9), and above Federal Noise Abatement Criteria***. Given that the area between West Lake Stn. and 21st St. Stn. has 87.6% of the Severe Land Impact properties, mitigation by fencing or landscaping alone would have minimal mitigation effect. Additionally, on its own, barriers would not seem to provide adequate mitigation. Per Appendix H-1, Mitigation: "Noise barriers would not be as effective at reducing noise...since there are physical limitations on barriers which would only potentially reduce noise by a small amount...". Mitigation such as cut'n'cover or tunnel have not been addressed by the DEIS for Segment A; and should be thoroughly studied as a viable means for mitigation, particularly in the area between West Lake Stn. and 21st St. Stn. A flyover bridge over Cedar Lake Parkway would NOT mitigate Severe Land Impact properties. A flyover would introduce NEW airborne noises. We support Cedar Lake Parkway crossing over transit. We support working with local partners, the residential community and neighborhood associations to investigate and coordinate ways to minimize the noise, vibration, and visual impacts of LRT rail cars, infrastructure and supporting walls, poles and catenary. We do not support taking of any residential properties in Segment A north of West Lake Stn.

Data supporting the above is as follows:

As stated in Chapter 4, page 4-7 FTA Noise Impact Thresholds, as well as in Appendix H, Odors, Noise, and Dust: There are two levels of impact included in the FTA criteria...Moderate Impact and Severe Impact. Project-generated noise in the severe impact range can be expected to cause a significant percentage of people to be highly annoyed by the new noise and represents the most compelling need for mitigation...

*Per 4.7.3.5 Assessment. "Ambient noise is measured by what is present in existing conditions. Low ambient noise levels cause the impact threshold (the point at which there is an impact) to be lower. Ambient noise levels were as low as 55 dBA on an Leq basis and 56 dBA on an Ldn basis for Segment 3; 56 dBA on an Leq basis and 54 dBA on an Ldn basis for Segment 4; *44 dBA on an Leq basis and 52 dBA on an Ldn basis for Segment A; and 58 dBA on an Leq basis and 58 dBA on an Ldn basis for segment C".

*Appendix H-1, Southwest Transitway Ambient Noise Table, page 5, Segment A: "Site #31 (3427 St. Louis Ave.) for a 24-hour period the Leq was 59 dBA and Ldn 60 dBA (Footnote 'c' for that table notes that noise monitoring data for Site #31 included noise from existing freight train operations). Natural sounds and recreational activities are the dominant noise sources, with lesser noise contributions from Lake St. traffic. This location is representative of noise-sensitive land use at the south end of the Kenwood Neighborhood, within earshot of Lake St." Comment: Site #31, 3427 St. Louis Ave., is a residential property adjacent to the current TC&W rail line and located inbetween the West Lake St. Stn. and Cedar Lake Parkway. Given the Sound Exposure Levels in table 4.7-2 of LRT pass-bys 81-84 dBA, signal 106 dBA, warning signal 88 dBA, warning horns 99 dBA, LRT curve squeal 114 dBA, mitigation requirements need to include keeping the ambient noise levels (on a constant and frequent basis)

consistent with current Leq and Ldn dBA...particularly at nighttime. Mitigation must preserve and maintain as dominant sounds of the portion of Segment A in between West Lake Stn. and Cedar Lake Parkway that of natural sounds and recreational activities. Fencing or landscaping alone would not achieve such mitigation. Barriers only reduce noise by a small amount (per Appendix H-1: Mitigation). Mitigation such as cut'n'cover or tunnel have not been addressed by the DEIS for Segment A; and should be thoroughly studied as a viable means of mitigation, particularly in the area between West Lake St. Stn. and 21st St. Stn. Note: noise monitoring data for Site #31 was collected *prior* to the replacement of old, frequent weld TC&W rails with new continuous rails in September/October 2012 (per rail engineers, up to 1/3 quieter and less vibration).

****In Segments 3 and 4 (the preferred alignment 3A) running from Mitchell Rd. to the West Lake Station the LRT touched almost ALL commercial properties (per engineering and conceptual designs from Appendix F as well as table 3.2-2 Summary of Neighborhood...Cohesion Impacts...Segment 3 "mostly commercial"). Per table 4.7-3, Noise Impact Summary Table, the preferred alignment 3A had a total of 201 (520) Severe Impact Land (Units) for Category 2 (residential). Per table 4.7-5, Noise Impacts Segment 3, Segment 3 had 18 Severe Impact Land (Units). Per table 4.7-6 Noise Impacts Segment 4, Segment 4 had no Severe Impact Land (Units). Per table 4.7-8 Impacts Segment A, Segment A had 183 (406) Severe Impacts Land (Units). In summary, *Segment A has 183 (406) of the total 201 (520) or 91.0% of the Severe Impact Land in alignment 3A...with 176 (399) between West Lake Stn. and 21st St. Stn. (table 4.7-8). In other words...176 (399) of the total 201 (520) or 87.6% of the total Severe Impact Land for alignment 3A were in the very small stretch between W. Lake and 21st St. Stations as compared to the miles and miles of LRT in Segment 3 and 4 which only had 18 of 201 (table 4.7-5) or 9.0%. Note: percentages are rounded. Note also: Segment A has a situation unique to Segments 3 and 4 and to Hiawatha LRT in that some of the residential/multi-family residential properties are located 20' or less from the rail tracks, including a 14 story high rise condominium with balconies facing the rail tracks.***

*****Table 4.7-2 LRT Sound Exposure Levels used in the Noise Analysis...LRT pass-by 81-84 dBA, signal 106 dBA, warning signal 88 dBA, warning horn 99 dBA, LRT curve squeal 114 dba.***Appendix H-1, page 50 of the section addressing "Odors, Noise and Dust - Noise Basics, Exhibit 1, Outdoor Noise Exposure for a Residential Environment (according to U.S. Federal agency criteria) states the ambient close to Urban Transit is 85 Ldn. *The HUD threshold for Unacceptable Housing Environment is 75 dBA Ldn, the HUD limit for normally acceptable housing environment is 65 dBA Ldn, and the EPA ideal residential goal is 55 dBA Ldn.* This section also states Category 2 are residences and buildings where people normally sleep. This category includes residences...where nighttime sensitivity is assumed to be of utmost importance.**

*****Appendix H-1, Table 9, Minnesota Noise Pollution Control Limits, indicates that Chapter 7030 of the Minnesota Administrative Rules has set a series of noise limits that can be applied to projects such as...rail study. The limit for MN category 1 (residences, churches, schools, and other similar land uses) in the daytime is between 60-65 dBA and nighttime 50-55 dBA.**

*****MnDOT for the Trunk Hwy 41 river crossing project, Chaska, indicates Federal Noise Abatement criteria for Category B (residential and recreational) is 70 dBA. For every increase of 10 dBA is heard twice as loud.**

Appendix H-1, FTA Noise Impact Criteria, page 50: "Although higher rail noise levels are allowed in neighborhoods with high levels of existing, smaller increases in total noise exposure are allowed with increasing levels of existing noise".

3) Our third concern is regarding **mitigation** in Segment A, particularly the residential area between West Lake Stn. and 21st St. Stn., from the substantial increase in the **frequency of LRT pass-bys**. The DEIS considers **current TC&W pass-bys to be infrequent**, and that LRT will more than double the amount of train pass-by events*. Current TC&W pass-bys are 21.5 per week daytime and .5 per week or less nighttime**. LRT projected are 2326 per week with 420 in the nighttime***. In other words LRT pass-bys would create a drastic change for Segment A from a periodic, infrequent heavy use corridor to a constant, frequent heavy use corridor. Noise, vibration, and visual impacts in Segment A, particularly in the residential area between West Lake Stn. and 21st St. Stn. would change from current periodic, infrequent noise, vibration, and visual impacts 21.5 times per week and .5 or less times per night to constant noise, vibration, and visual impacts 2326 times per week, with a disruptive increase at nighttime of 420 per night...from current 3 times per day and less than .5 nighttime per 'week' to LRT every 7.5 - 10 minutes per day and LRT every 30 minutes each night (these daily LRT pass-bys are per the SWLRT website).

