

The Quarry: A Planning and Development History of the Northeast Minneapolis Retail Center

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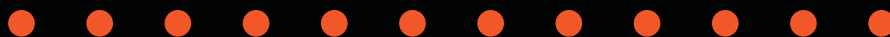
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THE QUARRY:
A PLANNING AND
DEVELOPMENT HISTORY
OF THE NORTHEAST
MINNEAPOLIS RETAIL
CENTER



BY RICHARD CROCKETT



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PREPARED FOR WINDOM PARK CITIZENS IN ACTION



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EXECUTIVE SUMMARY

This narrative attempts to capture the planning and development history of a decade old Northeast Minneapolis retail center. It is not intended to be comprehensive in nature, but instead provide baseline knowledge on different elements of the Quarry's story that can be traced to facts in the public record. Conversations with people involved with the complex's development also led to many insights found in the report, but also led to limitations. The result is a complex history of different levels of clarity and completeness. The report tries to explain how the present day Quarry came to look and function the way it does. The true intent of this report is to provide a jumping off point for people newly interested in the Quarry, who, then informed, can proceed to actively participate in future decisions that shape this prevalent retail center in Northeast Minneapolis.



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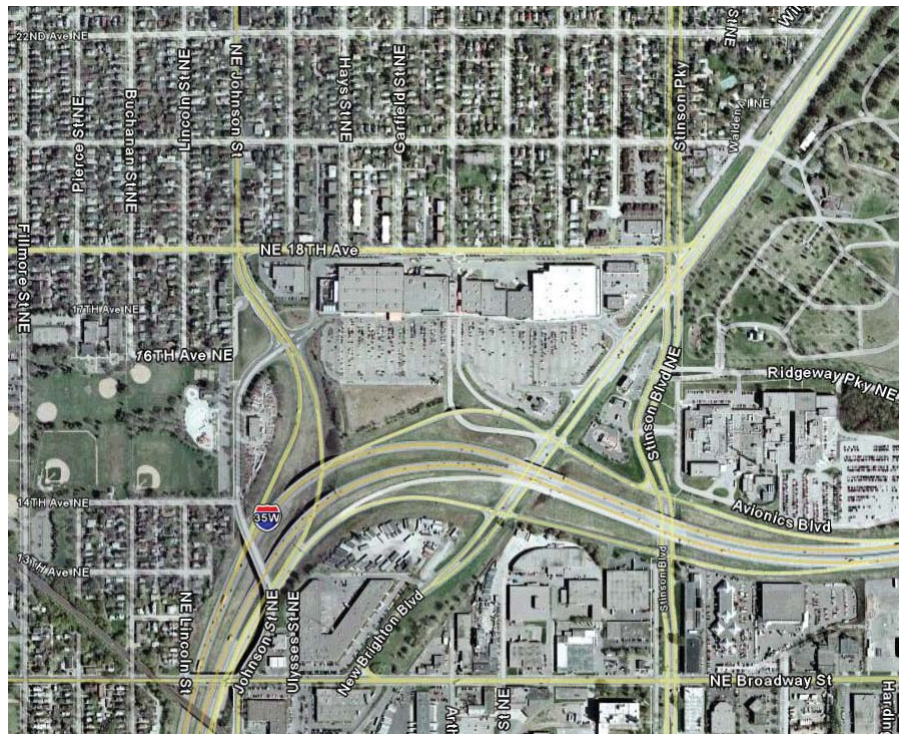
2003 aerial photograph of the Quarry

INTRODUCTION

On August 6, 1993, the Minneapolis City Council announced that it had received a request from Ryan Companies Inc. for exclusive right to build a shopping center anchored by a Target and Rainbow foods store in NE Minneapolis (Task Force, Susan Lutz, Chair). Ryan proposed to develop a retail shopping center in cooperation with the Minneapolis Community Development Agency (MCDA). The development proposed replacing approximately 313,000 square feet of existing industrial, warehouse, and office buildings with approximately 400,000 square feet of retail uses constructed in a strip mall configuration along 18th Ave NE, with the rear of the development to the Windom Park Neighborhood. The shopping center would face south with the parking lot also to the south, between the retail buildings and I-35W. The development resides in Northeast Park Neighborhood and is adjacent to the Windom Park Neighborhood to the north (Task Force, Susan Lutz, Chair).

Adjacent land uses at the time of development

Immediately north of the site, across 18th Ave NE a residential area with low to medium density housing. Across New Brighton Blvd. on the east of the site is an industrial area and a cemetery. On the south of the site is Interstate 35W and a general industrial area. Across Johnson St. NE on the west is low-density residential and the Northeast Park (Task Force, Susan Lutz, Chair).



The Quarry site today from the air (Google Earth)

Prior Land Use

The land use on the site prior to the retail redevelopment was primarily low density commercial and industrial businesses. Previous land use included a quarry on a portion of the site west of Arthur St. NE and series of light industrial businesses. A great variety of fill material was deposited on the site in the past. The site had been known to be contaminated for several years prior to the redevelopment (Task Force, Susan Lutz, Chair).

Properties prior to Redevelopment

The old site comprised of eleven parcels:

Arthur St. NE:

1524	truck terminal, Transport International Pool, Inc
1600	vacant
1705	truck body repair, Region Truck Equipment Co.

1707 sandblasting, A1A Master Sandblasting Services, Inc.
 New Brighton Blvd.:
 1500-1580 multiple tenant office, CSM Corp.
 1600-1622 multiple tenant, CSM Corp. office/warehouse
 1700 truck rental, Rollins Truck Rental
 1720 office/industrial, Nott Co.
 18th Ave NE.:
 2100 ice cream distributor, Edy's Grand Ice Cream

From: (Task Force,
 Susan Lutz, Chair)



Why Redevelop?

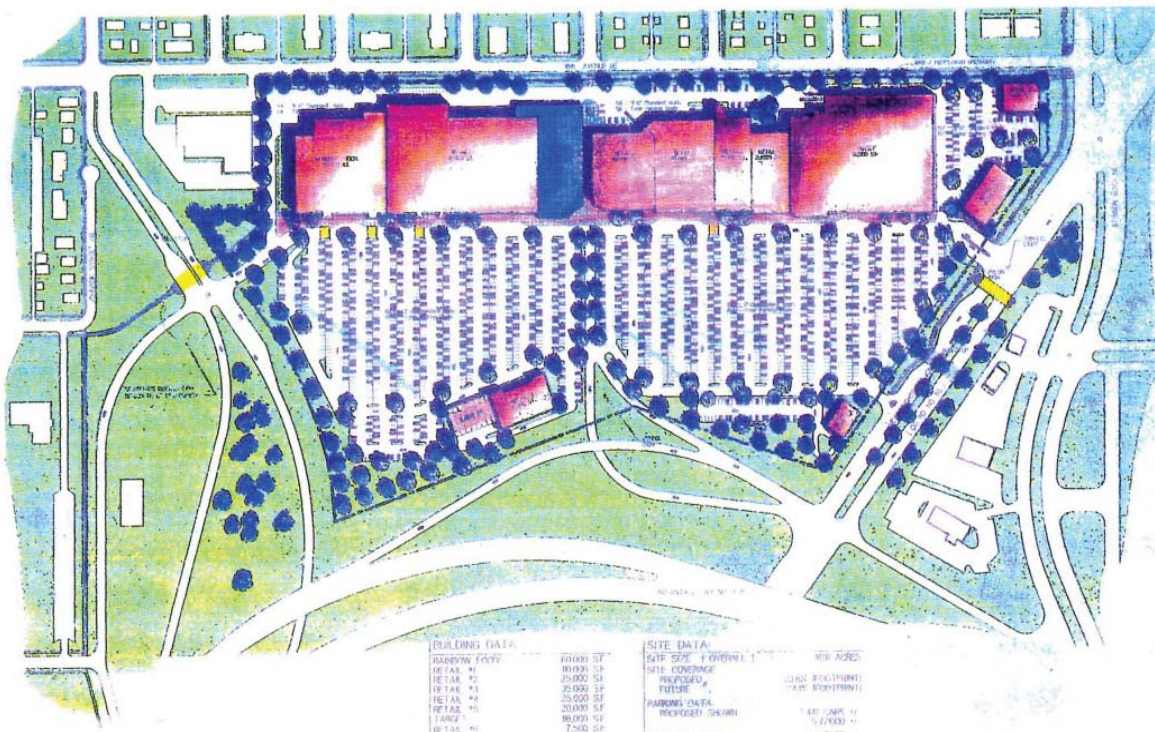
The major objectives of MCDA and the City Council in establishing the Quarry are as follows:

1. Acquire and remove economically or functionally obsolete or under utilized buildings
2. Eliminate blighting influences which impede potential development
3. Eliminate or correct physical deterrents to the development of the land
4. Achieve a high level of design and landscaping quality to enhance the physical environment
5. Assist in the development of a community shopping center, including a large grocery store, accessible to the residents of northeast and southeast Minneapolis
6. Clean up hazardous substances in order to improve public environmental health, and provide developable real estate parcels

(Minneapolis Community Development Agency and

Ryan Construction Company of Minnesota, Inc.)

