

**CITY OF HOPKINS, MINNESOTA
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION 2021-076

**A RESOLUTION MAKING A NEGATIVE DECLARATION OF NEED REGARDING
AN ENVIRONMENTAL IMPACT STATEMENT FOR THE 325 BLAKE ROAD
DEVELOPMENT**

WHEREAS, the City of Hopkins prepared an Environmental Assessment Worksheet (EAW) for the 325 Blake Road Development pursuant to Minnesota Rules 4410; and

WHEREAS, the EAW was distributed to the agencies and public for the required 30-day comment period beginning October 5, 2021; and

WHEREAS, the 30-day comment period ended on November 4, 2021; and

WHEREAS, the preparation of the 325 Blake Road Development EAW and comments received on the EAW have generated information adequate to determine whether the proposed project has the potential for environmental impacts; and

WHEREAS, the EAW has identified areas where the potential for environmental effects exist, but appropriate measures have or will be incorporated into the project plan and/or permits to reasonably mitigate these impacts; and

WHEREAS, the development is expected to comply with all the City of Hopkins and review agency standards; and

WHEREAS, based on the criteria established in Minnesota Rules 4410.1700 and the Findings of Fact and Conclusions, the project does not have the potential for significant environmental effects; and

WHEREAS, as required by City Code Part III, Chapter 100, Article II – Environmental Review, the Planning & Zoning Commission of the City of Hopkins reviewed all the information in the staff memo dated November 23, 2021 and agreed with the findings detailed in the staff memo; and

WHEREAS, the City Council of the City of Hopkins reviewed all the information in City Council Report 2021-113 dated December 7, 2021 and the Planning and Zoning Commission's recommendation; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hopkins hereby makes a negative declaration of need regarding an environmental impact statement for the 325 Blake Road Development.

Adopted by the City Council of the City of Hopkins this 7th day of December, 2021.

By: 
Kristi Halverson, Mayor Pro Tempore

ATTEST:


Amy Domeier, City Clerk

325 BLAKE ROAD DEVELOPMENT

Findings of Fact and Record of Decision

City of Hopkins
November 2021

1. Administrative Background

Alatus, LLC is proposing to redevelop an approximately 17-acre site south of Lake Street NE and east of Blake Road N in Hopkins, Minnesota. The proposed project is a transit-oriented, mixed-use development that will include residential, commercial, recreational opportunities associated with the Minnehaha Creek, and regional stormwater management.

The City of Hopkins is the Responsible Governmental Unit (RGU) for this project. An Environmental Assessment Worksheet (EAW) has been prepared in accordance with Minnesota Rules Chapter 4410. The EAW was mandatory per Minnesota Rules, part 4410.4300, subpart 32: Mixed residential and industrial-commercial projects.

The EAW was filed with the Minnesota Environmental Quality Board (EQB) and circulated for review and comment to the required distribution list. A notice of availability was published in the *EQB Monitor* on October 5, 2021. This notice included a description of the project, information on where copies of the EAW were available, and invited the public to provide comments.

The EAW was made available electronically on the City of Hopkin's website at <https://www.hopkinsmn.com/1097/325-Blake-Road-Development>.

The EAW comment period extended from October 5 to November 4, 2021. Written comments were received from six agencies. All comments received were considered in determining the potential for significant environmental impacts.

Based on the information in the record, which is composed of the EAW for the proposed project, the comments submitted during the public comment period, the responses to comments, and other supporting documents, the City of Hopkins makes the following Findings of Fact and Conclusions.

2. Findings of Fact

2.1 Project Description

Alatus, LLC is proposing to redevelop an approximately 17-acre site south of Lake Street NE and east of Blake Road N in Hopkins, Minnesota. The 325 Blake Road Development consists of one previously developed but currently vacant parcel adjacent to Minnehaha Creek.

The mixed-use, transit-oriented development proposal is located north of the future METRO Green Line Extension and will include one mixed-use building and four residential buildings plus townhomes with a total of 875 residential units and up to 17,900 square feet of commercial. The project will consist of five buildings, townhomes, two restaurant pads, and a boat house for a mix of residential and commercial uses. Minnehaha Creek Watershed District is planning a coordinated project nearby to use the 4.2 acres adjacent to the creek for stormwater management to improve the water quality of Minnehaha Creek and its downstream waterbodies and provide a system of green space and trails around Minnehaha Creek.

Construction will be conducted over two phases. Phase 1 including Buildings 2, 3, 4, the townhomes, and restaurant development; Phase 2 includes Buildings 1 and 5 to buildout the site. Phase 1 is expected to be completed by 2025 and Phase 2 is expected to be completed by 2027.

2.2 Corrections to the EAW or Changes to the Project since the EAW was Published

There have been no changes to the proposed project design since the EAW was published.

2.3 Agency and Public Comments on the EAW

During the comment period, the City of Hopkins received six written comments from the following agencies:

- State Historic Preservation Office (SHPO)
- Minnesota Pollution Control Agency (MPCA)
- Hennepin County
- Metropolitan Council
- Minnesota Department of Natural Resources (DNR)
- Minnesota Department of Transportation (MnDOT)

Consistent with state environmental rules, responses have been prepared below for all substantive comments received during the comment period. Original comments in their entirety are included in Appendix A.

1) State Historic Preservation Office (SHPO), November 2, 2021

Comment: “Based on our review of the project information, we conclude that there are **no properties** listed in the National or State Registers of Historic Places, and no known or suspected archaeological properties in the area that will be affected by this project.”

Response: Comment noted. Thank you for your review.