LRT would introduce a NEW *privacy impact* both in the *daytime and nighttime*. Per 3.6.3 Long-Term Effects, 3.6.3.3, "Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment...could be substantial." Comment: The new privacy impacts would not only affect the residential properties, but persons using the Cedar Lake Regional Trail/Kenilworth Trail, Park Siding Park, and the Grand Rounds. These privacy impacts do not currently exist; therefore, mitigation needs to address respect of privacy resulting from LRT pass-bys. Mitigation by fencing or landscaping alone would have minimal and seasonal

mitigation effect. Additionally, on its own, barriers may not provide adequate mitigation in screening privacy impacts, particularly at elevations of a flyover. Mitigation such as cut'n'cover or tunnel should be thoroughly studied as a viable means for mitigation, particularly in the area between West Lake Stn. and 21st St. Stn. A flyover would not mitigate privacy impacts. A flyover would introduce additional new privacy impacts at a higher elevation. Nighttime LRT pass-bys will also introduce a *NEW visual nighttime impact of LRT headlights as well as intrusion of lights from inside train cars which would be passing through 420 times per week as compared to current .5 or less headlight (only) light intrusion per week*. Fencing and landscaping will not mitigate the new nighttime visual light impacts. Barriers may mitigate the new nighttime headlight visual impact and partially mitigate light intrusion from inside train cars; however, would *not* be adequate to mitigate the *extreme increase in frequency* of visual light impacts resulting from more than double the amount of train pass-by events*. Mitigation such as cut'n'cover or tunnel have not been addressed by the DEIS for Segment A, and should be studied as a viable means for mitigation, particularly in the area between West Lake Stn. and 21st St. Stn. A flyover bridge over Cedar Lake Parkway would NOT mitigate the new *increased frequency* of daytime and nighttime visual impacts. A flyover bridge would introduce NEW visual impacts at an elevation higher than 'at grade'.

***Comment:** The DEIS statement 'more than double the amount of train pass-by events' is **extremely understated**. **Per the SWLRT website, train pass-bys would dramatically increase from the current 3 times in the daytime to LRT every 10 minutes during the daytime and early evenings--even more frequently during peak hours to LRT every 7.5 minutes. The nighttime pass-bys would be even more substantially increased from 'on occasion' .5 per 'week' to LRT every 30 minutes nighttime. The LRT pass-bys are constant 7 days per week, 20 hours per day.** These LRT frequencies would change the residential corridor in Segment A between West Lake St. and 21st St. Stn. **from 'dominant noise sources being that of natural sounds and recreational activities' to constant new noise sources** from the LRT rail squeals and horn or bells (with noise decibals increasing from current ambient 59-60 dBA (Site #31) to between 81-114 dBA. Such **drastic changes to the environmental and socioeconomic** elements of the residential corridor warrant serious mitigation of noise as well as visual impacts. Fencing and landscaping alone would not mitigate the dramatic increase in *frequency* of noise nor the increase in noise decibals. Barriers would only reduce noise by a small amount (per Appendix H-1: Mitigation), and would not address the dramatic increase in *frequency* of noise. Mitigation such as cut'n'cover or tunnel have not been addressed by the DEIS for Segment A, and should be studied as a viable means for mitigation, particularly in the area between West Lake Stn. and 21st St. Stn. A flyover would not mitigate *increased frequency* of noise. A flyover would introduce NEW as well as increased frequencies of noise carrying at an elevated level.

Data supporting the above is as follows:

***Per Appendix H-1 as well as 4.8.2, Existing Conditions:** "Existing rail operations in Segmnt 4 include approximately 3 freight pass-by events per day. *TC&W locomotive pass-by events* are less than 5 per day; therefore, *are considered infrequent...* The build alternatives will more than double the amount of train pass-by events..."

****Per chapter 4, page 91, Segment A: West Lake Station to Intermodal Station.** "Under Build Alternatives LRT 1A and LRT 3A existing TC&W traffic on the Kenilworth Corridor would be relocated to the MN&S Spur. (Freight rail traffic o the Spur would be the existing traffic in the Kenilworth Corridor with no change in train activity, consist, etc." Calculation of existing TC&W traffic on the Kenilworth Corridor per 4.7.5 MN&S Freight Rail Relocation is as follows:

One freight train with 2-4 locomotives and 50 cars operating six days/wk (1 train x 6 days = 6/wk)

One freight 2-4 locomotives and 20 cars operating 3-4 days/wk (1 train x 4 days = 4/wk)

One ethanol train with 2 locomoties and 80 cars operating once every 2 wks (1 x .5 = .5/wk)

One coal train with 4 locomotives an 120 cars operating once every 2 wks (1 x .5 = .5/wk)

Note: the coal train only operates one direction, all others round trip.

TOTAL TC&W freight train pass-bys per wk = 21.5 (6 + 4 + .5) x 2/round trip plus .5 x 1 direction

Note: All above trains were considered in section 4.7.5 to operate during the day. The exception being one coal train operating once every 2 weeks which *could* operate either night or day.

*****Calculation of operational assumptions of LRT per 4.7.3.4, Chapter 4, Environmental Effects, page 4-84:**

198 trips during the day (198 x 7) (assumed) = 1386/wk****

16 trips/hr between 6-9 am and 3-6:30 pm (16 x 6.5 x 5) (assumed 'peak hrs' means 5 days/wk) = 520/wk****

60 trips during the night (60 x 7) = 420/wk****

TOTAL LRT Pass-bys per week = approximately 2326****

******Note:** There is no mention in the DEIS information if these are 'one direction' trips or 'round trips' and should, therefore, be multiplied by 2 as per the calculation of the existing TC&W.

You will note in Chapter 4, pages 4-92, Segment A...Under Build Alternatives...the DEIS states, "Airborne-noise impacts associated with Segment A (with freight rail relocation) were calculated based on existing noise exposure (including existing TC&W freight rail traffic) and account for the 'decrease' in sound level which would occur due to the absense of freight pass-by events". **Comment:** The DEIS calculations represents an 'average' of the LRT noise impacts for a 24-hour period. In actuality, the LRT will introduce noise impacts in the 81-114 dBA range 'extremely

frequently and nearly constant' throughout the daytime and nighttime in Segment A. Whereas the current TC&W noise impacts have been very infrequent during the daytime and nearly non-existent in the nighttime. In addition, the **DEIS has not measured the noise level of the TC&W with the new continuous rails installed September/October 2012 in Segment A**, particularly the portion between West Lake Stn. and 21st St. Stn.

4) Our fourth concern is regarding **mitigation for the (long-term) visual effects** of LRT for **Segment A**, in particular the residential area between West Lake Stn. and 21st St. Stn. This section is *unique* to Segment 3, 4 and Hiawatha LRT given the close proximity of residential and high rise residential to the LRT as well as the close proximity of Cedar Lake, Cedar Lake Regional Trail/Kenilworth Trail, Park Siding Park, and the Xerxes Historic District multi-story residences to an *unobstructed visual* of LRT structure, catenary and poles.

Per Chapter 3, Social Effects, 3.6.6, Summary, page 3-125, the DEIS points out a situation *unique* to Segment A in the 3A alignment: "Further, LRT 3A (LPA) would have possibly substantial effects on the visual quality of one of its three segments, which includes sensitive receptors in the residential land uses adjacent to the segment (A) where the alignment is on a bridge".

3.6.3 Long-Term Effects, 3.6.3.3 Build Alternatives Segment 4, page 3-115: "Visual impacts may be substantial where the alignment is not screened by vegetation. *Visual intrusion and privacy impacts of the project elements on the sensitive receptors may be substantial where views from the alignment into previously private spaces are created. Visual intrusion and privacy impacts on the outdoor living areas of residential properties could be substantial where vegetation or landscape buffers do not exist*". "The proposed alignment is on a bridge over Cedar Lake Parkway. *Visual impacts on sensitive receptors adjacent to the corridor in the multi-family residential parcel and Cedar Lake Parkway could be substantial. Visual intrusion and privacy impacts of the project elements on the residents in units with windows facing the alignment where it is bridged structure could be substantial*".

Comments: Given the narrow space of the rail corridor between West Lake Stn. and Cedar Lake Parkway, fencing and immature landscaping alone would not mitigate the visual intrusion and privacy impacts, and would be a 'seasonal' mitigation. A barrier alone would introduce a NEW visual impact where there were prior unobstructed views of parks and trees and sense of 'open space'. A barrier would only mitigate a portion of the visual intrusion of rail cars. A barrier would not mitigate the visual intrusion of poles and catenary. Mitigation such as cut'n'cover or tunnel have not been addressed by the DEIS for Segment A, and should be studied as a viable means for mitigation, particularly in the area between West Lake Stn. and 21st St. Stn. A flyover bridge over Cedar Lake Parkway would not mitigate visual intrusion and privacy impacts. A flyover Cedar Lake Parkway would introduce NEW visual intrusions. We support Cedar Lake Parkway crossing over transit. We do not support taking of any residential properties in Segment A between West Lake Stn. and 21st St. Station. We agree, per 3.6.5.3, Mitigation: "Mitigation treatments for visual impacts would be developed...through discussion with affected communities, resource agencies, and stakeholders."

4) An additional **socioeconomic and environmental** concern is the **preservation of the Kenilworth Trail as a pedestrian and bicycle trail, and insuring that the trail receives proper mitigation**. Per the Minneapolis Park and Recreation Board Community Advisory Committee, "the Kenilworth Trail received 617,000 visits in 2009, and use has only gone up since then". Per 3.6.6, Summary, page 3-125: "LRT 3A (LPA) would have the second highest effects on visual quality in the project area because of *substantial impacts on sensitive receptors located on trails, which are present in three (4, A, and FRR) of the alignment's segments*."