The City's reason for supporting the project: "It's clear that there are several public purposes fulfilled by relocating the existing businesses, cleaning up the on-site pollution, creating jobs (650 additional full-time equivalent jobs) and new tax base, and developing a new community-level commercial center for the area" -City Planning Doc. P-988



Original plan drawing of the Quarry in 1994



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2003 Aerial photograph of the Quarry's eastern portion

PLAYERS

Northeast Retail Center Task Force: Created by request from the City Council, the Northeast Retail Center Task Force gathered information on the development, held meetings and hearings and created a final report. In the report they gave mandates and recommendations regarding what the community wanted to see built.

Northwest Retail Center Oversight Committee: This committee was formed to monitor the construction of the Quarry Shopping Center. The Committee's fundamental purpose was to insure that the mandates of the NE Retail Task Force Report are followed.

Ryan Companies, Inc: The original developer and owner of the site. Their related firm, Ryan Construction, was responsible for the construction the development.

Inland Real Estate Group of Companies, Inc.: The private development company that bought the property from Ryan in 1999 and is the current owner.

Minneapolis Community Development Agency (MCDA): The City of Minneapolis planning agency at the time. Had many responsibilities in the project.

Minnesota Pollution Control Agency (MPCA): This state agency was responsible for oversight of the environmental clean up and still provides oversight on monitoring of the site's pollution remediation.

Peer Engineering, Inc.: Environmental engineering firm MCDA hired to initially assess the site's contamination. Peer also completed the Environmental Assessment Worksheet (EAW) and preformed the clean up.

Leisch Companies, Inc.: Involved in the environmental clean-up and monitoring, hired by Ryan.

Barton-Aschman Associates: Transportation engineering firm that conducted traffic studies on the Quarry's impact.

Windom Park Citizens in Action (WPCiA): Community organization for the neighborhood directly north of the Quarry. Although Quarry is not technically in their neighborhood, residents have taken an active role.

Northeast Park Neighborhood Organization: Community organization for the neighborhood that the Quarry is located in.

TASK FORCE

The development of the Quarry justifiably required and involved much public participation. The face of public participation on the project was the Northeast Retail Center Task Force. The Task Force was created by request of the City Council. Each Minneapolis eastside neighborhood organization designated a representative to serve on the Task Force. Northeast Park and Windom Park neighborhood organizations led the Task Force because of their proximity to the development.

The Task Force's duties were to gather information regarding the development, create a neighborhood forum where concerns could be voiced, report the input of neighborhood groups and hold public hearings. After many meetings and hearings with stakeholders and officials involved with the project the Task Force reported its findings and recommendations to the City Council.

The principal issue the Task Force dealt with was whether the development should be endorsed by the group. The Task Force witnessed much opposition as well as significant support for the development. There was much concern that the shopping center would lead to a lower quality of life in the community.

Specifically, the task force addressed these issues, (1) traffic patterns and their impact on neighborhood streets, (2) the environmental, economic, and aesthetic elements of the project, (3) details of pollution studies and their impact, (4) the occupancy of the retail space and what kinds of services will be offered, (5) the details of jobs and occupations of the anticipated stores, (6) the strategies to be followed to keep the space vibrant and full, (7) the impact on the existing businesses on the site which must relocate, and (8) the overall impact on the community. (East Side Shopping Center Citizen Participation Report, May 2, 1994)

The following are the findings and mandates from the Task Force's final report to the City Council. It's noted in the report that these are minimum requirements and unless they can be met, the Task Force felt that the adverse effects of the shopping center on the community would be too large and the Task Force could not endorse the project. The following are the Findings and Mandates from the Task Force Report.

Findings:

- 1) The proposed development will increase traffic
- 2) There is significant pollution on the site
- 3) The Central Ave. business district is deteriorating and will continue to decline regardless of Quarry development, unless a serious commitment to improve the district is undertaken
- 4) The shopping center can only be built with tax increment financing and eminent domain

Mandates:

Based on materials available and public commentary offered at hearings the task force is **OPPOSED** to the proposed development unless all of the following minimum requirements are met:

Traffic:

- o Traffic control measures, including traffic control devices at the shopping center entrances, must be sufficient to minimize noise and safety hazards which will result from the increase in traffic
- o A comprehensive traffic management plan is implemented which encourages commuter automobile travel on Central Ave, instead of Johnson and other residential streets.
- o Stinson Parkway will not be broadened
- o The merchants located at the center, in conjunction with Metro Transit, provide transportation services for area residents who don't have automobiles

Economic and Environmental Concerns:

- o The City working with neighborhood organizations and area businesses work to halt the decline of the Northeast business corridors, especially Central Ave.
- o Suitable alternatives found for neighborhoods in NE whose will lose a grocery store because of the Quarry
- o The City attempts to find satisfactory locations for existing businesses which will be displaced
- o The merchants located at the center enact policies to promote the hiring of area residents
- o Existing pollution is cleaned up on site and no further environmental degradation results Quarry development.

Design:

- o Johnson St. south of 18th is repositioned and sufficient berming and landscaping are installed to provide pedestrian safety and shelter to Northeast Park and Windom Park neighborhoods from the shopping center
- o Landscaping and lighting improvements made to 18th Ave. and Johnson St. to minimize traffic noise and to enhance the aesthetics of these entry streets to the Northeast community
- o Berms, bike paths, and walking paths are constructed on 18th Ave, east of Johnson St. for protection of the neighborhood and to encourage safe bicycle and pedestrian usage
- o The shopping center design and management provides for public transportation to the Quarry from areas throughout the Eastside neighborhood, as well as bicycle and pedestrian access
- o The developer and merchant association meet annually with neighborhood organizations to discuss shopping center plans, problems and opportunities
- o The final design is accepted and approved by the neighborhood organizations that have participated
- o Neighborhood organizations continue to have involvement and input throughout the development and construction process.
- o Safeguards are in place to protect the surrounding neighborhood from intrusion during construction
- o Lighting in and around the shopping center should be placed and directed away from the residential area.

Agreed-upon mandates from Task Force Report

The following are the agreed-upon between mandates from the Task Force that the City or Developer must satisfy. These were drawn up from on meetings between the parties after the Task Force submitted its report. It designates who is responsible for implementing certain mandates put forth by the Task Force.

Traffic

City, MCDA, or Public Works to Satisfy:

- o Traffic Control Measures
- o A comprehensive traffic management plan
- o Stinson Parkway will not be broadened

Developer to Satisfy:

- o Center to provide transportation services, in conjunction with MTC (Metro Transit), for area residents who do not have automobiles

Economic and Environmental Concerns

City, MCDA, or Public Works to Satisfy:

- o The City to work with neighborhoods to halt decline of Northeast, and Central Ave., in particular
- o MCDA attempt to find relocation sites within City for existing businesses located at the project site
- o Existing pollution be cleaned up
- o Suitable alternative to be found to replace lost grocery store at the present Rainbow site

Developer to Satisfy:

- o Merchants enact policies to promote the hiring of area residents
- o No new environmental degradation

Design

City, MCDA, or Public Works to Satisfy:

- o Johnson St. south of 18th Ave be repositioned, landscaping installed for pedestrian safety and shelter from the center for Northeast Park and Windom Park neighborhoods
- o Landscaping and lighting improvements supplied to 18th Ave. to minimize noise, etc.
- o Berms, bike paths, walking paths, etc., to encourage bicycle and pedestrian usage
- o Safeguards be put in place to protect surrounding neighborhoods from intrusion during construction.

Developer to Satisfy:

- o The shopping center design and management provides for public transportation to the center from areas throughout the eastside community, bicycle access and pedestrian access.
- o The building will be attractive from all sides
- o The developer and merchants association meet annually with the neighborhood organizations to discuss center

- o The final design of the center must meet the criteria set by the neighborhood organizations that have participated in the Task Force.