2) Minnesota Pollution Control Agency (MPCA), November 2, 2021

Comment: “**Permits and Approvals (Item 8)** This section includes the U.S. Army Corps of Engineers 404 Permit and hence must also include the Minnesota Pollution Control Agency 401 Water Quality Certification. The 401 Water Quality Certification becomes an enforceable component of the associated federal license or permit – issued under either Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. The scope of a Clean Water Act Section 401 Certification is limited to assuring that a discharge from a federally licensed or permitted activity will comply with water quality requirements. Along with an Antidegradation Assessment, the applicant is also required to request a pre-filling meeting from the certifying agency at least 30 days prior to submitting a 401 Water Quality Certification request. The MPCA is the certifying authority in the State of Minnesota.”

Response: Thank you for your comment. An MPCA 401 Water Quality Certification has been added to the Permits and Approvals table in Section 2.4.3 and Section 8 of the EAW. If required, a pre-filing meeting will be requested from the MPCA at least 30 days prior to submitting the 401 Water Quality Certification request.

Comment: “**Water Resources (Item 11)** Table 5: Utility Demand Comparison indicates that there are 875 apartment units and 33 townhome units in the scope of the Project. This conflicts with Table 1: Project Magnitude, in Section 6, and the Table on the Architectural Site Plan, all of which indicate that there are a total of 875 residential units, which include the 33 townhomes.”

Response: Below is an updated Table 5: Utility Demand Comparison to reflect the total of 875 proposed residential units, including the 33 townhomes.

	2021		
	Size		Average Flow (GPD)
Restaurant (Full Service)	9,000	SF	8,220
Townhomes	33	units	9,042
Apartments (w/ washer/dryer units)	842	units	230,708
Clubhouse (Kitchen & Bathroom)	2	Units	548
Boat House	1	Unit	274
Demolition (Cold Storage)	277,000	SF	-10,921
Total Average GPD			237,871

Comment: “The number of units identified for each building within the Table on the Architectural Site Plan conflicts with the units identified on this site plan for each building.”

Response: The number of units identified for each building within the Table on the Architectural Site Plan are the correct unit numbers. The units identified on the site plan for each corresponding building were not edited after the table was updated.

Comment: “**Water Resources (Item 11)** Table 5: Utility Demand Comparison does not include the retail space, the boat house, and the four club houses all shown on the Architectural Site Plan. Please indicate if these spaces have sewer service that should be included in Table 5 and discussed in the EAW.”

Response: Below is an updated Table 5: Utility Demand Comparison to reflect the addition of the clubhouse and boat house. This is a minimal addition and does not affect the mitigation for utilities.

	2021		
	Size		Average Flow (GPD)
Restaurant (Full Service)	9,000	SF	8,220
Townhomes	33	units	9,042
Apartments (w/ washer/dryer units)	842	units	230,708
Clubhouse (Kitchen & Bathroom)	2	Units	548
Boat House	1	Unit	274
Demolition (Cold Storage)	277,000	SF	-10,921
Total Average GPD			237,871

Comment: “**Water Resources (Item 11)** The redevelopment will improve existing stormwater runoff to Minnehaha Creek by installing a stormwater management system. The MPCA strongly encourages plans mentioned in the EAW to add additional treatment through use of permeable pavements, tree trenches and green and blue roofs. The permeable pavements will also help reduce the need for chloride in the winter months.”

Response: Section 11 of the EAW states that the private development will have BMP’s such as permeable pavement, tree trenches, green roofs, and blue roofs to provide additional treatment onsite.

Comment: “**Water Resources (Item 11)** Due to the presence of Minnehaha Creek and a wetland on the Project site, redundant (double) down gradient sediment controls will be required if the construction requires encroachment within 50 feet of existing buffers to the water bodies. Also, due to the construction-related water impairments of the creek, temporarily or permanently inactively worked soils on any portion of the site will require stabilization within 7 days even if work will resume in the area. A temporary sediment basin will also be required if 5 or more acres drain to a common location on the Project. Please direct questions regarding CSW Permit requirements to Roberta Getman at 507-206-2629 or at roberta.getman@state.mn.us.”

Response: Comment noted. Sediment controls will be used during construction and inactively worked soils will be stabilized within 7 days.

Comment: “**Noise (Item 17)** The MPCA appreciates the opportunity to review the noise components of this EAW. At this time, it is unlikely that any noise generated from the proposed Project after completion would have negative, long-term impacts on existing and new receptors in the vicinity.”

Response: Comment noted.

Comment: “**Noise (Item 17)** Although noise generated by construction activities may be exempt from city ordinance, there are best practices that the MPCA recommends that construction activities take place during daytime hours as defined in the state noise rules (Minn. R. ch. 7030), or 7:00 am to 10:00 pm, to the extent possible. The MPCA also recommends the appropriate use of mufflers and quieter backup alarms on all construction equipment, as applicable. In the case of the Project, these mitigation techniques would be especially important during phase II of construction, when completed buildings on-site may be occupied by new residents that are particularly close to buildout activities. For noise related questions, please contact Fawkes Char at 651-757-2327 or fawkes.char@state.mn.us.”

Response: Comment noted.

3) Hennepin County, November 4, 2021

Comment: “Right off there is a typo on page 24 in Table 14 second section in the chart should read PM and not AM.”

Response: Table 14 in the Traffic Impact Analysis has been updated below.