Per the DEIS Appendix H - Land Use Plans, 2030 Regional Parks Policy Plan, page 7 of 750: "The Regional Parks Policy Plan lays out the goals for the expansion and management of the Twin Cities regional park system, and the strategies designed to meet those goals. Of particular note for Southwest Transitway is the policy on regional trails, new trails, or trail segments, that serve regional users are considered a significant priority for the regional parks system. The plan states that selection, development and operation of bicycle transportation arteries are covered as a component of the Council's transportation plan. Examples of existing regional trails that provide multiple benefits include...Southwest LRT Regional Trails, Cedar Lake Regional Trail, the Mississippi River Regional Trail..."

Per the Three Rivers Parks website, there are two regional bike paths passing by Cedar Lake...the North Cedar Lake Regional Trail and the Cedar Lake Regional Trail. Both go from downtown to Hopkins and connect with other trails in the city and Western suburbs. The Cedar Lake Regional Trail follows through the Kenilworth corridor (the Kenilworth Trail), crosses the rail tracks at Cedar Lake, and continues to Hopkins. The North Cedar Lake Regional Trail splits from the Cedar Lake Regional Trail near Bryn Mawr, and travels past the Northern tip of Cedar Lake then proceeds West to Hopkins. Per the DEIS the freight rail tracks in Kenilworth are owned by Hennepin County; however, the Cedar Lake Regional Trail and Kenilworth Trail are maintained by the Parkboard and receive Federal and local funding (Appendix H-1, page 47). The Cedar Lake Regional Trail and Kenilworth Trail are the major connective routes to the Grand Rounds, Southwest LRT Regional Trails, and the Mississippi River Regional Trail. Both are located adjacent to LRT Segment A, and need to be preserved as viable pedestrian and bicycle routes. Mitigation for noise, vibration, visual, and privacy impacts as well as safety measures (including safety measures for those pedestrians and bicyclists using the trails at night) should include discussion and coordination with affected communities, resource agencies, and stakeholders.

5) Our final concern is that of **mitigation during construction**, particularly the residential area in Segment A

between West Lake Stn. and 21st. Stn. This rail corridor is *unique* to Segment 3, 4, and Hiawatha LRT due to the narrow width and close proximity of residential, high-rise residential, Xerxes Historic District properties, and Cedar Lake/Beach to LRT. Suggest construction mitigation treatments for visual, noise, and vibration impacts be developed through discussion and coordination with affected communities, resource agencies, and stakeholders and per implementatin of BMP's. In addition, in Segment A north of West Lake Stn. there are multiply entries to Cedar Lake Regional Trail/Kenilworth Trail (which connect the area to the Grand Rounds, Southwest LRT Regional Trails, and the Mississippi River Regional Trail) and Park Siding Park. Mitigation measures need to insure continued and safe entry to these trails and parks during construction (both daytime and nighttime).

In summary, the **OUTCOMES** we would like to see achieved, in particular Segment A between West Lake Stn. and 21st St., are: A) Mitigation that maintains the current ambient noise levels close to existing 59-60 dBA (Site #31) and that maintains the current ambience of 'natural sounds and recreational activities', quiet, and tranquility for the residential areas, bicycle/pedestrian trails, and parkland adjacent to LRT. B) Mitigation to drastically minimize the new and constant noise, vibration, visual, and privacy impacts that LRT will introduce to the current infrequent rail use corridor. This includes supporting MPRB's presentation of LRT going under Cedar Lake Pkwy. C) Mitigation that maintains the current 'unobstructed views' and 'sense of open space' for the residential areas, bicycle/pedestrian trails, and parkland adjacent to LRT.

Additionally, we agree with the Minneapolis Park and Rec Board (MPRB) DEIS response as follows: A) We do not support freight co-location. B) We support further study of Cedar Lake Parkway crossing over LRT. C) We support maintaining bike and pedestrian paths' 'park-like setting' and 'sense of open space'. D) We support bike and pedestrian paths free from obstructions and adequate buffer on each side of all trails so that park users are not subject to LRT noise levels that exceed standards set for category 1. E) We support bike and pedestrian trails remaining the same or better quality and width as current trails. E) We support Minneapolis Chain of Lakes Regional Park and adjacent parkland remaining quiet, tranquil, and a natural setting.

We hope you take serious consideration of the facts and comments above, and look forward to your response.

Cheryl and Paul LaRue
CIDNA homeowners
LRT riders and bicyclists

contact info: mnrealtors@aol.com or 612-759-3011



[illegible]

RECEIVED
DEC 26 2012
BY: _____

[illegible]



David Hibbard
<DHibbard@rubytuesday.com>

12/27/2012 08:42 AM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Ruby Tuesday at Eden Prairie, MN

Ruby Tuesday
12900 Technology Drive
Eden Prairie, MN

RE: Southwest light rail transit

The present plans for the Southwest light rail have a major impact on our property. The parking lot will be largely eliminated. As an operating restaurant, the number of parking spaces is planned to produce a high level of sales. A reduction in the parking field will severely limit the ability of the unit to produce the sales necessary to amortize the associated debt on the property. This restaurant is a successful unit with a high level of debt.

I must respectfully disagree with the planned reduction of the parking lot.

Respectfully,

David M. Hibbard, CSM, CPM
Director of Assets
Ruby Tuesday, Inc.
865.380.7054

December 19, 2012

Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenues South, Suite 400
Minneapolis, MN 55415

Re: Comments to the Southwest Transitway Draft Environmental Impact Statement (DEIS) regarding SouthWest Station

Dear Metropolitan Council, Hennepin County and The U.S. Department of Transportation, Federal Transit Administration's (FTA) Representatives:

Pursuant to the FTA Comment Period rules regarding the proposed Southwest Transitway Draft Environmental Impact Statement (DEIS), we respectfully offer the following comments by the December 31, 2012 deadline, which shall be made part of the permanent record for full consideration.

As Declarant of SouthWest Station Center Planned Unit Development (SouthWest Station) with cross easement rights, as Chief Manager of SouthWest Station, LLC, as Chief Manager of SouthWest Station Management, LLC and as trustee for the Janet C. Snyder Irrevocable Trust (a trust created for the benefit of Janet C. Snyder, a woman who was widowed and crippled when her car was hit head on by a drunk driver and as the owner of the retail strip in SouthWest Station), I am strongly opposed to the proposed LRT 3A line being selected.

In examining the DEIS, it became readily apparent that the 3A Locally Preferred Alternative (LPA) is the only alternative being given due consideration, as nearly all the data as presented supports that route. I, however, strongly disagree with interpretation of the data used for selecting 3A as the LPA. I believe using the freight line makes the most economic sense, is the simplest plan, and involves the least disruption to businesses. Throughout the DEIS, the plethora of SouthWest Station business disturbances and problems, including but not limited to: subsidence, vibrations, noise, aesthetics, elimination of parking, elimination of snow placement location, construction staging, construction debris, access, safety concerns, business economics, LRT created parking problems, inadequate needs assessment of LRT parking demands, and property acquisition, displacement, and relocation are extensive; but, the DEIS fails to mitigate or adequately address these significant business concerns. In my opinion, it makes no sense to deal with light rail at SouthWest Station at all. If the line ended prior to SouthWest Station, we could eliminate all of these issues.

SouthWest Station is confined on all sides by Prairie Center Drive to the East, Technology Drive to the South, Hwy. 5 to the North, and SouthWest Station condos to the West. Therefore, SouthWest Station does not have the ability to expand its borders in order to handle the current LRT 3A line parking ramp expansion as proposed. It should be noted that there is available, elevated land for construction of a parking ramp across Prairie Center Drive and at the Eden Prairie Center regional mall. Both of these options would not require a permit from the Corps of Engineers and neither site would be viewed as controversial. SouthWest Station, however, would require a wetland permit, and the proposed ramp expansion would be viewed as highly controversial. The wetlands permit will require adequate

alternatives comparisons, which as mentioned above, I do not feel have been properly completed. In addition, any future construction that involves movement of the soil or dewatering at or near SouthWest Station could cause serious structural damage to SouthWest Station buildings and sinking of the surface parking lots, according to a soil engineer. Therefore, SouthWest Station is not a viable option for a LRT stop or even just the LRT track itself.

Specifically, the LRT 3A LPA does not have adequate parking along much of the line, and it relies heavily on SouthWest Station to bear a significant percentage of the total parking burden in order to meet the parking requirements for federal funding. SouthWest Station cannot handle this unfair parking burden, as the ramp and surface lots are already FULL!