In addition to these mandates, the Task Force made a number of other recommendations and concerns clear in their report. These are scattered throughout the document. At different times in the past decade, issues surrounding the development related to the Task Force's report has centered on the difference between a mandate and a recommendation. A mandate is absolute, it was necessary for the development to go forward in the eyes of the community; a recommendation is simply what the neighborhood would like to see. There were times when the two were confused and caused controversy.

ENVIRONMENTAL HISTORY AND CLEAN-UP

The present day site of the Quarry Shopping Center has an interesting history, especially environmentally. The 42-acre site's soil and groundwater became heavily contaminated with petroleum and chlorinated solvents. Truck terminals, sandblasting operations, automotive repair shops and chemical manufacturing all contributed to a degree to the long list of hazardous pollutants that poisoned the site and threatened public health and the neighborhood.

The historic Arthur St. cuts the site in half. Johnson Street Quarry, a limestone quarry east of Johnson St. with 18th Ave the northern boundary use to existed on the western portion of the site. The quarry became active in the 1930s but by the 1950s and 1960s the quarry was filled in and being used as a demolition dump (Correspondence between Rick Jolley, Minnesota Pollution Control Agency and Windom Park Neighborhood Resident). Among the materials that were dumped in the exhausted quarry pit was woody matter from the Gateway urban renewal demolition in downtown Minneapolis. The depth of the pit is believed to be some 60 ft. below the surface (Correspondence between Rick Jolley, Minnesota Pollution Control Agency and Windom Park Neighborhood Resident).

Officials at the State and City have known about the environmental situation of the site for years prior to the construction of the Quarry. Starting in 1993-1994 the Minneapolis Community Development Agency (MCDA) initiated investigation into the environmental status and risks of the site and its potential to be cleaned up and revitalized. Ryan Companies Inc., (Ryan) a private developer, was interested in the site. Peer Engineering, Inc. (Peer) was the environmental engineering firm MCDA hired to perform the investigation. MCDA's and Peer's investigation was complete in the fall and this led to the partnership between Ryan and MCDA. It was Ryan that showed interest in redevelopment of site as a commercial center in the beginning which lead to MCDA's environmental investigation. Dubbed a health hazard by MCDA, condemnation laws were soon used to vacate the property and devaluation hearings were

MCDA and Ryan were awarded the Phoenix Award for Brownfield Redevelopment at the Industrial Site Recycling Conference in Pittsburgh in 1998. Peer Engineering was also recognized for their assistance in the site clean up.

held regarding property owner compensation from MCDA. Ryan Companies shared the cost of assessing the site with the government, and the government paid for the cleanup costs with various creative methods (Conversation between Author and Rick Jolley, Minnesota Pollution Control Agency).

Minnesota Pollution Control Agency (MPCA) split the development area into multiple Voluntary Investigation and Cleanup (VIC) sites with different ‘packages’ of cleanup and investigation (Conversation between Author and Rick Jolley, Minnesota Pollution Control Agency). MPCA administered a split timed with the Land Recycling Act with the east side of the site, with Arthur St. being the divider of east and west. West of Arthur was the primary dump (the quarry) with ‘fingers’ of contamination (which included coal slag) extending on the east side where the present day Target parking lot is located. In these ‘fingers’ coal slag in significant amounts was found in shallow locations (Findings of Fact and Record of Decision, Environmental Assessment Worksheet) (Conceptual Response Action Plan, Northeast Retail Development, Minneapolis, MN).

As for environmental contamination, the western part of the site was the largest dump (the quarry), which was ‘compacted’ and ‘graded over’ by Ryan following MCDA’s investigation. A ‘groundwater plume’ of contamination was found and attributed to two sources: solvents from a tank that was removed, and a deeper site that contained a combination of solvents, petroleum hydrocarbons, and lower levels of PCBs (Correspondence between Rick Jolley, Minnesota Pollution Control Agency and Windom Park Neighborhood Resident). Because of woody material dumped in the past, methane gas has been detected at high enough levels that MCDA and Ryan engineered controls on the buildings being constructed on site (Correspondence between Rick Jolley, Minnesota Pollution Control Agency and Windom Park Neighborhood Resident). Ryan constructed vertical vents or pipes that let methane gas out on the northern edge of the site behind Home Depot and Rainbow (Peer Environmental & Engineering Resources, Inc.). Blowers were installed to pump out the methane when the gas reaches high enough levels. Methane is monitored around the perimeter of the site. On the western portion west of historical Arthur St. monitoring is an active system where the authorities are able to take action if a high level is detected but they haven’t had any issues thus far where they’ve had to take action. The system east of old Arthur St. is a passive system that has sub slab PVC ventilation. Ryan’s environmental consultants, Leisch & Associates (Leisch) was contracted to implement these systems. MCDA encouraged Ryan to build this venting system described above to eliminate a long-term monitoring scenario. In exchange for Ryan implementing this system, it gets certain legal ‘protections.’ Ryan cannot be named as a responsible party in case action related to not cleaning up the site. The environmental contamination was committed by other businesses so a new developer such as Ryan are weary about developing site if they were legally responsible for the clean-up performed (Conversation between Author and Rick Jolley, Minnesota Pollution Control Agency).

Ryan’s Quarry is part of the State’s Voluntary Investigation and Cleanup (VIC) program. The site was contaminated enough that it would have fallen under other mandatory provisions for cleanup had Ryan not agreed to take part in the cleanup. At the time, MPCA didn’t have enough money to go into all such areas destined for Superfund status and clean them up. The Quarry would have been given Superfund list priority had Ryan not made the deal. The site would have been on the state Superfund list, but probably low on the list

(Conversation between Author and Rick Jolley, Minnesota Pollution Control Agency).

As for groundwater contamination, it was addressed by a system called “trenching” and pipes with blowers that extract vapors contributing to the contamination. This method, called “soil vapor extraction” was a fairly established method at the time and usually takes a few years to complete. Similar systems have been used at various sites throughout the Twin Cities (Correspondence between Rick Jolley, Minnesota Pollution Control Agency and Windom Park Neighborhood Resident).

A restrictive covenant exists on the site, it states that all development must be separated from contamination, about 1.5 to 2 feet under the pavement of the parking lot (Conversation between Author and Rick Jolley, Minnesota Pollution Control Agency). The cleanup at the Quarry occurred prior to set standards for the amount of property given a land use type. Today, typically there is at least a 2 ft buffer for a parking lot and a 4 ft. buffer for green space. The land use restriction requires the developer, or any one else doing any kind of digging at the site for construction, maintenance, landscaping, or utility purposes must contact the MPCA first to oversee the operation as to not endanger public health (Correspondence between Rick Jolley, Minnesota Pollution Control Agency and Windom Park Neighborhood Resident).

The MPCA didn’t have any concerns about risks associated with being around the property post-cleanup because it’s in much better condition environmentally than much of its recent history. They felt it must be understood that its not feasible to remove all contamination from a site to instead the risk is managed through the cleanup and monitoring.

The long term response action elements addressed in the Operation and Maintenance Manual completed by Peer Engineering outline remediation goals and monitoring procedures with six focuses:

1. Deep Volatile Organic Compound (VOC) and Petroleum-Impacted Soil Vapor Extraction (SVE) system
2. Deep Polychlorinated Biphenyl (PCB), VOC and Petroleum-Impacted Soil SVE system
3. Perimeter Methane Control System
4. Sub Slab Methane Ventilation Systems
5. Long Term Groundwater Monitoring Program
6. Biopile monitoring (Outlot A)

(Peer Environmental & Engineering Resources, Inc.) (Correspondence between Liesch Environmental Engineering and Rick Jolley, Minnesota Pollution Control Agency, the Quarry West Site (MPCA 4554) Semi-Annual Environmental Monitoring Results for the Period of July through December 2006 and Annual Monitoring Summary)

Met Council and Stormwater Runoff

The Metropolitan Council conducted a review of the Environmental Assessment Worksheet (EAW) completed for the project to determine its adequacy and accuracy in addressing regional concerns. The review included the following concern about stormwater runoff.

The Met Council commented that the proposed grit chambers in the EAW wouldn’t provide a very

high level of runoff treatment and would need frequent cleaning. They suggested that a more effective way to consider would be to treat runoff on site. They suggested wet detention ponds designed to Natural Urban Runoff Program standards to provide runoff treatment and reduce peak runoff rates. They also expressed concerns that there were potential problems regarding stormwater coming from upstream locations in the City of St. Anthony because a portion of that municipalities stormwater enters the same part of the Minneapolis storm sewer system that serves the Quarry site. The Met Council mentioned a 1991 state law that said developments with over one acre of impervious surface must have retention ponds.