Intersection	Control	Approach	Operations by Movement						Overall Intersection	
			Left		Through		Right		Delay (sec/veh)	LOS
			Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS		
AM Peak Hour										
Blake Road & 2nd Street/Site Access 1	Signal	EB	20.1	C	21.5	C	13.6	B	15.1	B
		WB	26.1	C	19.5	B	4.9	A		
		NB	30.4	C	10.4	B	4.0	A		
		SB	37.5	D	13.9	B	9.9	A		
PM Peak Hour										
Blake Road & 2nd Street/Site Access 1	Signal	EB	23.0	C	23.2	C	16.6	B	17.5	B
		WB	32.1	C	25.1	C	7.0	A		
		NB	36.2	D	15.7	B	4.9	A		
		SB	40.3	D	14.9	B	10.4	B		

Comment: “Please verify that MnDOT is involved in this project review, as will affect their system at Trunk Highway 7.”

Response: As plans progress, the project proposer will involve MnDOT as needed for any changes to Trunk Highway 7.

Comment: “We would like to acknowledge that we have been in discussions with city staff and their consultant discussing the DRAFT traffic study and concept plan, and more specifically, that those concerns are now reflected in the revised plans on Page 91.

These issues included:

- The need for northbound right-turn lane at the signalized entrance at Blake road and 2nd Street Northeast.
- And that one of our primary outlying concern with the site plans were with the limited setback from the intersection to the internal drive aisle on the south.”

Response: Comment noted.

Comment: “Hennepin County will continue to retain all the rights that our access control provides us along this portion of CSAH 20/Blake Road and that permitting of this access will be only provided following final review of plans.”

Response: Comment noted. The project proposer will provide final plans to Hennepin County for review.

4) Metropolitan Council, August 4, 2021

Comment: “**Item 9b – Planned Land Use** (Todd Graham, 651-602-1322; Michael Larson, 651-602-1407) Although no change in guiding land use is necessary, the project would result in greater development than the City’s 2040 comprehensive plan anticipated. The project is located in Transportation Analysis Zone (TAZ) #1406, where the City’s comprehensive plan allocated a gain of +320 households and +614 population by 2040. In contrast, the project as proposed would result in as many as 875 housing units. The Council made similar forecast comments regarding the nearby Blake Road Station development (Review File No. 22484-1) on September 29, 2020. This latter project has recently received City approvals and may consist of as many as 770 multifamily units. These two projects constitute as many as 1,645 units, which contrasts with the current citywide forecasted growth of only 800 households from 2020-2040.

The Council expects that the City initiate a commensurate forecast increase through a comprehensive plan amendment. City staff can contact Council staff to discuss the following recommendations:

- Should the 325 Blake Road Project proceed, add +550 households and +1200 population to the forecast for TAZ #1406, and to the citywide forecast as well.
- As previously recommended for the Blake Road Station development, add +800 households and +1700 population to the forecast for TAZ #1407, and to the citywide forecast as well.

Please be advised that a future forecast increase for the 2021-2030 decade will result in an increase in the City's allocation of affordable housing need."

Response: The City will continue to monitor growth and will coordinate with the Metropolitan Council regarding the TAZ forecasts for the area and a comprehensive plan amendment, if needed.

Comment: "**Item 11a – Wastewater** (Roger Janzig, 651-602-1119) The Metropolitan Disposal System has adequate capacity for this project location, but Metropolitan Council Dual Forcemain Interceptors (8041-A & B) are within the Lake Street NE right-of-way, north of this proposed project. The interceptors were both built in 2018 and are both 18-inch PVP Pipes. There are specific processes that must be followed before any encroachment can occur on our property, including a required Encroachment Agreement. To assess the potential impacts to our interceptor system, and to obtain an Encroachment Agreement Application, please contact and share preliminary plans with Tim Wedin, Interceptor Engineering Assistant Manager (651-602-4571) at the Metropolitan Council Environmental Services."

Response: The project proposer will contact Tim Wedin to share preliminary plans and obtain an Encroachment Agreement Application.

Comment: "**Item 18 – Transportation** (Steve Mahowald, 612-349-7775) Currently, there is no transit service on northbound Blake Road between the Cedar Lake Trail and Lake Street. Thus, there is no existing bus stop adjacent to the proposed development. In 2020, the Transportation Advisory Board (TAB) approved Regional Solicitation funds for improvements on Route 17 for 2024 and 2025. The funds (\$2,511,123 federal dollars plus \$627,781 local match) will be used to extend all Route 17 trips to the Blake Road Station and double the frequency of service from every 30 minutes to 15 minutes. The extension of Route 17 service to the Blake Road Station will establish service on northbound Blake Road between the Cedar Lake Trail and Lake Street. The City and developer will need to work with Metro Transit to ensure that a bus stop is included along northbound Blake Road between Cedar Lake Trail and Lake Street."

Response: Comment noted. The City will continue to coordinate with Metro Transit on the bus stop planned near the Blake Road Station.

Comment: "**Item 18 – Transportation** (Steve Mahowald, 612-349-7775) Furthermore, the Council has an existing temporary construction easement on the site granted to it by the Minnehaha Creek Watershed District to enable the construction of the METRO Green Line Extension. The Council has proposed an amendment to the easement to extend its duration from November 1, 2022 to December 1, 2024 with the option for two additional 6-month extensions thereafter. The Council's temporary construction easement enables the construction of METRO Green Line, which will serve and support the development. Coordination and cooperation with the Metropolitan Council's contractors is essential for construction of the project, including, but not limited to, the area along Blake Road and rail corridor."

Response: Comment noted. The project proposer will continue to coordinate with the Metropolitan Council’s contractors during construction of this project.

Comment: “**Item 12 – Contamination/Hazardous Materials/Wastes** (Cameran J. Bailey, 651-602-1212) Council staff recommend adding the following as potential mitigation methods:

- Select building insulation, roofing, structural, and exterior façade materials for their minimum embedded greenhouse gas emissions, and for their non-toxic, reusable, recyclable, and biodegradable qualities.”