Page 3-57 of the DEIS for Segment 3 of the 3A (LPA) states that "some intersections may require partial or full redesign....much of the ROW required for the alignment of Segment 3, the stations, and proposed park-and-ride lots would need to be acquired...access to businesses may need to be rerouted to alternate streets. Access to SouthWest Station is currently via Technology Drive only and any redesign of the intersection of Prairie Center Drive and Technology Drive or of the entrance to SouthWest Station could dramatically affect access and therefore the viability of the businesses within the Center. Further, Page 3-65 of the DEIS, Section 3.3.4 Mitigation: "Short-term construction effects may be mitigated by...deliberate construction staging or phasing, signage, and signal control requirements..." We demand all forms of construction mitigation be applied to the areas in and around SouthWest Station, and we require detailed specifics well in advance of the Final Environmental Impact Statement in order to ascertain if adequate mitigation in all areas is taking place.

Section 5.2.2 Short Term Effects: "Short-term construction effects to adjacent land uses would primarily come in the form of short-term access/circulation and transportation impacts...Access to buildings may also be temporarily affected, depending on the location of entrance points. All necessary steps would be taken to ensure sufficient access to land uses and circulation is maintained during construction...Depending on the final alignment selected businesses and residences may experience accessibility impacts at certain times...requiring minor detours for through traffic...Appropriate notification and signage would be used to alert residents, businesses, and travelers to temporary closures or route detours." Page 5-16 Section 5.2.3 of the DEIS Mitigation would use Best Management Practices (BMP's). Short-term construction effects Page 3-37 (3.1.6.3) will be significant, regardless if they use BMP's. "Traffic impacts are anticipated to occur around construction staging areas, or where roads may be temporarily closed for construction of at-grade crossings...this may affect the number of people using area businesses directly affected by access or construction traffic issues." Unfortunately, the DEIS fails to specify where this supposed "staging area" will be. Also, I do not see how they can build at SouthWest Station without taking additional land by eminent domain for construction staging, and the mess created from the dust and debris will be significant and distasteful for the SouthWest Station restaurant patrons. Additionally, there is to be an underground crossing at SouthWest Station, so the street closure will be for a greater length of time and negatively impacting the businesses for an undetermined period of time. 3.1.7 Mitigation must require that they keep center open and accessible 100% of the time and that the roadways needed to properly access Technology Drive be unimpaired and fully accessible from both directions. Rerouting Prairie Center Drive customers to Mitchell road is unacceptable, as no one will go out of their way to take that route. They will just avoid SouthWest Station entirely and eat elsewhere. "Businesses and residences may experience difficulties with accessibility at certain times of the day during construction of the project, and minor detours for through traffic might be required. In general, these effects will not change the land use of the area during construction, but may affect the number of people using area businesses directly affected by access or construction traffic issues." Page 3-39 "Because the LRT is anticipated to result in long term benefits to land use and is planned for, no mitigation is necessary or proposed." This blatant lack of regard for area businesses will not be tolerated.

Page 5-19 shows "Environmental Metrics" of Long-Term effects Under 3A LRT (LPA): "Parking and access to businesses along this route are unlikely to be affected...Business parking is provided off site and is not anticipated to be affected by LRT project. Permanent access restrictions for business are not anticipated. 20 on-street and 11 off-street parking spaces will be eliminated." This is

completely erroneous and very important. SouthWest Station is losing 52% of its entire PUD parking field. SouthWest Station is losing over 180 total parking spaces for employees and patrons alike. Page 5-21 5.2.4 Mitigation and 5.2.5.2 Mitigation for Parking and Access. SouthWest Station cannot endure any short-term accessibility/construction impacts let alone long-term ones.

The proposed ramp has now been down-sized from a 1,000-car ramp to a 400-car ramp, but the taking of land by eminent domain remains unchanged. Page 4-131 "Minnesota State Constitution Article 1, section 13, deals with just compensation for private property taken, destroyed, or damaged for public use. Table 3.3-1 "Acquisitions include both partial and full parcels. According to federal law, if 10% or more of a parcel's land is taken by eminent domain, the entire parcel is deemed to be taken. Page 3-73 Section 3.3.5 "Any business displaced from property by the SouthWest Transitway would be compensated in accordance with provisions of the Uniform Act...Relocation benefits may be available to displaced businesses..." We expect SouthWest Station businesses to be relocated and all land, building, and business owners fully compensated.

The projections for LRT ridership are 28,000-30,000, yet the proposed parking comes nowhere near meeting these projected demands. Where does the county plan to put the remaining 25,000 cars that have nowhere to park? One cannot assume that people will rideshare. It does not happen now with the existing SouthWest Metro Transit Station (SWMT) bus ramp; it is one transit rider per parked vehicle. As such the methodology used for ridership (Page 6-1 Section 6.1.1) is flawed. We have a sprawling metro area, which if not the most sprawling of all the states is certainly in the top 3. As such, carpooling and higher density housing models from across the country do not accurately illustrate true parking demand. The Bus Park and Ride at SWMT used similarly flawed data, and was built into functional obsolescence from the moment it was constructed. This miscalculation has put an unfair demand and monitoring burden upon the owners of the surface parking lots at SouthWest Station. My concern is that this further erroneous underassessment will create even greater hardships for all SouthWest Station business, building, and land owners.

The proposed 400-car SouthWest Station ramp expansion would dramatically increase the number of cars going in and out of the ramp daily. As a result, an alternate route for entering and exiting would need to be found that would not require the use of SouthWest Station's entrance, which is private property. It is imperative that the models used to assess the number of parking spaces needed to adequately handle the estimated ridership must be re-evaluated. It was stated at the November 3, 2009 meeting that an additional 2,000-2500 parking spaces would need to be added to address ridership projections, yet this was not done; and, even if it had, it would still be completely inadequate based upon the actual LRT parking demand. We do not want the newly constructed ramp at SouthWest Station to be built into obsolescence from the day it is constructed.

As everyone should be aware by now, the SWMT ramp is full and overflow parkers are directed to St. Andrew's Church (half a mile away) and then shuttled back to SouthWest Station. In reality, many of these overflow riders never make it to St. Andrew's Church, because they find it easier to simply park on SouthWest Station's private surface parking lots immediately adjacent to the SWMT ramp. We have notified SWMT on numerous occasions regarding this serious problem but are told SWMT will not monitor where their patrons park. SWMT did, however, put up a sign, notifying patrons not to park on private property, as our numerous signs on site also state. Despite this signage, overflow bus riders continue to park on our surface lots.

It is well known that there is a huge parking shortage at SouthWest Station. In fact, the Metropolitan Council Profile on SouthWest Station actually states there is a "shortage of daytime parking on the site." As a result of the pre-existing shortage of available parking on the surface lots and in the ramp, we would expect LRT to self-monitor where its patrons are parking, especially during the prime daytime hours. Still, none of this will adequately address the parking issues facing SouthWest Station if LRT continues on its proposed course, unless full compensation is provided. If LRT comes to SouthWest Station, the poaching will dramatically increase, requiring additional monitoring and expense borne by SouthWest Station businesses.

Next, the City of Eden Prairie must enforce the city parking requirements against Santorini for the number of patrons' seats it has in its restaurant building. This huge restaurant facility barely has enough parking to meet the parking demands of its staff alone, which has only exacerbated an already difficult parking situation. Perplexingly, the City of Eden Prairie has threatened to invoke a new city ordinance, prohibiting the booting of violators if we do not allow Santorini's patrons and SWMT riders to continue poaching on SouthWest Station's private parking lots, hamstringing us from preserving for our use these precious parking spaces, despite the fact that neither Santorini nor SWMT pays one cent toward the cost of the land, real estate taxes, monitoring, maintenance or expenses of any kind related to these private parking spaces. Additionally, the SWMT pays nothing toward the expenses related to the entranceway leading to SWMT. Finally, the SWMT transit riders inhibit access to SouthWest Station businesses between 5:00p.m.-6:00p.m. nightly, as they are barreling out of the ramp after work, effectively squelching the dinner business. Subsequently, I asked the City of Eden Prairie to address the dangerous condition that existed when 900 cars sped out of the ramp at the same time, impeding the ability for the retail strip's patrons to access the restaurants. The City informed me that they do not get involved in private property issues. The truth is that it isn't private property, because the ramp is owned by the City of Eden Prairie, along with the Cities of Chanhassen and Chaska. Now, we are going to increase this dangerous condition by 50%. As a result, SouthWest Station will only be further harmed by the additional LRT park and ride traffic. In addition, at the time SouthWest Station was built, it was believed that some of the transit riders would actually patronize SouthWest Station businesses. Unfortunately, this has not happened.

The current Southwest LRT 3A plan shows a taking of Ruby Tuesday's PUD parking field but not its building. The logic of leaving the building behind with no surface parking defies all sensibilities and must immediately be corrected. Additionally, the plan shows an entire taking of the Anchor Bank parcel including building, land, and PUD parking. The combination of the Anchor Bank and Ruby Tuesday's taking by eminent domain is essentially an inverse condemnation of SouthWest Station in entirety.