In response to the Met Council's concern the developer, RLK Associates, and Peer Engineering decided that still believed grit chambers were the most appropriate treatment method for the project (Findings of Fact and Record of Decision, Environmental Assessment Worksheet).

The City of Minneapolis is the governing agency of the watershed district. Engineers from the Sewers Division of the Minneapolis Public Works Department said that they reviewed the project and actually helped design the grit chamber system. They believe that the system will insure that there will be no adverse impacts for the watershed. Although the City agreed that in most cases a retention pond is preferable, a pond is not feasible on this site. This is because the only area large enough for a retention pond is the southwest corner of the site (Outlot A) but because it contains contaminated soils that should not be disturbed, a retention pond is not possible in that location.

The conceptual Response Action Plan (Appendix A in the EAW) calls for in-situ soil venting and the use of berms on site. If a pond was located on Outlot A instead, then there would have to be off site treatment and disposal of both the contaminated soils that would be bermed and treated and the soils excavated for the detention pond. The developer and consultants estimate that using a pond instead of a grit chamber design would increase project cost by well over \$1 million and not be financial feasible. Also in light of the water coming in from St. Anthony, it was thought that grit chambers would be preferable to a pond because the sooner the water gets out of the system the better the storm sewer system will work for the water coming from upstream.

The Met Council concluded that the EAW was complete and accurate and that it didn't raise any major issues with the policies of the Council. The Council noted that the stormwater issues of concern were adequately addressed by the City's final EAW document (Findings of Fact and Record of Decision, Environmental Assessment Worksheet).

TRAFFIC AND TRANSPORTATION

Traffic has been a primary concern of citizens of Northeast Minneapolis with coming of the Quarry Shopping Center, perhaps its been the greatest issues of concern. Citizens have observed increases of traffic from all angles, not particularly a surprise since the Quarry is a very large automobile oriented center adjacent to a major freeway.

Traffic Impact Report in the Environmental Assessment Worksheet (EAW)

According to the Traffic Impact Report in the EAW there would be a total increase of 15,581 net daily trips and 1,079 net p.m. peak hour trips post-Quarry construction compared to pre-Quarry. Barton-Aschman Associates completed a traffic analysis as part of the Indirect Source permit (ISP) application (in Appendix C, 'Traffic Impact Report' of the EAW). The Traffic Impact Report notes that several roadways along the perimeter of the development would be affected by the Quarry, including Johnson, 18th, Stinson, New Brighton and Arthur St. Along sections of these streets that surround the site, traffic volumes were forecasted to increase 18% in Fall 1996 as compared to Winter 1994 levels (one year after the center was then expected to have opened), and not by more than 12% compared to projected Fall 1996 traffic without development (obtained by assuming existing Winter 1994 levels increase at a rate of 3% per year). It was expected that this would affect congestion of these streets.

- o The prior on site industrial/manufacturing development generated approximately 500 trips during PM peak hours
- o The Quarry development was expected to generate approximately 1580 trips during the PM peak hour for a net increase of 1080 PM peak hour trips over the previous land use (a 216% increase)
- o Existing roadway and intersection Level of Service were rated at B to C range and it was thought that with the increase of traffic as a result of the Quarry the intersections would still operate at B to C service. Level of Service (LOS) relates to traffic rating system LOS for an intersection is based on the average stopped delay per vehicle and reflects such things as driver frustration, intersection saturation, lost time, and stability of operations; rankings are A to F.

The "Traffic Impact Report" from the EAW recommended the following:

- o Traffic signals at both east and west entrances
- o The bus stop be located north of the west entrance or on site
- o Left and right turn lanes will be required along I-35W ramps on Johnson St. NE
- o Johnson St. should be disconnected at 18th Ave with a cul-de-sac constructed south of 18th to be used for additional parking and residential access for house to the west. It was stated then that because the project incorporates these recommendations and City, State and private funds, have been identified and budgeted to cover costs "no adverse traffic impacts are anticipated on local streets or the regional transportation system."

The report also mentioned that the developer committed to operate a circulator bus throughout the neighborhood and to the center and to focus on service to the senior high rises in the area (Traffic Impact Report for Northeast Retail Center).

The following figures specifically address the increases on certain intersections and stretches of roadway.

- o Increase from 14,200 to 18,200 average daily trips on Johnson St. north of 18th Ave.
- o Increase from 7,600 to 9,300 average daily trips on 18th Ave. West of Johnson St.
- o Increase from 17,800 to 19,900 average daily trips on Johnson St. south of 18th Ave.
- o Increase from 13,400 to 16,500 on New Brighton Boulevard

- o Increase from 7,000 to 8,000 on Stinson Parkway
- o A constant 7,500 of average daily trips on 18th Ave.

(Task Force, Susan Lutz, Chair)

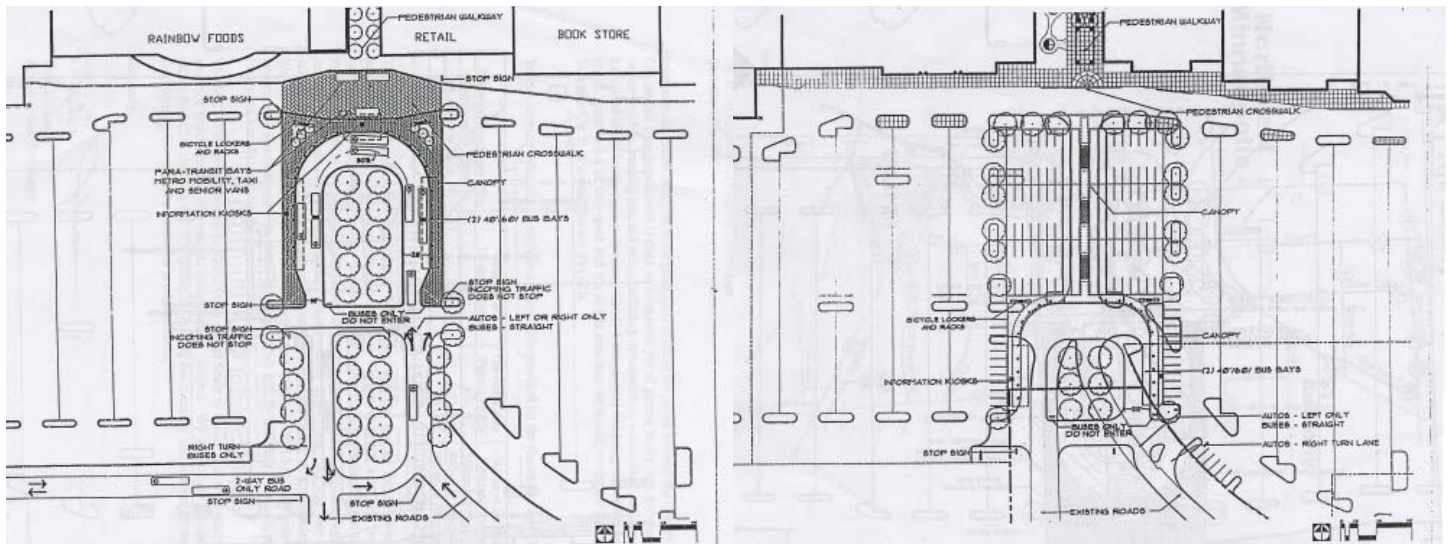
Traffic on Stinson Parkway

The average daily trips on Stinson Parkway prior to the opening of the Quarry was the highest of any Grand Rounds Parkway in Minneapolis. Neighborhood residents have since observed a significant increase in traffic on their parkway and delivery trucks using it. They feel that the Quarry is responsible for the increase of traffic and the degradation of their parkway. As stated above, in the traffic study done in 1993 supplied to the Task Force, traffic on Stinson parkway was expected to increase from 7000 to 8000 with the development of the Quarry. But, in a traffic study commissioned by the Minneapolis Park and Recreation Board in 1997 right about the time the Quarry was opening, Stinson was at 9195 daily trips (BRW, Inc. & White Mountain Survey Co.).