Response: The project proposer will consider methods of potential mitigation as design advances.

Comment: “**Item 16 – Air** (Cameran J. Bailey, 651-602-1212) Council staff recommend adding the following as potential mitigation methods:

- Solicit the developer to integrate electric vehicle (EV) chargers, or EV-ready infrastructure, into the design of the development.
- Solicit the developer to recruit an EV “car share hub” within, or adjacent to, the development.”

Response: The project proposer will consider methods of potential mitigation as design advances.

5) Minnesota Department of Natural Resources (DNR), November 4, 2021

Comment: “**Page 8, Groundwater.** The site is located within the Drinking water Supply Management Area of the City of Edina. Pollutants that are spilled in this area will reach the drinking water of the City of Edina within 10 years. Potential groundwater pollutants should be handled carefully during continued cleanup of the site and during construction of the development.”

Response: Comment noted. The project proposer will complete an updated Phase I/II ESA prior to construction and coordinate with the MPCA on safe handling and disposal of any contamination and hazardous materials found on the site prior and during construction.

Comment: “**Page 15, Wastewater.** The proposed plan to add up to 875 residential units, 33 townhomes, as well as commercial facilities would presumably add a significant number of residential water softeners and greatly increase water softening needs due to the water hardness levels of the City of Hopkins municipal water supply. Many Minnesota municipalities are wrestling with high chloride levels in their wastewater (See this recent [study](#) on sources of chloride in Minnesota). Chloride is one of the components of salt, which is used in forms such as sodium chloride (table salt), calcium chloride and magnesium chloride (road salts). Sodium chloride is commonly used in home water softeners and by water treatment plants to treat “hard” water. Minnesota generally has groundwater with high levels of calcium and magnesium that must be

removed through softening in order to improve taste and prevent lime scale buildup in appliances, pipes and water fixtures. The majority of home water softeners use sodium chloride (NaCl) in a softening process that replaces calcium and magnesium ions with sodium, while the chloride ions are discharged in the wastewater and eventually end up in the environment.

Each community needs to determine which tool is appropriate for their situation. This [factsheet](#) suggests ways for homeowners to optimize their water softener salt use, while this [link](#) provides resources for cities and examples of how other communities in Minnesota are addressing their high chloride levels. We suggest that as this development moves forward, the City of Hopkins consider what strategies can be used to minimize chloride use.”

Response: Comment noted. The City will consider ways to make the factsheet and other educational resources provided by the DNR above available to homeowners.

Comment: “**Page 11, Stormwater.** The proposer should consider utilizing stormwater ponds as a source for irrigation to the rest of the site. Using that water as a resource will also reduce the volume that must be treated before discharge.”

Response: Minnehaha Creek Watershed District is planning a coordinated project nearby to the proposed development to use the 4.2 acres adjacent to the creek for stormwater management to improve the water quality of Minnehaha Creek and its downstream waterbodies and provide a system of green space and trails around Minnehaha Creek.

Comment: “**Page 11, Stormwater.** Minnehaha Creek is currently impaired due to chloride, and we appreciate that the developer will look for methods to minimize chloride use. The amount of impervious surfaces planned for the project area will require large amounts of road salt for winter maintenance. Chloride released into local lakes and streams does not break down, and instead accumulates in the environment, potentially reaching levels that are toxic to aquatic wildlife and plants. Consider supporting local business and the city participation in the Smart Salting Training offered through the Minnesota Pollution Control Agency. There are a variety of classes available for road applicators, sidewalk application, and property managers. More information and resources can be found at this [website](#). Many winter maintenance staff who have attended the Smart Salting training – both from cities and counties and from private companies – have used their knowledge to reduce salt use and save money for their organizations.

We also encourage cities and counties to provide public outreach to reduce the overuse of chloride. Here are some [educational resources](#) for residents as well as a [sample ordinance](#) regarding chloride use.”

Response: Comment noted.

Comment: “**Page 16, Rare Features.** The DNR concurs with the EAW’s assessment that impacts to rare features are unlikely to occur as a result of the proposed project. We recommend using native plants and seed mixes in development landscaping and stormwater features to the greatest extent possible in order to provide pollinator habitat for the federally-endangered rusty patched bumble bee.”

Response: Comment noted. As discussed in Section 13 of the EAW, disturbed areas would be reestablished using appropriate native and stabilization seed mix. The planned development will increase the landscaped area with a blend of biodiverse, native, drought-tolerant plant species that could provide pollinator habitat.

Comment: “**Page 19, Dust & Odors.** If the water for dust control is taken from a stream of lake, then the use of more than 10,000 gallons of water per day will require a DNR Water Appropriation Permit.”

Response: Comment noted. Water appropriation for new wells or an increase in authorized volume is not anticipated for the project as the city’s current system can accommodate the development.

Comment: “**Page 19, Dust & Odors.** Please do not use products that contain chloride for dust control in areas that drain to Public Waters.”

Response: Comment noted.

6) Minnesota Department of Transportation (MnDOT), November 5, 2021

Comment: “MnDOT has reviewed the Environmental Assessment Worksheet dated September 2021 for the 325 Blake Road Development and has no comments.”

Response: Comment noted. Thank you for your review.

2.4 Decision Regarding Need for an Environmental Impact Statement

The City of Hopkins finds that the analysis completed for the EAW and the additional information considered in this document of findings of fact and conclusions are adequate to determine whether the project has the potential for significant environmental effects based on consideration of the four criteria identified in Minnesota Rules, part 4410, subpart 7.