Since SouthWest Station is a PUD and we collectively share each other's parking, there is a right of ownership conferred to each of us by this classification. If you take Anchor Bank's and/or Ruby Tuesday's parking fields by eminent domain, compensation must be paid not only to the titled landowner, but to all parcel owners within the SouthWest PUD. It was stated at the November 29, 2012 Public Meeting that the government is trying to keep acquisitions to a minimum. I found that ironic, as the proposed plan intends to harm so many SouthWest Station business and property owners with blatant disregard that I believe eminent domain must be used to acquire all SouthWest Station properties that are being negatively impacted by LRT.

In Appendix H-1 Page 355, it erroneously lists existing parking for Santorini by corporate name at 13000 Technology Drive, Eden Prairie, as 175 spaces, but in fact that parcel has only 49 regular parking spaces and 4 handicapped ones. I pointed out this mistake and only received a "Disclaimer" with no explanation, and on further questioning I received no response. Additionally, Anchor has 26 parking stalls, and Ruby Tuesday has 150 plus 6 handicapped ones. Anchor Bank, Ruby Tuesday, SouthWest Station, LLC and Culvers collectively share their parking fields. As such, the taking of Ruby Tuesday and Anchor Bank's parking lots create a myriad of problems for SouthWest Station, SouthWest Station, LLC and SouthWest Station Management, LLC.

The proposed 3A LRT plan arbitrarily and capriciously amputates 52% of SouthWest Station's parking field to build a 400-car parking ramp to meet the LRT 3A parking needs for not only the surrounding area but for the Eden Prairie regional mall. The remaining parking field remnant no longer satisfies SouthWest Station's parking needs and will result in decreased business for each owner and tenant. Further, we expect substitute surface parking to be returned to meet SouthWest Station parking demand. We believe the remaining parking field does not even meet city parking requirements for the remaining buildings' total seating and capacity.

The proposed, grossly enlarged ramp changes the entire functionality, character, atmosphere, aesthetics, visibility, and layout of SouthWest Station, making it no longer viable as a shopping center.

Section 3.6 Page 3-99 "Visual or aesthetic resources are defined as the natural and built features of the visible landscape...Visual resource or aesthetic impacts are defined in terms of the physical characteristics of a project, its potential visibility, and the extent to which the project could affect the quality of the existing scene or environment." As such, this is yet another reason for eminent domain.

At the July 22, 2009 meeting, I was also told there would be a provision for the first level of the newly expanded SWMT ramp to be used by SouthWest Station tenants and owners to meet their parking needs. Unfortunately, this is not a viable long-term solution, as the ramp will eventually fill up with LRT riders, and these temporary rights will once again be taken away (the SouthWest Station employees originally had rights to park in SWMT ramp until the ramp was full 100% of the time). Further, even if these rights are not temporary, the ramp will be filled with people commuting to work in the morning, and thus there will be no availability during the crunch time over the lunch hour. Finally, it is a proven fact that customers far prefer to park in surface parking spaces over parking in a ramp. Therefore, our tenants and owners will suffer greatly by this loss of surface parking. No rights conveyed through use of a parking ramp would mitigate any damage to the SouthWest Station. If we currently do not have adequate parking for the existing businesses, because of Santorini's and SWMT's riders' poaching, the overflow parking in Ruby Tuesday's lot, and the employee parking in Anchor Bank's lot, how are we going to survive with 52% less surface parking in the future? Obviously, we won't!

Furthermore, I was told at this meeting that there would be some retail put in on the first level of the SWMT ramp. This had better not be the case. The Southwest LRT plan also shows an addition of a bistro, the relocation of Ruby Tuesday, and/or the addition of newly created retail space on the first level of the proposed ramp expansion. I do not think it is appropriate for the government to be adding competition, increasing the parking demand on existing businesses, and/or taking away potential future users from the existing owners and tenants of the SouthWest Station PUD.

SouthWest Station can barely handle the customers' and employees' parking demand, so it cannot be further burdened by additional businesses regardless if there is some conveyance of supposed ramp parking spaces or not. If the plan is to bring in a developer, allowing yet another entity to assert its interests—interests that may not coincide with the interests of SouthWest Station, SWMT, or the SouthWest Transitway—we simply cannot allow that to happen. As Declarant of SouthWest Station, Chief Manager of SouthWest Station, LLC, Chief Manager of SouthWest Station Management, LLC, and Trustee of the Janet C. Snyder Irrevocable Trust, I must oppose yet another stumbling block hurled into the operation pathway of SouthWest Station Center.

Finally, at several of the past LRT meetings, it has been stated that "no one" wants to disrupt things around Eden Prairie Center, a large regional mall with a surfeit of unused, daily parking, resulting in Eden Prairie Center's proposed LRT parking demand being partly shifted onto SouthWest Station. Why does SouthWest Station have to bear the parking burden for a regional mall and a majority of the southwest corridor of the 3A line anyway?

The Janet C. Snyder Irrevocable Trust bought the retail strip at SouthWest Station in 2004 prior to any proposed LRT discussions. We paid 4.2 million dollars and have spent well over a half million dollars rebuilding the sewer and water system, without the financial support of the City of Eden Prairie, thus increasing our overall capital investment to 4.7 million. Now, we are facing a serious decrease in the retail strip's property value with this threatened condemnation of our much needed employee parking, overflow patron parking, and loss of our snow storage area at an additional estimated annual cost of \$50,000.00.

Every step of the way, we have vehemently opposed SouthWest Station as an LRT stop on the 3A LPA. Therefore, if the LRT 3A plan moves forward as proposed, we will demand that the inverse condemnation buyout include all parcel owners of SouthWest Station. Each parcel and building has a diminished future value as a result of LRT. A national expert has advised us the proposed SouthWest Station stop as part of the LRT 3A plan will have devastating and irreversible effects on SouthWest Station as a whole; and, the negative economic impact will be VERY GREAT. Further, we were told the center would be "destroyed" and would not survive the LRT plan as proposed.

Page 6-54 Section 6.3.2.1 Parking Spaces Eliminated: "Review of conceptual construction limits along Segment 3 indicates the ROW acquisition and building removal would eliminate approximately 200 associated parking spaces." I am assuming the bulk of this is from our joint parking lots under the Declaration. There is no parking provision for replacing these surface lost parking spaces. Of course, the DEIS shows a net gain of parking of 1950 spaces. Yet, these supposed additions do not benefit SouthWest Station land or business owners or their patrons. According to the DEIS Section 6.3.4 Mitigation Page 6-62 "Private parking associated with businesses may be reduced in some cases. Property owners would be compensated for loss of parking in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act. Where the eliminated parking spaces are associated with the displacement of a business or residence, no mitigation would be required." This clause refers to Anchor Bank's taking, but it is also a taking of parking rights given to SouthWest Station property owners under the Declaration. "Where eliminated spaces are associated with partial property taking acquisitions, mitigation could include replacing lost parking spaces on nearby property or could be determined in the final agreement with the property owner consistent with the requirements of the Uniform Relocations and Real Property Assistance Act of 1970, as amended." This clause refers to Ruby Tuesday's taking. However, there is no place on site to locate additional surface parking for employees or patrons.

The noise from construction and the vibrations from pounding in the piles will severely impact every single restaurant tenant/owners' sales for the duration of construction and long-term, as customers once gone will never return; the construction itself will be invasive and problematic, negatively affecting every single restaurant tenant/owner, as the large equipment and the workers' vehicles will extend onto our remaining reduced surface parking field; the increased parking ramp will have a disastrous effect on the entire center, as SouthWest Station's infrastructure cannot support another 400 cars entering and leaving the ramp in an hour and a half window each morning and evening, further reducing sales which will result in future tenant vacancies; the center will have no visibility on Hwy. 5 and reduced visibility on Prairie Center Drive, reducing rental rates and causing vacancies; the structural damage to Southwest Station buildings as a result of the heavy vibrations could be irreparable; and SouthWest Station will no longer be a viable shopping center with the 52% reduction in overall surface parking spaces. The vibrations show significant issues to SouthWest Station condo owners, so if SouthWest Station had been examined, the DEIS would have also shown that vibrations were an issue for SouthWest Station. As such, we expect the same consideration made to all businesses and landowners of SouthWest Station as are given to residential owners. We expect to see mitigation for vibration to businesses in the Final EIS, according to Section 4.8.6 Mitigation Page 4-118 "Detailed vibration analyses will be conducted during the Final EIS."