On-site Transit Service Issue

From the beginning of the project there was talk of having an on-site transit stop at the Quarry. This seems to be an item of much confusion, and frankly is still not clear. The Metropolitan Council Transit Operations (MCTO) was the primary advocater of an on-site transit stop or station. MCTO believed that properly designed transit access would both improve economic viability of the project by attracting people from the community that don't have access to cars (Correspondence between Julie Johanson, Metropolitan Council and Ron McKinley, Minneapolis Planning Commission). The City was also sympathetic to the cause but was unable to provide funds. The MCTO promised \$400,000 toward a transit station. Ryan Companies, the developer, seemed apathetic to the addition of such a feature but the tenants of the Quarry were cold to the idea. Ryan believed they couldn't force their tenants into agreement, and thus felt they could go no further with the planning of the transit facility (Correspondence between Paul Farmer, MCDA and Pat Scott, Minneapolis City Council Zoning and Planning Committee).

There was also vague disagreement to the cost of constructing and maintaining a transit center. Ryan's architect estimated the costs to be about \$800,000 while MCTO believed the cost of the transit facility could be less than \$600,000. Whatever the cost would have been, the \$400,000 commitment from the MCTO wouldn't have covered it and funds would have had to come from a stretched City budget that was already spent significant public money on the project or Ryan, whose tenants wouldn't support the construction such a facility. Also, MCTO entered the picture rather late in the planning process and there were concerns that alterations to the site plan to include a transit facility would delay the project many months. Every month the project would have been delayed, it would cost MCDA \$134,000 in TIF money (Quarry Project Review Committee, Minutes of 5/1/96 Meeting).



Designs for the Transit Facility at the Quarry

Traffic and the Proposed Arby's

Site Plan Review (Automobile Related use Site Plan Review PR-371) for Arby's in the Quarry, June 1997 states: "The traffic analysis complete for the EAW of the project concluded that if proper mitigation measures were implemented then no major traffic impacts would result from the development. However, the analysis assumed retail on the project site, not a drive-thru restaurant. The net increase in trips by the addition of an Arby's was estimated at 48 trips during peak p.m. hour. This would increase overall trips generated by the center by 3%." (These are traffic estimates done by RLK Associates).

Non-Automobile Transportation Infrastructure

The early site plans of the Quarry included on and off street bike paths and pedestrian paths on the north, east, and west and along the private roadway in front of the stores. The design also included a pedestrian mall located in the middle of the shopping center that provides store access from the residential area to the north. These early site plans also included three north-south pedestrian pathways that break up the main parking lot and provide better access between the lots and store entrances.

In May 2007, the Minneapolis Diagonal Trail, which is proposed to run between the Quarry and Roseville began construction. The 16-foot-wide bicycle and pedestrian trail will run along the east side of New Brighton Boulevard from Broadway through the City of St. Anthony. It will then connect to an existing trail in Roseville, but connections across New Brighton Blvd. to the Quarry are poor (Haugen).

A Traffic Study to be done by Inland

As is mentioned further in the Design Concerns section of this report, there was an agreement between Inland and the Northeast Park and Windom Park neighborhood organizations. This agreement stated that in exchange for the public giving up some of its promised open space in the central arcade area for the construction of a Famous Footwear store, Inland would invest \$50,000 into improvements at the Quarry. One of the demanded improvements by the neighborhoods was improved traffic safety. It was agreed that a professional

traffic study would be undertaken. It was noted by Rick Plessner of Inland that the traffic study would take at least 4 months and that it would be wise to wait a couple of seasons to do the study. This was in responses to a request at the February 2005 meeting between Inland and the neighborhood by a resident that wanted the study done and implement immediately.

Traffic on the Quarry Site

One issue that seems to be of concern to people presently is how traffic moves on the actual Quarry site. Very little was found on this issue from the past. Currently, with the proposed expansion of Target southward there will be realignment of the Quarry Center Drive, the vehicular pathway in front of the stores. The drive will now bend at the Target store instead of being straight throughout the Target stretch. There was hope from citizens that this would calm traffic (Olson). Inland told the *Northeaster* that the way the Quarry was designed its difficult to go in and fix the traffic issue on the site. There was talk during meetings between the neighborhood and Inland of how traffic may be diverted to the outer part of the parking lot to the south with hopes of reducing congestion and pedestrian/automobile conflicts on the drive in front of the store entrances.

I-35W Bridge Collapse and the Quarry

With the tragedy of the I-35W bridge collapse on August 1st, 2007, the interstate that passes by the Quarry will not be the same for several years. The bridge was only three exits south of the Quarry on I-35W. Traffic has been forced to find other routes between Downtown, the University of Minnesota, and the Quarry and northern Metro. The earliest expected opening date of the new bridge is late 2008. Obviously there's a considerable impact on the traffic patterns at the Quarry site. Thus, any traffic study done on the Quarry will likely have to be conducted years in the future.

BUSINESS TYPES

At different points in the Quarry's decade-plus history, the question of what kind of businesses should and could be allowed to operate in the center came up. In the contractual agreement between Ryan and the MCDA, there exists the following clause pertaining to the uses that aren't permitted at the Quarry. This shows the rather narrow retail only focus that the Quarry was intended for.

Uses not permitted at the Center:

- A. No part of the center should be uses other than retail sales, offices, Restaurants or other commercial purposes.
- B. No use should be permitted at the center which is not consistent with a first-class shopping center. The following uses shall not be permitted:
 - a. Any use that emits an obnoxious odor, noise, or sound which can be heard or smelled outside of any building in the shopping center
 - b. No manufacturing or storage warehouse uses
 - c. No second hand or surplus stores
 - d. No mobile home park, trailer court, labor camp, junkyard or stockyard
 - e. No dumping, disposing, incineration, or reduction of garbage

- f. No fire sale, bankruptcy sale, or auction house operation
- g. No laundry, dry cleaning plant, or Laundromat
- h. No auto, truck, trailer, or recreational vehicle sales, leasing, display or body shop repair operations
- i. No bowling alley or skating rink
- j. No movie theater or live performance theater
- k. No living quarters, sleeping apartments, or lodging rooms
- l. No animal raising facilities or vet hospital more than 5,000 sq. ft
- m. No mortuary or funeral home
- n. No 'adult bookstores' night club, massage parlor, live 'adult' entertainment, or establishment which sells, rents, licenses, or exhibits drug paraphernalia. No 'x-rated' movies or bookstores with 'adult book' sections
- o. No bar, tavern, restaurant, night club or any other establishment with more that 50% of their gross revenues from the selling of alcoholic beverages
- p. No health spa, fitness center, or workout facility
- q. No flea market, amusement or video arcade, pool or billiard hall, car wash, or dance hall
- r. No educational or training facility
- s. No gambling facility or operation

(Minneapolis Community Development Agency and Ryan Construction Company of Minnesota, Inc.)

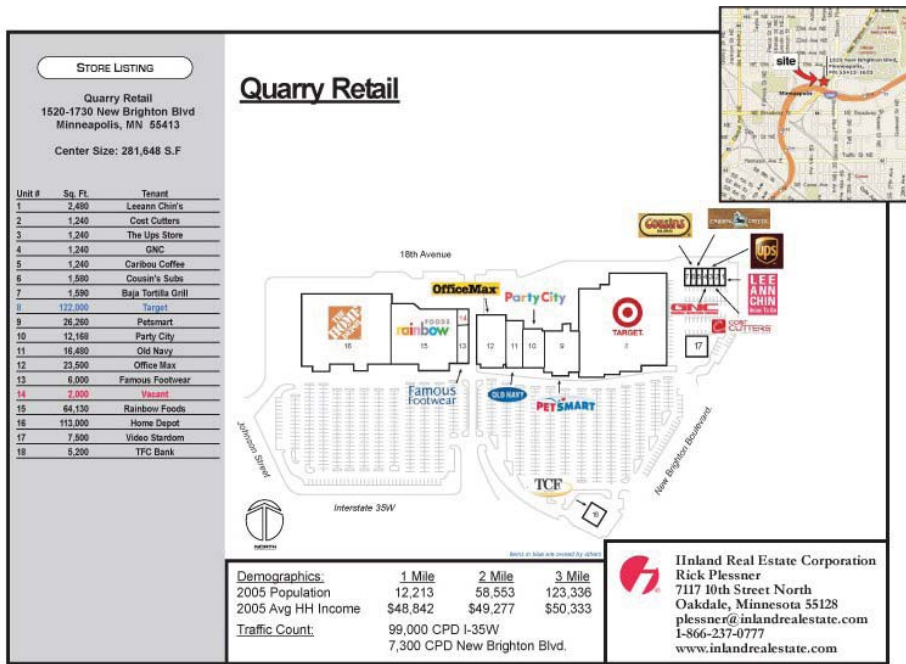
Fast Food, Drive-Thrus, and Liquor

Fast-food restaurants, particularly with drive-thrus and liquor sales have been the main controversy in the Quarry's history related to the types of commercial uses permitted. Neither of these uses are mentioned in the contract between Ryan and the MCDA as not permitted at the site.