2.4.1 Type, Extent and Reversibility of Impacts

The City of Hopkins finds that the analysis completed for the EAW is adequate to determine whether the project has the potential for significant environmental effects. The EAW described the type and extent of impacts to the natural and built environment anticipated to result from the proposed project. Based on the EAW analysis and mitigation commitments, the proposed project is not anticipated to result in substantial impacts.

2.4.2 Cumulative Potential Effects of Related or Anticipated Future Projects

Cumulative effects result from the incremental impact of the proposed project when added to other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions. The METRO Green Line Extension and Blake Road Station Development will be located southwest of the project site. The EIS for the METRO Green Line Extension included the potential that the light rail line would spur redevelopment. Given that the site has been previously developed and provides limited wildlife habitat, impacts are limited. The project can be served by existing utilities and transportation infrastructure.

2.4.3 Extent to which the Environmental Effects are Subject to Mitigation by the Ongoing Public Regulatory Authority

The mitigation of environmental impacts will be designed and implemented in coordination with regulatory agencies and will be subject to the plan approval and permitting process. Permits and approvals that have been obtained or may be required prior to project construction are shown below:

Unit of Government	Type of Application	Status
Local		
Minnehaha Creek Watershed District	Watershed District Permit	To be applied for
	Wetland Conservation Act (WCA) Replacement Plan	To be applied for, if needed
City of Hopkins	Rezoning	To be applied for
	Preliminary and Final Plat	To be applied for
	Planned Unit Development (PUD) and Site Plan Approval	To be applied for
	Right-of-Way Permit	To be applied for
	Building Permits	To be applied for
	Erosion Control, Grading, and Stormwater Permit	To be applied for
	Sewer and Water Permit	To be applied for, if needed
	EIS need decision	In process
	Traffic Impact Analysis	In process; to be updated as needed through permitting and PUD process
Regional		
Metropolitan Council	Construction Site Stormwater Permit	To be applied for, if needed
	Sewer Connection Permit	To be applied for, if needed
	METRO Green Line Extension Project Office Coordination	Ongoing
Hennepin County	Work in Right-of-Way Permit	To be applied for
	Driveway Permit	To be applied for
State		
Minnesota Department of Health	Water Extension Permit	To be applied for, if needed
Minnesota Department of Natural Resources	Water Appropriation Permit	To be applied for, if needed
	Public Waters Work Permit	To be applied for, if needed
	401 Water Quality Certification	To be applied for

Unit of Government	Type of Application	Status
Minnesota Pollution Control Agency	Construction Site Stormwater Permit	To be applied for
	National Pollutant Discharge Elimination System (NPDES) permit	To be applied for
Federal		
US Army Corps of Engineers	Section 404 Permit	To be applied for, if needed

2.4.4 Extent to which Environmental Effects can be Anticipated and Controlled as a Result of Other Environmental Studies

The City of Hopkins has previous multi-use development experience, and similar projects have been designed and constructed throughout the county. Design and construction staff are familiar with the project area. No problems are anticipated that city staff has not encountered or successfully solved previously in similar projects in or near the project area. The City finds that the environmental effects of the project can be anticipated and controlled as a result of environmental review and experience on similar projects.

3. Conclusions

1. All requirements for environmental review of the proposed project have been met.
2. The EAW and the permit development processes related to the project have generated information that is adequate to determine whether the project has the potential for significant environmental effects.
3. Areas where potential environmental effects have been identified will be addressed during the final design of the project. Mitigation will be provided where impacts are expected to result from project construction, operation, or maintenance. Mitigation measures are incorporated into project design and have been or will be coordinated with state and federal agencies during the permit process.
4. Based on the criteria in Minnesota Rules, part 4410.1700, the project does not have the potential for significant environmental effects.
5. An environmental impact statement is not required for the proposed project.

For the City of Hopkins

Jason Gadd, Mayor

Mike Mornson, City Manager

APPENDIX A

Agency Comments

November 2, 2021

Kersten Elverum
Director of Planning & Economic Development
1010 1st St S
Hopkins, MN 55343

RE: EAW- 325 Blake Road Development
Hopkins, Hennepin County
SHPO Number: 2022-0020

Dear Kevin Elverum:

Thank you for providing this office with a copy of the Environmental Assessment Worksheet (EAW) for the above-referenced project.

Based on our review of the project information, we conclude that there are **no properties** listed in the National or State Registers of Historic Places, and no known or suspected archaeological properties in the area that will be affected by this project.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.

Please contact Kelly Gragg-Johnson, Environmental Review Program Specialist, at kelly.graggjohnson@state.mn.us if you have any questions regarding our review of this project.

Sincerely,



Sarah J. Beimers
Environmental Review Program Manager

November 2, 2021

Kersten Elverum
Director of Planning and Economic Development
1010 1st Street South
Hopkins, MN 55343

RE: 325 Blake Road Development Environmental Assessment Worksheet

Dear Kersten Elverum:

Thank you for the opportunity to review and comment on the Environmental Assessment Worksheet (EAW) for the 325 Blake Road Development project (Project) in the City of Hopkins, Hennepin County, Minnesota. The Project consists of a 17-acre mixed-use development. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility or other interests, the MPCA staff has the following comments for your consideration.

Permits and Approvals (Item 8)

This section includes the U.S. Army Corps of Engineers 404 Permit and hence must also include the Minnesota Pollution Control Agency 401 Water Quality Certification. The 401 Water Quality Certification becomes an enforceable component of the associated federal license or permit, issued under either Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. The scope of a Clean Water Act Section 401 certification is limited to assuring that a discharge from a federally licensed or permitted activity will comply with water quality requirements. Along with an Antidegradation Assessment, the applicant is also required to request a pre-filing meeting from the certifying agency at least 30 days prior to submitting a 401 Water Quality Certification request. The MPCA is the certifying authority in the State of Minnesota.