Noise Section 4.7 Page 4-76 relates to airborne noise. "Noise from bells, horns, wheel squeal, and wheel-rail interaction contribute to the projected noise impacts." It appears we are not deemed a "noise sensitive land use." Page 4-83 of the DEIS shows a Category 2 noise sensitive land use for the property between Mitchell Road and SouthWest Station; I believe this is for the SouthWest Station condos (Also see: Table 4.7-2 Sound exposure Levels, Table 4.7-3 LRT noise impact summary by alternative plan, and Table 4.7-5 Potential Noise impacts Segment 3A). As such, we expect mitigation to occur for all SouthWest Station land, building, and business owners, not just the condo owners directly adjacent.

With the significant sinking that has occurred at the SouthWest Station site in the past, we have grave concerns over the subsidence from disturbed subsoils from construction of the underground tunnel, the temporary dewatering associated with LRT construction, and the possible permanent dewatering of the tunnel as the ground water is at 8' but the construction excavation and tunnel will be at 26'. I would suggest that the light rail cross above grade so as not to interfere with traffic by crossing at grade. A geotechnical engineering firm must be hired to specifically deal with the subsidence issue and measure over several years the potential and actual damage to SouthWest Station due to the building of the LRT line and the proposed tunnel.

Page 4-1 Section 4.1 Geology and Ground Water. "...Shallow groundwater that would require a permanent water removal system (dewatering) during construction." This is being proposed for deep excavation for tunnel of Prairie Center Drive. Any deep cut will cause significant sinking of the entire

SouthWest Station site. It has proven true with every cut on site whether for sewer/water collapses or for street work. Clearly this site is subject to even more issues due to the supposed dry riverbed that lies beneath. The more water that is taken out of the soil and even disturbance to the soil itself, the more sinking impacts our site will experience. As such, significant compensation will be expected.

Page 4-13 "There are three areas of concern for shallow groundwater...associated wetland areas between Mitchell Road and SouthWest Station. Groundwater sensitivity Section 4.1.3.6 Page 4-19 "Segment 3: From Prairie Center Drive West approximately 2300 feet." Section 4.1.4.1 Soil erosion is a concern as the hill is quite steep behind Anchor Bank and they will be tunneling underground. 4.1.4.2 Page 4-21 "The Build Alternatives may have a long-term impact on groundwater if a permanent water removal system (dewatering) is required. **Permanent water removal is anticipated where the cut extends below the water table.** Section 4.1.5.1 Geology "Short-term impacts to soil resources are limited to those construction activities that would disturb unpaved or permeable surfaces."

"The Soil, Groundwater, and Dewatering Conditions information in Appendix H summarizes the anticipated side slopes for the major excavation...A table showing the need for excavation shoring is also shown in Appendix H...Construction activities may degrade soils through compaction and erosion. Groundwater 4.1.5.2 Page 4-22 "Water removal during construction is anticipated where a cut extends below the water table, and, in some cases, has been assigned a higher probability than permanent water removal because of the potential for over-excavation. Impacts relating to construction water removal would be temporary." Page 4-23 Table 4.1-4 Cut #2 Prairie Center Drive/TH5. "Several stations and cuts are located within areas of high sensitivity." Page 4-23 4.1.6.1 "During design, additional geotechnical data would be collected through soil borings, particularly in areas where stations excavations...are proposed."

Page 4-24 Section 4.1.6.2 Groundwater Potential Impacts mitigated by: "Limit the amount and duration of water removal activities. Design water removal systems to reduce impact to wetlands. Section 4.2 Water Resources Page 4-25 "Ecosystems are protected by Federal, state, and local laws because of their ecological and social functions and values. The primary federal regulations or statutes that apply to wetlands, flood plains...are the Clean Water Act (CWA) Section 404, the Endangered Species Act, The RHA, Executive Order #11988, and Department of Transportation Order 5650.2. State and local regulations that apply to these resources include the public water works permits, WCA, and local sensitive/critical area ordinance. Impacts to wetlands, floodplains, and other water bodies require permitting from various agencies...Other permits relating to stormwater management, erosion control, stream crossing, etc." See Table 4.2-1 Permitting Agencies and Page 4-31 Emergent Wetlands.

Page 4-32 Section 4.2.2.2 "Wetland impacts were defined as those areas where the proposed construction limits overlap an existing wetland feature, and would cause a change in the boundary of the wetland. Wetland delineations will be completed during Final Design; final design will also incorporate measures to reduce and avoid impacts to wetlands to the greatest extent feasible. Any impact to wetlands requires an approved delineated wetland boundary prior to permit application. The Section 404 and CWA permitting process will be followed, and appropriate mitigation."

Page 4-33 Floodplains 4.2.3.1 Segment 3 Purgatory Creek and 4.2.3.2 Page 4-33 NWI data indicate that the most common study area wetland types are shallow, freshwater emergent; but deep freshwater wetlands are also common. Page 4-33 Section 4.2.3.3 Long Term Effects: Based on that analysis...there are multiple potential impacts to wetlands and floodplains...specific BMP's and design parameters have not been determined. Page 4-41 Alternative LRT 3A (LPA) would impact .9 acres of wetlands.

Page 4-42 4.2.4 Short-Term Construction Effects: "construction activities...may generate sediment laden stormwater...this stormwater runoff...has the potential to affect water quality...BMP's would be used to minimize water quality impacts...the project would include construction of permanent BMP's such as stormwater ponds." See Page 4-43 Mitigation 4.2.5 of impacts to wetlands and Table 4.2-3 and Page 4-44 Summary of Surface Water Impacts.

Page 9-27 9.6.11.1 Trends related to Water resources: "Development...has led to the decline of wetlands because of drainage or filling. More recently, however, developments in suburban areas have

worked to retain wetland areas. For this reason, wetlands within the study area are most densely concentrated near the proposed western end of the Southwest Transitway, in the vicinity of Segments 1 and 3...The quality of water resources within the corridor has been negatively affected by previous development. Paving and construction for new developments throughout the region, including the study area continue to increase the volume of stormwater runoff by changing ground surfaces from a pervious to an impervious condition. Additionally, these same activities continue to negatively impact water quality because pollutants, deposited on impervious surfaces, are readily transported to receiving waters." Section 9.6.11.2 Anticipated indirect effects: "The anticipated development and redevelopment activities around station areas likely would involve temporary soil disturbance and possible increase in impervious surfaces, which could indirectly impact water resources." Section 6.6.11.4 Mitigation Page 9-28 "Permanent impacts to wetlands and floodplains will be mitigated according to applicable regulations and temporary and indirect impacts will be mitigated through construction BMP's. RFAAs would follow similar approaches mitigating direct and indirect impacts. No additional mitigation is necessary." A more thorough analysis of impacts at SouthWest Station must be completed and satisfactory mitigation provided.

Air Quality Page 4-76 Mitigation Section 4.6.6: "Temporary impacts from fugitive dust will be minimized or avoided using BMP's. These may include but are not limited to applying water to exposed soil, limiting the extent and duration of exposed soil, and limiting the amount of idle time for construction equipment." We expect the site kept clean from airborne dust and construction debris at all times without exception.

Finally, security issues at LRT stations around the country have greatly increased the number and severity of criminal activities for the neighboring business owners. It appears to me that the DEIS again makes no effort to assume responsibility for the creation of these problems and just adds something else for the landowners and businesses to deal with. Page 3-128 3.7.1.1 "...specific safety and security policies and procedures have not been developed for the Southwest Transitway." Section 9.6.8 Safety and security Page 9-25 does nothing to address the need for increased safety and security on site due to LRT as it makes the areas adjacent to LRT stops more dangerous. On site security by Southwest Transitway must be provided at SouthWest Station.

Hennepin County and the City of Eden Prairie want people to believe that the key stakeholders have had some say in the decision to make SouthWest Station a major LRT parking site, when the truth is, we have not. As one of the five original stakeholders brought in to discuss the LRT plan, not one of my many objections has been given due consideration. Worse yet, each revision has made the plan more problematic and intrusive for the existing owners at SouthWest Station. Additionally, when the City of Eden Prairie wanted to set up a business committee to examine LRT plans four years ago, I provided my business card but never heard from anyone.

Page 9-14 to 9-17 Table 9.5-1 shows Resources with potential indirect effects or cumulative impacts. I believe what applies to us: Acquisitions and displacement/relocations, visual quality and aesthetics, safety and security, Geology and groundwater resources, Water resources, air quality, noise, vibration, economic effects, development effects, transit effects, and effects on roadways. Page 9-21 Section 9.6.4.4 Mitigation "All acquisitions associated with the proposed project (direct impacts) would be mitigated through applicable relocation assistance program...No other mitigation for indirect effects and cumulative impacts is proposed." Section 9.6.7.2 Page 9-24 Anticipated indirect effects: Changes to the visual character of the areas around the Southwest Transitway would occur." Section 9.6.7.3 "...SouthWest Transitway project will cumulatively change the views in the study area...and would not be considered adverse impacts (See Table 9.6-1). This assessment is flawed as is not addressing mitigation for direct effects, indirect effects and cumulative effects within the DEIS. SouthWest Station will be one of the hardest impacted sites along the line and yet appropriate mitigation has not been made nor has eminent domain been correctly applied.