A Question of Restaurant Types

On May 24, 1994 the developer sent a letter to Jim White, MCDA, subsequent to neighborhood meeting where neighbors voiced concerns over restaurants at the Retail Center. In regards to a full service restaurant, the developer noted that because of current leasing commitments a significant restaurant in the Quarry would not be feasible at that time. Ever since the project began neighbors have been concerned about restaurants with liquor. The developer and the neighborhood residents agreed that liquor would not be a component in this facility. There were also concerns about competition with existing restaurants on Central Avenue. The multi-tenant building on the east side of Target was speculated by the developer at the time of the letter to potentially have some service food, including a Subway and/or an Arby's. At the time of this letter the only potential spot for a restaurant of significant sized would be next to Rainbow (where the present day Famous Footwear is) but the space would be severely limited because of square footage and the associated parking impacts which an agreement would have to be made with other tenants. Also it was believe that the space would not be attractive to a national restaurant because of it not being a freestanding location.

Another issue of concern to the residents was the developer's indication that rather than a full service restaurant, the multi-tenant building beside Target may contain "some service food, including a Subway and/or Arby's," (Correspondence between Ryan Companies and Jim White, MCDA). The retail mix portion of the



proposed development in the small strip mall on the northeast of the site would increase traffic and modify traffic patterns. The Arby's would also entail the addition of a speaker box and the addition of windows on the eastern façade of the building. The proposed Arby's development was a permitted use in the location, and there was no mention in the site plan about whether a drive thru is permitted or not (Automobile Related use Site

Task Force Report makes a number of references to the importance of incorporating the retail mix with the atrium space, including: "The atrium space must be rented only to an adult-oriented food vendor such as a designer coffee, pastry, and light lunch vendor," (Correspondence between Northeast Retail Center Oversight Committee and Jim White, MCDA). Page 31 of the report specifically addresses this: "There should be no fast food or 'take out' type restaurant operations. A restaurant serving a variety of foods throughout the day should be established," (Correspondence between Northeast Retail Center Oversight Committee and Jim White, MCDA) (Task Force, Susan Lutz, Chair)

Arby's Proposal

The original site plan of the Quarry that was approved in Fall 1996 included a speculative retail use on the east end of the center. (include map). In spring 1997, Ryan attracted a fast food restaurant, Arby's, whose Plan Review PR-371).

Many citizens from the surrounding neighborhoods attended the June 5th, 1997 Planning Commission meeting to object to the changes and to the substitution of an Arby's instead of a retail use. The major concern of residents was noise and traffic associated with the drive-thru. The Arby's was ultimately approved by the Planning Commission on June 5th after a lengthy public hearing but the approval was subject to three conditions

- 1) The daytime/nighttime switch on the menu board must be utilized and the speaker be turned down at 9pm.
- 2) Agreement by the developer to cooperate fully with the utilities and City to maximize energy efficiency

"I hate this project- it has been nothing but trouble for five years now, but having said that it is there...it was approved. I feel compelled to move the recommendation with the conditions because I can't think of any grounds that we have to deny the site plan." Commissioner Judith Martin at the June 5, 1997 City Council Meeting discussing the Arby's proposal.

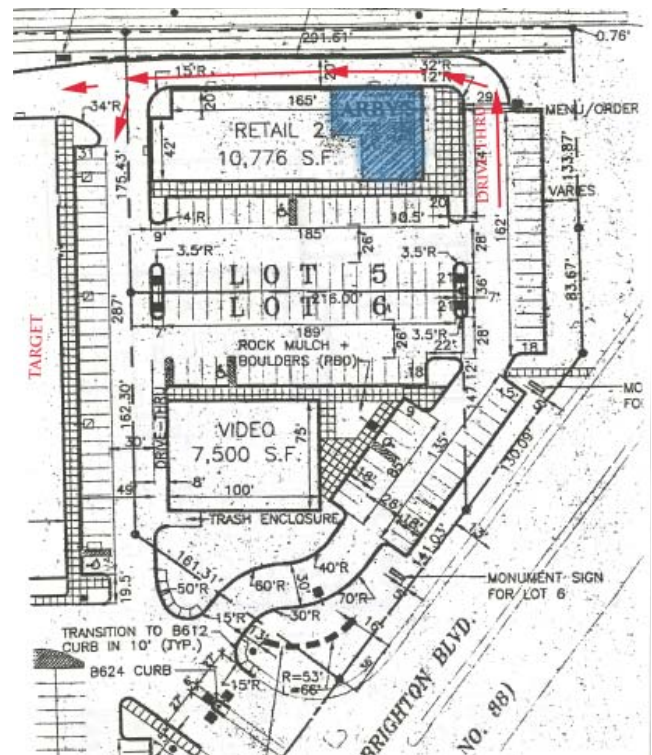
- 3) Final approval by the Planning Department of the site plan and the construction drawings for all site improvements such as transit facilities, lighting, landscaping, sidewalks, and bike paths (Automobile Related use Site Plan Review PR-371)

Considerable resident outcry over the approval by the Planning Commission led to an appeal of the decision by a resident of the Windom Park Neighborhood. Shortly before the appeal was to come before the Commission, Ryan withdrew the application. It appears that through simple neighbor opposition and mobilization that they were able to deny the drive-thru fast-food restaurant. A major concern of the community was that traffic would be tempted to drive behind the stores after they left the drive-thru endangering pedestrians in route to the Quarry from the north.

During the testimony at the Public Hearing June 5th, 1997, a planning commissioner asked about the recommendation of no fast food restaurants made by the Northeast Retail Center Task Force and wanted to know if this was an official agreement made between MCDA and Ryan and the community. Was this an agreement or just dialogue? (“Minutes from 4 June 1997 City Council Meeting.”)

A representative from MCDA responded that the citizens Task Force listed 18 mandates, and if these minimum mandates can't be met the project shouldn't be built. In addition to the mandates, there were other recommendations, and that is where the fast food recommendation surfaced. It wasn't a mandate but a recommendation. Because of the intensity of the public opposition to the Arby's, the City reviewed 17 hours of video tape and saw no place in the video tapes where anyone said they would promise not to have fast-food or a drive-thru, including Ryan (“Minutes from 4 June 1997 City Council Meeting.”).

In the Citizens Task Force Report under recommendations (not mandates), it states, “There should be no fast food or ‘take out’ type restaurant operations. A restaurant serving a variety of foods throughout the day should be established.” The report goes on to state that there is plenty of fast food along Stinson Ave. and Rainbow is likely to have ‘take out’ food associated with its deli. Examples of acceptable restaurants in the Task Force's eyes are Good Earth, Olive Garden, or Baker's Square (Task Force, Susan Lutz, Chair).



Plan of the Arby's Restaurant and Drive-thru

“We would love to have a nice sit down casual family restaurant in northeast Minneapolis. Most of them are all fast food drive-thrus. We don't need another one in our corner of town.” A resident of Windom Park Neighborhood comment during the June 4, 1997 City Council Meeting discussing the Arby's proposal.

ECONOMIC CONCERNS

In the first three years of the 1990s there were a number of ideas put forth for a much needed community grocery store in Northeast Minneapolis. Many actions were taken to get a grocery store at 18th and Central but ultimately failed because it was not financially feasible. Rainbow foods closed their store at 18th and University NE when they decided to relocate to the Quarry.

The task force viewed one of the shopping center's major goals to encourage and enable Minneapolis residents to spend their money within the city as a positive. It was also viewed it as a positive that commercial properties such as the Quarry pay dramatically more taxes than residential and industry properties. This all meant a larger tax base for the city.

Concern about property values from neighborhood residents was substantial. The task force was not presented with a study titled "Property Valuation Study" by MCDA at the time of their report in 1994. This document (if it exists) outlined the impact of the Quarry and its externalities on property values of the community. As of 2007, the study was not able to be found at the city because the author of the document doesn't work there any more. It was not confirmed that such study was ever undertaken. Increased traffic is the primary concern of the neighborhood, and is felt to be likely the largest factor in a decline in property values.