Water Resources (Item 11)

Wastewater

- Table 5: Utility Demand Comparison indicates that there are 875 apartment units and 33 townhome units in the scope of the Project. This conflicts with Table 1: Project Magnitude, in Section 6, and the Table on the Architectural Site Plan, all of which indicate that there are total of 875 residential units, which include the 33 townhome units.
- The number of units identified for each building within the Table on the Architectural Site Plan conflicts with the units identified on this site plan for each building.
- Table 5: Utility Demand Comparison does not include the retail space, the boat house, and the four club houses all shown on the Architectural Site Plan. Please indicate if these spaces have sewer service that should be included in Table 5 and discussed in the EAW.

Stormwater

- The redevelopment will improve existing stormwater runoff to Minnehaha Creek by installing a stormwater management system. The MPCA strongly encourages plans mentioned in the EAW to add additional treatment through use of permeable pavements, tree trenches and green and blue roofs. The permeable pavements will also help reduce the need for chloride in the winter months.

- Due to the presence of Minnehaha Creek and a wetland on the Project site, redundant (double) down gradient sediment controls will be required if the construction requires encroachment within 50 feet of existing buffers to the water bodies. Also, due to the construction-related water impairments of the creek, temporarily or permanently inactively worked soils on any portion of the site will require stabilization within 7 days even if work will resume in the area. A temporary sediment basin will also be required if 5 or more acres drain to a common location on the Project. Please direct questions regarding CSW Permit requirements to Roberta Getman at 507-206-2629 or roberta.getman@state.mn.us.

Noise (Item 17)

- The MPCA appreciates the opportunity to review the noise components of this EAW. At this time, it is unlikely that any noise generated from the proposed Project after completion would have negative, long-term impacts on existing and new receptors in the vicinity.
- Although noise generated by construction activities may be exempt from city ordinance, there are best practices that the MPCA recommends to help mitigate noise impacts on existing nearby receptors. The MPCA recommends that construction activities take place during daytime hours as defined in the state noise rules (Minn. R. ch. 7030), or 7:00 am to 10:00 pm, to the extent possible. The MPCA also recommends the appropriate use of mufflers and quieter backup alarms on all construction equipment, as applicable. In the case of the Project, these mitigation techniques would be especially important during phase II of construction, when completed buildings on-site may be occupied by new residents that are particularly close to buildout activities. For noise related questions, please contact Fawkes Char at 651-757-2327 or fawkes.char@state.mn.us.

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

Sincerely,

Karen Kromar

This document has been electronically signed.

Karen Kromar
Project Manager
Environmental Review Unit
Resource Management and Assistance Division

KK/RG/FC:vs

cc: Dan Card, MPCA, St. Paul
Roberta Getman, MPCA, Rochester
Fawkes Char, MPCA, St. Paul

HENNEPIN COUNTY

MINNESOTA

November 4, 2021

Kersten Elverum
City of Hopkins
Planning Manager
1010 1st Street South
Hopkins, MN 55343

Re: Comments to Hopkins' 325 Blake Road Development EAW as advertised in the EQB Monitor October 5, 2021

Dear Ms. Elverum:

This letter provides our comments to the above noted EAW for the 325 Blake Road Development in Hopkins. This redevelopment involves a portion of the approximately 17-acre former industrial parcel at the intersection of Lake Street NE and Blake Road N in Hopkins. The proposed project is a transit-oriented, mixed-use development that will include residential, commercial, recreational opportunities associated with the Minnehaha Creek, regional stormwater management and connections to City utilities to serve neighborhood residents.

- Right of there is a typo on page 24 in Table 14 second section in the chart should read PM and not AM.
- Please verify that MnDOT is involved in this project review, as will affect their system at Trunk Highway 7.

We would like acknowledge that we have been in discussions with city staff and their consultant discussing the DRAFT traffic study and concept plan, and more specifically, that those concerns are now reflected in the revised plans on Page 91. These issues included:

- The need for northbound right-turn lane at the signalized entrance at Blake road and 2nd Street Northeast.
- And that one of our primary outlying concern with the site plans were with the limited setback from the intersection to the internal drive aisle on the south.

Hennepin County will continue to retain all the rights that our access control provides us along this portion of CSAH 20/Blake Road and that permitting of this access will be only be provided following final review of plans.



We appreciate your consideration of Hennepin County comments at this time and look forward to your response. If you have any questions, please contact me a 612-348-5714 or david.jaeger@hennepin.us.

Sincerely,

David Jaeger

David Jaeger
Environmental Specialist

Cc: Chad Ellos, Jason Gottfried, Transportation Planning
Ryan Allers, Cole Pardridge, Transportation Design
Jon Krieg, Ken Levine, Transportation Operations

November 4, 2020

Kersten Elverum, Director of Economic Development & Planning
City of Hopkins
1010 1st Street South
Hopkins, MN 55343

**RE: City of Hopkins Environmental Assessment Worksheet (EAW) –
325 Blake Road Development**
Metropolitan Council Review No. 22695-1
Metropolitan Council District No. 5

Dear Kersten Elverum:

The Metropolitan Council received the EAW for the 325 Blake Road Development project on October 21, 2021. The proposed project is located on 16.8 acres southeast of the intersection of Blake Road and Lake Street NE. The proposed development will consist of 875 multi-family residential units; 17,000 square feet of retail/restaurant space; and 1,191 parking stalls. Environmental and open space amenities include 4.2 acres adjacent to Minnehaha Creek for stormwater management, green space, and trails. The project represents a significant collaboration between the City of Hopkins, Minnehaha Creek Watershed District, and the developer Alatus. As proposed, the integrated development would support many regional policy objectives related to transit-oriented development and the environment.