Over 40% (\$10.52/square foot or \$147,963.00 for just the retail strip housing Caribou, Dickey's, Chipotle, Noodles, and the former D. Brians) of SouthWest Station, LLC's base rent is real estate taxes, and I was told this was the number one stumbling block for renting vacant space. As such, the

governmental agencies need to recognize where their annual budget dollars come from and respond accordingly by protecting property owners' interests throughout the DEIS and elsewhere. Given the burdensome nature of SouthWest Station real estate taxes, one has to ask why the DEIS specifically ignored SouthWest Station business disruptions and failed to adequately provide mitigation, if it provided any at all. If the LRT line did not go along Highway 5 at this point, removing the stop at SouthWest Station altogether, SouthWest Station would remain the vital and vibrant center it is today. There are significant issues and losses related to the detrimental short-term and long-term impacts and cumulative impacts of the proposed LRT on SouthWest Station known and unknown, seen and unforeseen, asserted and unasserted, alleged and unalleged, visible and invisible that supports an inverse condemnation of SouthWest Station.

Lastly, I'd like to point out that the 1A alignment should be the preferred alternative if given its due consideration. Its transit path has already been created with tax payer dollars, so taxing us twice to create a more expensive, less viable, and slower option seems unthinkable. Therefore, the LRT 3A alignment should be removed from further consideration. Alternatively, the line could end prior to SouthWest Station.

Regards,

Cheryl L. Boldon

December 10, 2012



Sent US Postal & Email: swcorridor@co.hennepin.mn.us

Hennepin County Housing, Community Works & Transit

ATTN: Southwest Transitway

c/o Minnesota Metropolitan Council

701 Fourth Avenue South, Suite 400

Minneapolis, MN 55415

RE: DEIS for the Southwest Light Rail Project and proposed Royalston Avenue Construction & Station

To Whom It May Concern:

We are writing to you today as a property owner of the Royalston City Market located at 415 & 501 Royalston Avenue. Our properties are bordered between Royalston & Border Avenue (east/west) and Highway 55/Olson Memorial (north). We own approximately 8 acres and the land is currently developed with two, multiple tenant office/warehouse properties consisting of 220,000 square feet. Upon our initial review, the DEIS has a number of inadequacies and reflects a lack of understanding of the current conditions and business operations for my property and its tenants/businesses along Royalston Avenue.

From the current plan shown on the Southwest Corridor website, it appears the Southwest Light Rail is proposed to travel up and down Royalston Avenue with a "Royalston Stop" constructed near the southeast corner of our 415 Royalston property.

The DEIS does not reflect an understanding of the business operation of the Royalston City Market tenants/businesses. Our property is a profitable, thriving, office/industrial property which is home to five businesses with over 150 owners/employees. While each business is different, all require unfettered vehicular access from Royalston AND Border Avenue. The DEIS shows that the SW LRT, as proposed, will make it virtually impossible for some businesses to continue to operate profitably at their current locations.

The DEIS shows a clear lack of understanding of the geographic constraints of the Royalston City Market tenants/businesses. Additionally, the DEIS anticipates land use changes with no suggested implementation or mitigation for existing tenants/businesses at Royalston City Market that will be affected by the SW LRT. At a minimum there will be business disruption during construction and the likelihood that the businesses will not be able to survive construction. In addition, it is clear that these businesses may be unable to conduct their business after construction.

Specific Comments (by section):

2.1.3 LOCALLY PREFERRED ALTERNATIVE RECOMMENDATIONS

As it relates to the Locally Preferred Alternative for the Royalston Station concerning safety, access, accessibility, visual sightlines and cross-access. We feel that discussions should be reviewed to construct an "at-grade" platform and access at the Royalston Station path across 7th Street & Hwy 55.

The plans for the construction of the light rail as it relates to the crossing of Highway 55 and 7th Street is of major concern for our Royalston City Market properties. Whether the trains cross Highway 55 at grade level, by way of a tunnel, or if the plans are to elevate the light rail tracks, this construction and elevation will most certainly have a huge negative impact on the value of our real estate. Elevated rail lines would leave our now "excellent visibility" to "no visibility", leaving our Royalston City Market properties in the "shadows" of the light rail tracks and out of direct visibility of our major clientele, the downtown business community. Also worth noting is the loitering and "less than desirable" clientele that would use this "shadow area" for their temporary residence whereby decreasing the value of my real estate asset.

There has been some information in the marketplace that Border Avenue might be an alternative route for this Southwest Light Rail and its connection to the Interchange Transit Hub. I would like to make it clear that losing trucking and vehicle access to my Royalston City Market properties along Border Avenue would also have a great negative impact on the value of my real estate. We have major concerns for our tenant/businesses trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. This particular issue must be studied early in order to adequately mitigate the impact of construction and long term vehicular and trucking access on the business operations.

With the construction of light rail along Border Avenue, the Royalston City Market properties and the tenants/businesses within the properties would lose all major trucking access to loading docks and parking areas. Accessibility to and from I-94 is crucial for our current and future tenants at the Royalston City Market. Without this type of access, the properties would suffer major asset losses.

3.1.5 LONG TERM EFFECTS

The DEIS states "improved accessibility will help the study area become more attractive to business and residential opportunities, especially when linking to major employment centers with rapid transit." While the SW LRT may make the area more attractive to business and residential opportunities, the plan, as presented, will have the impact of dislocating the businesses at Royalston City Market. Further study is required to insure the businesses' ability to continue at their current location.

The DEIS anticipates land use changes with no plan for implementation. The DEIS requires further study of how the proposed SW LRT will affect the current land use and how the proposed change in land use will be implemented. The DEIS proposes "no mitigation" for land use changes, stating that the preliminary engineering will work to mitigate local concerns. This is not adequate to meet the needs of the Royalston City Market businesses.

3.1.7 MITIGATION

The DEIS states that “businesses and residents may experience difficulties with accessibility at certain times of day during the construction of the project, and minor detours for through traffic might be required. In general, these effects will not change the land use of the area during construction, but may affect the number of people using area businesses directly affected by access or construction traffic issues.” This statement shows a complete lack of understanding of the nature and operation of the businesses at the Royalston City Market. Our properties fronting Royalston Avenue will have access totally eliminated during construction because some tenants have only one driveway option. This particular issue must be studied early in order to adequately mitigate the impact of construction on the business operations. It will not be satisfactory to simply supply “appropriate notification and signage.”

3.2.2.6 NEIGHBORHOODS AND COMMUNITY COHESION

On page 3-58 there is a statement related to access: “The implementation of LRT service would not sever roadway or drive way connections or remove the existing multiple-use trail adjacent to the proposed guideway alignment of Segment A.” Again, this statement shows a lack of understanding and familiarity with the Royalston City Market tenants/businesses. We have major concerns for our tenant’s trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. It must be a priority in early Preliminary Engineering, to study the long-term effects of the route and station placement on these businesses. This study must determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and eastside, should be evaluated for effects on adjacent businesses weighed against keeping two-way traffic.

3.2.2.7 SUMMARY OF POTENTIAL IMPACTS BY BUILD ALTERNATIVE

The statement in the DEIS that the LRT 3A (LPA) alternative “is not anticipated to have significant impacts to neighborhoods or community cohesion” is inaccurate as it relates to the Royalston City Market tenant/business community. Further study is required to determine its impact on this thriving business district.

3.3.5 MITIGATION

Our Royalston City Market will be negatively impacted by the alignment and platform. We have tenants/businesses that require direct, frequent and unfettered access from semi-trucks. Some tenants have only one access onto Royalston Avenue. Construction will severely impact or eliminate their access. We have major concerns for our tenant’s trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long term effects of conducting business must be a priority for study during early in the Preliminary Engineering process in order to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and east side – must be evaluated for effects on adjacent businesses, weighted against keeping two-way traffic circulation.

4.7.3 NOISE – LONG TERM EFFECTS

With the rail lines being constructed so close to our properties and us not yet having been informed to the construction process, we are unaware if we should be concerned about the long term noise from the train cars which may negatively impact our Royalston City Market properties and our tenants/businesses.

4.7.6 NOISE - CONSTRUCTION NOISE MITIGATION

We have great concern with the noise levels for our Royalston City Market tenants and their businesses as the light rail is under construction.

4.8.3 VIBRATION – SHORT TERM AND LONG TERM EFFECTS

With the rail lines being constructed so close to our Royalston City Market properties and us not yet having been informed to the construction process, we are unaware if we should be concerned about earth movement and/or vibrations issues which may negatively impact our properties and our tenants/businesses. We have great concern with the vibrations which may negatively affect our tenants and their businesses as the light rail is under construction as well as the vibrations from the daily train schedules once the project is completed.