There was also significant concern about the use of eminent domain and the relocation of past businesses. According to Jim White, project manager from MCDA, at the time of the re-zoning application in 1996 the agency had purchased the site for the developer and had relocated 90% of past businesses of the site with no job loss. The focus was to relocate these businesses to industrial areas in Minneapolis if possible. Complete information was not obtained to where all the businesses were located, but some were relocated in Minneapolis and some relocated to the suburbs.

The MCDA responded to concerns that a project such as the Quarry in Northeast would adversely impact Central Ave. commercial corridor and other corridors in Northeast Minneapolis. The City hired the Economic Research Corporation to complete a market study in 1990 to examine the Central Ave. corridor. In 1995, the agency hired the company again to re-examine its original findings in light of the proposed Quarry retail center. The agency's report of 6/20/95 to the City Council included the following: "It was the conclusion of the Economic Research Corporation that the existing retail businesses along Central Ave. have changed to the degree that there will be little competition between what's there now and what will be at the Center." In this statement they imply that the Quarry will not take business away from Central Avenue or other business corridors in the area because of the types of businesses don't directly compete with one another: discounters vs. specialty businesses (Economic Research Corporation).

In the Tax Increment Plan, MCDA deemed it in the best interest of the City and the community to encourage high quality development standards; the reason being that adjacent residential properties are an important resource to the City. "The promotion of neighborhood stability and protection of property values will be achieved through the use of buffers between the retail and residential uses," (Minneapolis Community Development Agency).

Task Force's findings on the Economic Impact of the Quarry

The Task Force believed that the shopping center would have some positive economic impact on the City. They viewed the availability of reasonable priced groceries in the Northeast neighborhood as helping to stabilize the area economically. But they mentioned that the significant sales tax revenue taken in by the City would not necessarily go back into the Northeast community.

The Task Force weighed the financial advantages of the project with its various costs. They saw these costs as being the costs of the project itself for the city as well as the loss of property tax during the tax increment financing term. They also were concerned about the replacement of the high-wage jobs currently on site with largely part-time, low-wage jobs. The task force believed that the shopping center should not be judged only on the basis of greater economic benefit to the area. It was believed that the shopping center would not stop the deterioration of other business corridors in northeast such as Central Ave. and Johnson St. Based on these factors the task force recommended that the following minimum actions be taken:

1. The City in conjunction with neighborhood organizations and area businesses must mobilize both public and private resources to halt the decline of Northeast business corridors.
2. Businesses in the shopping center must commit to working with employment agencies to hire as many employees as possible from the local area.
3. Businesses displaced by the shopping center must have real dollar inducements made available to relocate and MCDA should attempt to find satisfactory locations for relocation.
4. Alternatives should be sought in the Northeast community which may lose a grocery store as a result of the Quarry (Task Force, Susan Lutz, Chair).

Economic Impact Study by MJB Consulting

In 2005 Mike Berne of MJB Consulting conducted a study on the impact of the Quarry on the surrounding Northeast commercial corridors, particularly Central Avenue. Berne was looking for examples of big-box retail centers in the inner-city to better understand the impact of a retail development proposed for central Cleveland, OH. The Quarry was seen as an example of how big box center's economic impacts can be mitigated in the inner-city by a burgeoning immigrant population. Minneapolis, with its large flux of immigrants settling in Northeast and other neighborhoods in the past decade have created a market for businesses such as the ones seen on Central Ave. The conclusion from the study was that although the Quarry can be blamed in part for the loss of some 'mom and pop' businesses in the area during the 1990s, largely immigrant serving businesses have filled the gap that other businesses left. Berne has found that in cities without a large flux of immigrants there's a significantly larger number of storefront vacancies in business corridors like Central Ave near big box retail.

DESIGN CONCERNS

Design was always and still is to this day a major concern of the City and the residents who in one way or another were involved in the Quarry project over the past decade or so. A large, suburban style retail center like this with over 2000 parking spaces in the inner city is unique. Some people feel that the city sold out in accepting this project that it their eyes has nothing ‘urban’ about it. Others love the fact that they don’t have to drive to other municipalities to get the cheap essentials that they are going to purchase whether the discount retailers are in their backyard or fifteen minutes down the freeway. Throughout the life of the project the neighborhood organizations, and the various committees and task forces they advocated for better design and aesthetics of the site.

It’s felt by some that the Quarry has degraded the neighborhood; it seems that these are the same voices that actively pursued a substantial public gathering space at the Quarry, one that was really never established to the level of their vision. Others feel that they don’t want to the Quarry to be part of their neighborhood because of the very nature of the development. They don’t see why the neighborhood would want a development such as the Quarry to symbolize their community in any way. These are the people that feel that design-wise, the neighborhood should distance themselves from the Quarry, not integrate into it. Still others point out that aesthetically the Quarry is better than the majority of retail centers in the suburbs where land is cheaper and more abundant and municipalities are more lenient. They cite design elements such as the central pedestrian arcade and the establishment of an identity of the site with the usage of the name ‘Quarry’ as a reference to the past use of the site. Although opinions vary on design, people do agree the Quarry will remain controversial.

The following is an excerpt from a letter dated May 24, 1996 from the developer, Ryan, to Jim White, MCDA, subsequent to neighborhood meeting where neighbors voiced design concerns, primarily their desire for a enclosed public gathering space in the middle of the shopping center. Here the developer explains why the enclosed atrium idea is not a possibility.

The enclosed atrium: “Its been the developers position for 2 years that an enclosed atrium is not feasible because a) the space would not be leaseable on a financially feasible basis, b) a climate controlled interior space would create a security issue because of the creation of a safe haven for potential undesirable elements, c) the division in the middle of the Center was always meant for convenient access for the neighbors, not the creation of an interior mall. The developer feels that they have designed something that will facilitate the neighbors without creating a security problem or unleaseable space.” (Correspondence between Ryan Companies and Jim White, MCDA)

In a June 10th, 1996 letter from the Northeast Retail Center Oversight Committee to Jim White, project manger from MCDA, in response to the May 24th letter from developer (above) the letter references the numerous mentions of the atrium in the Task Force report, “The building will be welcoming and provide common areas and entrances for the neighborhood and visitors.” Among other strategies indicated in order to accomplish this goal is: “The neighborhood entry will be located at the middle of the main building, and lead

into an enclosed glass-roofed atrium which will connect to the parking lot.” An additional strategy is: “The atrium will include seating, and may be a site for community gatherings, small ‘pushcart’ boutiques, or other amenities,” (Correspondence between Northeast Retail Center Oversight Committee and Jim White, MCDA) This shows the citizens desire for a quality community space to be provide by the developer on the site. It also shows how the community was able to make their collective voice heard through a central reference, the Task Force report to the City Council.

The following is an excerpt from a July 25, 1996 Northwest Retail Center Oversight Committee letter to Jim White, MCDA, to further express design concerns previously mentioned at neighborhood meetings and correspondence with the developer. At the time the neighborhood’s grand vision of glassed-in atrium over the central pedestrian arcade was just dropped by the developer and there was talk that a sculpture park in Outlot A would be a possibility, but never came to be. These expressed design concerns and requests by the community represent their belief that if design of the shopping center was not thought out carefully, then the blight that once existed on the site could return in the future. Although not all of their wants were manifested by the developer, the persistence by the community in demanding high-quality design, although not always feasible, was always there.

- o Atrium (also know as central arcade): “The much anticipated glassed-in atrium will not be built and is seen as a set back for the neighborhood. Its felt that the proposed design (which exists today) will not give the same sense of community that the atrium would have. It’s felt that the proposed artwork and sculpture throughout the center and Outlot A is a great amenity that helps make up for the loss of the atrium. The neighborhood is relying on the developer to allow and assist in the installation of appropriate works of art.”
- o Arthur St. Pedestrian Access: “Although the Committee is pleased with the existence of pedestrian access to the center of the site they are concerned that pedestrians will be put in danger by delivery trucks. They recommend proper infrastructure to deal with the danger such as traffic control devices, clearly marked pedestrians crossings, good lines of visibility and delivery person education at a minimum.”
- o Signage: “No more than two freestanding elevated signs located at the Arthur St. and New Brighton entrances. A ground-level monument sign at the Johnson St. entrance with appropriate plantings is acceptable.”
- o Canopy Usage: “Canopies add both visual interest and shelter. The committee would like to see extensive use of canopies at both the outbuildings and adjoining the public walkway at Arthur St.”
- o Berms: “Berms need to be high enough to block noise, light, street and sight lines of the center from the neighborhood. Preferably the berm would be planted with hardy evergreens; appropriately installed to enhance the pedestrian and bicycle access as well as the life of the tree.”