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

We offer the following comments for your consideration.

Item 9b – Planned Land Use (Todd Graham, 651-602-1322; Michael Larson, 651-602-1407)
Although no change in guiding land use is necessary, the project would result in greater development than the City's 2040 comprehensive plan anticipated. The project is located in Transportation Analysis Zone (TAZ) #1406, where the City's comprehensive plan allocated a gain of +320 households and +614 population by 2040. In contrast, the project as proposed would result in as many as 875 housing units. The Council made similar forecast comments regarding the nearby Blake Road Station development (Review File No. 22484-1) on September 29, 2020. This latter project has recently received City approvals and may consist of as many as 770 multifamily units. These two projects constitute as many as 1,645 units, which contrasts with the current citywide forecasted growth of only 800 households from 2020-2040.

The Council expects that the City initiate a commensurate forecast increase through a comprehensive plan amendment. City staff can contact Council staff to discuss the following recommendations:

- Should the 325 Blake Road Project proceed, add +550 households and +1200 population to the forecast for TAZ #1406, and to the citywide forecast as well.

- As previously recommended for the review for the Blake Road Station development, add +800 households and +1700 population to the forecast for TAZ #1407, and to the citywide forecast as well.

Please be advised that a future forecast increase for the 2021-2030 decade will result in an increase in the City's allocation of affordable housing need.

Item 11a – Wastewater (Roger Janzig, 651-602-1119)

The Metropolitan Disposal System has adequate capacity for this project location, but Metropolitan Council Dual Forcemain Interceptors (8041-A & B) are within the Lake Street NE right-of way, north of this proposed project. The interceptors were both built in 2018 and are both 18-inch PVC Pipes. There are specific processes that must be followed before any encroachment can occur on our property, including a required Encroachment Agreement. To assess the potential impacts to our interceptor system, and to obtain an Encroachment Agreement Application, please contact and share preliminary plans with Tim Wedin, Interceptor Engineering Assistant Manager (651-602-4571) at the Metropolitan Council Environmental Services.

Item 18 – Transportation (Steve Mahowald, 612-349-7775)

Currently, there is no transit service on northbound Blake Road between the Cedar Lake Trail and Lake Street. Thus, there is no existing bus stop adjacent to the proposed development. In 2020, the Transportation Advisory Board (TAB) approved Regional Solicitation funds for improvements on Route 17 for 2024 and 2025. The funds (\$2,511,123 federal dollars plus \$627,781 local match) will be used to extend all Route 17 trips to the Blake Road Station and double the frequency of service from every 30 minutes to 15 minutes.

The extension of Route 17 service to the Blake Road Station will establish service on northbound Blake Road between the Cedar Lake Trail and Lake Street. The City and developer will need to work with Metro Transit to ensure that a bus stop is included along northbound Blake Road between Cedar Lake Trail and Lake Street.

Furthermore, the Council has an existing temporary construction easement on the site granted to it by the Minnehaha Creek Watershed District to enable the construction of the METRO Green Line Extension. The Council has proposed an amendment to the easement to extend its duration from November 1, 2022 to December 1, 2024 with the option for two additional 6-month extensions thereafter. The Council's temporary construction easement enables the construction of METRO Green Line, which will serve and support the development. Coordination and cooperation with the Metropolitan Council's contractors is essential for construction of the project, including, but not limited to, the area along Blake Road and rail corridor.

Item 12 – Contamination/Hazardous Materials/Wastes (Cameran J. Bailey, 651-602-1212)

Council staff recommend adding the following as potential mitigation methods:

- Select building insulation, roofing, structural, and exterior facade materials for their minimum embedded greenhouse gas emissions, and for their non-toxic, reusable, recyclable, and biodegradable qualities.

Item 16 – Air (Cameran J. Bailey, 651-602-1212)

Council staff recommend adding the following as potential mitigation methods:

- Solicit the developer to integrate electric vehicle (EV) chargers, or EV-ready infrastructure, into the design of the development.
- Solicit the developer to recruit an EV "car share hub" within, or adjacent to, the development.

This concludes the Council's review of the EAW. The Council will not take formal action on the EAW. If you have any questions or need further information, please contact Michael Larson, Principal Reviewer, at 651-602-1407.

Sincerely,

A handwritten signature in blue ink that reads "Angela R. Torres". The signature is written in a cursive, flowing style.

Angela R. Torres, AICP, Manager
Local Planning Assistance

CC: Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Molly Cummings, Metropolitan Council District 5
Michael Larson, AICP, Sector Representative / Principal Reviewer
Reviews Coordinator

N:\CommDev\LPA\Communities\Hopkins\Letters\Hopkins 2020 325 Blake Road EAW22695-1.docx



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

Transmitted by Email

November 4, 2021

Kersten Elverum
Director of Economic Development & Planning
City of Hopkins
1010 1st Street South
Hopkins, MN 55343

Dear Kersten Elverum,

Thank you for the opportunity to review the 325 Blake Road Development EAW. The DNR respectfully submits the following comments for your consideration:

1. Page 8, Groundwater. The site is located within the Drinking water Supply Management Area of the City of Edina. Pollutants that are spilled in this area will reach the drinking water of the City of Edina within ten years. Potential groundwater pollutants should be handled carefully during continued cleanup of the site and during construction of the development.
2. Page 15, Wastewater. The proposed plan to add up to 875 residential units, 33 townhomes, as well as commercial facilities would presumably add a significant number of residential water softeners and greatly increase water softening needs due to the water hardness levels of the City of Hopkins municipal water supply. Many Minnesota municipalities are wrestling with high chloride levels in their wastewater (See this recent [study](#) on sources of chloride in Minnesota). Chloride is one of the components of salt, which is used in forms such as sodium chloride (table salt), calcium chloride and magnesium chloride (road salts). Sodium chloride is commonly used in home water softeners and by water treatment plants to treat “hard” water. Minnesota generally has groundwater with high levels of calcium and magnesium that must be removed through softening in order to improve taste and prevent lime scale buildup in appliances, pipes and water fixtures. The majority of home water softeners use sodium chloride (NaCl) in a softening process that replaces calcium and magnesium ions with sodium, while the chloride ions are discharged in the wastewater and eventually end up in the environment.