5.1 ECONOMIC CONDITIONS

The DEIS states that the Southwest Transitway will contribute to the local businesses by increasing accessibility. This is not true for the tenants/businesses of the Royalston City Market. Our tenants will have decreased access and restricted roadways and therefore the SW LRT will not contribute to competitive advantage for the businesses. Further study, during early preliminary engineering, is required to insure that the businesses at the Royalston City Market are able to remain competitive.

5.2.2 SHORT TERM EFFECTS

We feel that the Royalston City Market and its tenants/businesses at the Royalston Station will be negatively impacted by the location of the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks and some businesses contain only one access onto Royalston Avenue. We have major concerns for our tenant's trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long-term effects on the businesses at this site should be a priority to study early in the Preliminary Engineering process to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right of way – center, west side and east side- should be evaluated for effects on adjacent businesses weighed against keeping two-way traffic circulation.

If construction is to occur during the day, as the DEIS states, this will have a devastating impact on the Royalston City Market tenants/businesses. Further study is required during Preliminary Engineering to identify means of addressing the short term effects on the existing tenants/businesses.

The DEIS states that "short-term construction effects to the social or economic characteristics of the study are anticipated to include short and long-term economic gains to each community resulting from the implementation of any Build Alternative". This is not true for the Royalston City Market tenants/businesses. As proposed, the construction effects will have no short or long-term economic gain to the businesses, they will more likely have an economic loss, and further study is required to determine how to mitigate the short and long-term effects of construction on these businesses.

5.2.3 MITIGATION

The DEIS states that a Construction Access Plan will be developed at the start of major construction activities. Some tenants/businesses along Royalston Avenue have only one point of access. Preliminary Engineering must further study how these businesses will be affected during construction and develop a

detailed access plan to insure business viability. Table 5.2.3 is not sufficient to address the issues of the Royalston City Market tenants/businesses. Further study is required and mitigation must be identified to address the concerns of the Royalston City Market tenants/businesses.

5.2.4 LONG-TERM EFFECTS

In Table 5.2-4, under the LPS's Environmental Metrics, access on Royalston Avenue will be affected. At least six properties and at least 10 businesses at the Royalston Station will be negatively impacted by the location of the alignment and platform. These are industrial businesses that require direct, frequent and unfettered access from semi-trucks and the sites contain only one access onto Royalston Avenue. We have major concerns for our tenant's trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long-term effects to businesses on these sites should be a priority to study in early Preliminary Engineering in order to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way, center, west side and east side – should be evaluated for affects on adjacent businesses weighed against keeping two-way traffic circulation.

In table 5.2.4 the DEIS contemplates a future change of land use to higher density, mixed use at the Royalston Station. There is the potential for the Royalston Business community to be completely changed due to the SW LRT. Further study is required, during Preliminary Engineering to determine if and when acquisition is necessary to mitigate negative impacts on the existing businesses or to determine if acquisition is necessary to facilitate the move to the proposed land use.

In table 5.2-4, under the LRT 3C-2's Environmental Metrics, it identifies 20 on-street parking spaces for potential elimination on Royalston Avenue. Since this alignment is the same as the LPA, this information should be used consistently throughout this table. These 20 on-street parking spaces are essential to the Royalston City Market tenants/businesses. Preliminary Engineering must develop mitigation for the loss of those parking spaces to the businesses.

Table 5.2-4 states the "parking and access to businesses along this route are unlikely to be affected." This is not true for the Royalston City Market tenants/businesses. Both parking and access, critical to the Royalston City Market tenants/businesses, will be greatly affected by the SW LRT. These businesses have semi-traffic and require frequent, direct and unfettered access to their businesses. Some Royalston City Market tenants/businesses have only one access point for their businesses. Early Preliminary Engineering must identify alternative access and parking for these businesses.

6.2.2.2 PHYSICAL MODIFICATIONS TO EXISTING ROADWAYS

The DEIS states that "conceptual designs indicated that construction of the Southwest Transitway is likely to result in minor physical modifications to existing roadways that may affect local circulation patterns." This is not true for the Royalston City Market tenants/businesses. The SW Transitway will have major affects to the circulation patterns around Royalston, Border & Holden Avenues.

On page 6-20, closing of Holden Street is identified. The closing of this intersection will have a significant impact on access to the Royalston City Market tenants/businesses. Early Preliminary Engineering must identify alternative access for the Royalston City Market tenants/businesses to mitigate the effect of closing Holden Avenue.

At the top of page 6-35, the closing of the Royalston and 5th Avenue North intersection is identified as a necessity for Segment C-2. Since this alignment is the same as the LPA in this area and the closing of this intersection has not been mentioned under the LPA, this inconsistency needs to be addressed. The Royalston City Market tenants/businesses have serious concerns about closing this intersection.

6.2.2.6 BUILDING/FACILITY ACCESS

The Royalston City Market properties/tenants/businesses should be included in the list of properties with affected access in the Build Alternative.

6.3.1.3 TRUCKING

The Royalston City Market will be negatively impacted by the location and alignment of the Royalston Station platform. Our tenants/businesses are industrial businesses that require frequent, direct and unfettered access from semi-trucks with some tenants having only one access which is Royalston Avenue. We have major concerns for our tenant's trucking accessibility during construction and after the rail line is complete. Our properties have continuous large truck traffic throughout the day which we must insure this accessibility is maintained or risk being in breach of our lease commitments. The long-term effects to doing businesses on these sites should be a priority to study early in early Preliminary Engineering to determine if and when acquisition is necessary. Alignment along the Royalston Avenue right-of-way – center, west side and east side- should be evaluated for effects on adjacent businesses weighed against keeping two-way traffic circulation.

6.3.2.3 TRUCKING

At the top of page 6-58, truck access and movement issues are discussed. There is no mention of the industrial businesses along Royalston Avenue and it states that no significant impacts are anticipated. That is not true for the Royalston City Market tenants/businesses. The tenants/businesses along Royalston Avenue could have minimized, or eliminated, access for trucks due to turning movement constraints. This must be studied further during early Preliminary Engineering.

9.2.2 INDIRECT EFFECTS

The DEIS identifies that the indirect effects are desired and consistent with local plans. While consistent with existing land use plans, there is no plan for addressing the issues of the existing businesses. The impact of the SW Transitway on the existing businesses must be studied during early Preliminary Engineering to determine whether acquisition is necessary.

9.6.21.3 ANTICIPATED CUMULATIVE IMPACTS

The DEIS anticipates job creation as a result of the SW Transitway. The Royalston City Market tenants/businesses currently have in excess of 150 jobs. There is the potential for these jobs to be lost and a resulting decrease in jobs, as a result of the impact of the SW Transitway on the Royalston City Market tenants/businesses.

9.6.22.4 MITIGATION

While the indirect and cumulative impacts of the SW Transitway at the Royalston station may be anticipated, further study is required to determine if the impacts are so negative on the properties & businesses that acquisition is required.

9.6.2.4 MITIGATION

The DEIS states that "no mitigation for the expected indirect effects and cumulative impacts to land use is proposed for any of the Build Alternatives." The statement that Preliminary Engineering will work to mitigate local concerns is not adequate to address the impact on the Royalston City Market properties, tenants/businesses. Preliminary Engineering must study the impact on the Royalston City Market properties, tenants/businesses to determine if acquisition is necessary and to identify potential relocation areas.

11.1 EVALUATION RELATIVE TO PROJECT GOALS AND OBJECTIVES

The DEIS states that the "Southwest Transitway" would be developed to avoid as much disruption as possible to neighborhoods, commercial districts and historic areas in the corridor." In addition, "another objective of the Southwest Transitway" project is to support public and private economic development . . . " This statement of goals and objectives is in direct conflict with the impact the SW Transitway will have on the Royalston City Market tenants/business community. As proposed, the SW Transitway will totally disrupt the Royalston City Market tenant/business community and will not support private economic development. Further study is required in Preliminary Engineering to insure the goals and objectives of the project can be achieved with minimal disruption to the existing business community.

In summary, we continue to lease office & warehouse space within our Royalston City Market and are gravely concerned that having construction of this capacity in and around our properties will negatively impact the success of our future leasing efforts. We have recent experience with this type of adverse market conditions. Tenant's considering our properties will be concerned and skittish about entering into a lease with an undeterminable future which negatively impacts the asset value of the properties.

Please keep us informed as to the progress of the Southwest Light Rail. We will be keeping a close eye on this progress and how it will impact our real estate values both during and after construction.

Sincerely,



Robert D. Salmen

Chief Manager

Royalston City Market

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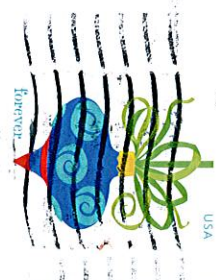
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Site & Building Plan



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