Each community needs to determine which tool is appropriate for their situation. This [factsheet](#) suggests ways for homeowners to optimize their water softener salt use, while this [link](#) provides resources for cities and examples of how other communities in Minnesota are

addressing their high chloride levels. We suggest that as this development moves forward, the City of Hopkins consider what strategies can be used to minimize chloride use.

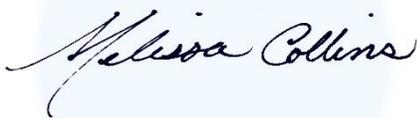
3. Page 11, Stormwater. The proposer should consider utilizing the stormwater ponds as a source for irrigation to the rest of the site. Using that water as a resource will also reduce the volume that must be treated before discharge.
4. Page 11, Stormwater. Minnehaha Creek is currently impaired due to chloride, and we appreciate that the developer will look for methods to minimize chloride use. The amount of impervious surfaces planned for the project area will require large amounts of road salt for winter maintenance. Chloride released into local lakes and streams does not break down, and instead accumulates in the environment, potentially reaching levels that are toxic to aquatic wildlife and plants. Consider promoting local business and city participation in the Smart Salting Training offered through the Minnesota Pollution Control Agency. There are a variety of classes available for road applicators, sidewalk applicators, and property managers. More information and resources can be found at this [website](#). Many winter maintenance staff who have attended the Smart Salting training — both from cities and counties and from private companies — have used their knowledge to reduce salt use and save money for their organizations.

We also encourage cities and counties to provide public outreach to reduce the overuse of chloride. Here are some [educational resources](#) for residents as well as a [sample ordinance](#) regarding chloride use.

5. Page 16, Rare Features. The DNR concurs with the EAW's assessment that impacts to rare features are unlikely to occur as a result of the proposed project. We recommend using native plants and seed mixes in development landscaping and stormwater features to the greatest extent possible in order to provide pollinator habitat for the federally-endangered, rusty patched bumble bee.
6. Page 19, Dust & Odors. If the water for dust control is taken from a stream or lake, then the use of more than 10,000 gallons of water per day will require a DNR Water Appropriation Permit.
7. Page 19, Dust & Odors. Please do not use products that contain chloride for dust control in areas that drain to Public Waters.

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

Sincerely,

A handwritten signature in cursive script that reads "Melissa Collins". The signature is written in black ink on a light blue rectangular background.

Melissa Collins
Regional Environmental Assessment Ecologist | Ecological and Water Resources
Minnesota Department of Natural Resources
1200 Warner Road

St. Paul, MN 55106

Phone: 651-259-5755

Email: melissa.collins@state.mn.us

CC: Chris Osmundson, Alatus, LLC.

Equal Opportunity Employer

From: [Kersten Elverum](#)
To: [Jason Lindahl](#)
Cc: [Jan Youngquist](#)
Subject: FW: [EXTERNAL] MnDOT review: EAW21-011 325 Blake Rd mixed use development
Date: Friday, November 5, 2021 9:59:15 AM
Attachments: [image001.png](#)

From: Elvin, David (DOT) [mailto:David.Elvin@state.mn.us]
Sent: Tuesday, October 19, 2021 4:08 PM
To: Kersten Elverum <kelperum@hopkinsmn.com>
Cc: Swenson, Jason (DOT) <Jason.Swenson@state.mn.us>; Craig, E (DOT) <buck.craig@state.mn.us>; #DOT_Metro Traffic Plan Review <MetroTrafficPlanReview.DOT@state.mn.us>; Junge, Jason (DOT) <jason.junge@state.mn.us>; Turner Bargaen, Mackenzie M (DOT) <mackenzie.turnerbargaen@state.mn.us>; Thornsens, Jesse (DOT) <Jesse.Thornsens@state.mn.us>; Tag, Aaron E (DOT) <aaron.tag@state.mn.us>; Schowalter, Lance (DOT) <lance.schowalter@state.mn.us>; Constant, Jeffrey (DOT) <jeffrey.constant@state.mn.us>; Sherman, Tod (DOT) <tod.sherman@state.mn.us>; Muhic, P Cameron (DOT) <cameron.muhic@state.mn.us>; Kratz, David (DOT) <David.Kratz@state.mn.us>; Owen, Russell <Russell.Owen@metc.state.mn.us>
Subject: [EXTERNAL] MnDOT review: EAW21-011 325 Blake Rd mixed use development

Dear Kersten,

MnDOT has reviewed the Environmental Assessment Worksheet dated September 2021 for the 325 Blake Road Development and has no comments. Thank you for including MnDOT in your review, and please feel welcome to contact me with any questions.

Best regards,

David Elvin, AICP | Principal Planner
Metro District Planning, Program Management, and Transit
1500 County Road B-2 West, Roseville MN 55113
651-234-7795 | teleworking 651-440-1934