(From July 25, 1996 Northwest Retail Center Oversight Committee letter to Jim White, MCDA)

Signage

It was originally ruled by the Zoning Administrator that the center could only have two signs. The developer was denied the installation of three more freestanding signs. There was controversy over how to interpret the zoning code. The question was whether a very large lot with several stores should be allowed multiple signs. The Zoning Administrator interpreted the code as only allow one sign per lot. In the end, the City sided with the developer and the Quarry was allowed 5 total signs, which turned out to be the correct interpretation of the Zoning Code and is the maximum number of signs the developer will be allowed at the Quarry under the current code (Minneapolis City Planning Department Report, Variance and Sign Adjustment Request, BZZ-234).

Parking

The project includes significantly more parking than the minimum required by the Zoning Code. The planned amount of parking stalls in the beginning slightly exceeds the amount required by the tenants. Zoning Code sets a minimum standard of 3.30 stalls per 1000 sq. ft. That would be approximately 1338 total stalls at the Quarry. The tenants require 5.00 stalls per 1000 sq. ft. or approximately 2027 total stalls. What was built (at the time of opening) comes out to 5.07 stalls per 1000 sq. ft. or 2056 total stalls. That's 54% percent more than the minimum the code requires. (Automobile Related use Site Plan Review PR-326, Minneapolis City Planning Department Report)

The project also includes significantly more handicapped accessible stalls than the minimum required by the Americans with Disabilities Act (ADA). The ADA requires a minimum of 21 stalls. The project includes 52 stalls (at its opening), 10 of which are also van accessible. (Automobile Related use Site Plan Review PR-326, Minneapolis City Planning Department Report)

Outlot A

The project includes a 3 acre outlot, Outlot A, that's located on the southwest corner of the site. The outlot contains contaminated soils that were excavated from the site during the development of the Quarry. These polluted soils are being treated in this area by a process called phyto-remediation and through in-situ soil venting. The area was also planted with grasses native to this region of Minnesota. At an unknown time the area could be used for an active pedestrian-oriented area. Originally, before it was decided to treat soil there, the developer planned to have a freestanding building on the site. There was also a motion put forth by residents that a sculpture park should be developed on site. Currently, there are questions of whether the site could be developed or not depending on the extent the soils have been cleaned, but its thought that a building would be very costly because of extensive soil stabilization work that would need to be done. (Conversation between Author and Rick Jolley, Minnesota Pollution Control Agency)

Famous Footwear and an agreement between the neighborhood and the developer

In 2005, the second developer, Inland who bought the Quarry from Ryan, applied for a conditional use permit to expand the Quarry by approximately 8,000 sq. ft. for a Famous Footwear store. The store was proposed to be located between Rainbow and Office Max on what was then open space consisting of two gazebos in the central arcade pedestrian mall of historical Arthur St. The store would also take 3 feet of pedestrian pathways in addition to the gazebo open space. In return for the neighborhood giving up this open space that was promised to them in the beginning by the developer, Inland agreed to offer \$50,000 for improvement of the Quarry's grounds and the central arcade area. It was agreed that these funds would be used for green space upgrades, upgrades on traffic safety, and improvements to the central arcade area to be done in conjunction with Northeast Park and Windom Park neighborhood organizations. (See more about the traffic study promised in this agreement in the traffic section of this report). It was requested by the neighborhood organizations that the \$50,000 dollars not be dispersed through the City, but instead disbursement would be worked out directly between the neighborhood organizations and Inland.

Landscaping

It's stated in the September 1996 Minneapolis City Planning Document PR-326 that 20% of the site must be landscaped minus the building footprints and that in hardship, at least 10% must be landscaped with enhancements. In summer



1999, prior to a Target expansion, Home Depot's expansion of their Garden Center, and the establishment of Famous Footwear in the central arcade space the following figures were given in Minneapolis the September 1996 copy of City Planning Document PR-326 outlining the use of land at the Quarry. (These numbers are approximate).

	<i>Excluding Outlot A</i>		<i>Including Outlot A</i>	
	acres	percentage	acres	percentage
total site	37.9	100%	41.14	100%
building footprints	9.49	25%	9.49	23%
net site (w/o footprints)	28.59	75%	31.65	77%
landscaping	5.09	18%	7.97	25%
main parking lot	16.24	43%	16.24	40%
total pavement*	23.5	62%	23.5	57%
*Includes paths for pesestrians and bikes and central arcade area				

According to this table only 18% of the site is landscaped excluding Outlot A, which is 2% less than the 20% required in the Site Plan Review. Note that this was prior to the expansion of Target, Home Depot, and Famous Footwear coming to the Quarry, all three of which would add to the building footprints and reduce landscape space. It's not clear if Outlot A should be included in the percentage, one, as being a 'landscaped 'space, or two, if its even eligible because it is owned by the City.

FINANCES

Financing is an important part of any brownfield redevelopment plan. Financial incentives by the governmental agency are often essential for redevelopment. High site preparation costs (acquisition, demolition, and relocation) due to existing structures and businesses make development by the private sector often economically infeasible. In addition, environmental cleanup costs associated with redevelopment often deter private developers. In many cases, the businesses that are liable for the pollution under environmental laws have long disappeared.

Much of the situation described above is true for the Quarry. The public agency, the Minneapolis Community Development Agency (MCDA) was approached by Ryan Companies with a plan to redevelop an under-used and contaminated brownfield in Northeast Minneapolis. The City entered agreement with Ryan that MCDA would be responsible for acquisition, relocation, and demolition of the existing business. MCDA would also be responsible for site preparation, pollution testing and remediation, purchase of environmental insurance, public utilities, traffic control, land and structures for public transportation and bicycle paths, landscaped green space, and administration. These costs would be

recovered by the sale of the property to Ryan, and the establishment of a Tax Increment Financing District and a Hazardous Substances Subdistrict along with other income sources such as grants. In 1996, in the middle of construction, Ryan was expected to invest approximately \$30 million in the project (Automobile Related use Site Plan Review, Minneapolis City Planning Document PR-326). The budget above from 1995 is not expected to be completely accurate but it does give a sense of the kinds of funds that were involved.

EAST SIDE SHOPPING CENTER

June 1995 Budget

SOURCES	
Tax Increment and Hazardous Substance Subdistrict Taxes	\$10,357,000
Land Sale Proceeds	\$7,300,000
Minnesota State Aid (for Roads)	\$1,750,000
MCDA 1991 Transition Money Match	\$1,733,000
Neighborhood Revitalization Program	\$1,500,000
Special Owner Payments	\$1,500,000
Special Assessments on the Shopping Center	\$260,000
Total Sources	\$24,400,000
USES	
Acquisition, Relocation, Demolition**	\$14,210,000
Pollution Cleanup	\$2,600,000
Soil Correction	\$3,100,000
Highway Access	\$1,480,000
Public Improvements to and Along 18th Street	\$530,000
MCDA Administration	\$500,000
City Fee	\$630,000
Contingency ***	\$1,350,000
Total Uses	\$24,400,000

* The budget does not include capitalized interest for bonds.
 ** Includes 2d half taxes of \$200,000 and financing costs of under \$100,000.
 *** Should be at least \$2-\$3,000,000 to reflect the current risk assessment.

**“When the project is completed, the market value of the property is expected to increase from its current level of \$2.6 million to approximately \$15 million”
 City Planning Document PR-326**

HOME DEPOT ISSUES

Home Depot opened at the Quarry in 1996. In addition to offering building materials, Home Depot sells garden supplies which are housed in an outdoor Garden Center with fenced walls and a partial roof that covers the front (south) third of the center. According to Home Depot, the Quarry store is one of the most profitable in their whole system, however the Garden Center at the Quarry location, at the time, was one of the smallest of the company's centers and is believed to still be (its common for inner-city retail centers such as the Quarry to have slightly smaller buildings than a suburban retail center). In the past there were issues with materials bound for the interior of the Garden Center being allowed to sit outside for extended periods of time on all three sides of the building.

The City, neighborhood, and Home Depot resolved these issues by adopting an agreement. The Interim Operating Agreement (IOA) clearly defined the 'operating parameters' of Home Depot. Since the execution of the agreement in Fall 2002 the city had received no substantive complaints (as of 2005). The agreement's intention was to define the operating protocols and to test them during the construction of the proposed expansion of the Garden Center, which Home Depot had in the works since 1999.

The City approved the site plan review for the expansion of the Garden Center in July 2002 (Minneapolis City Planning Department Report Site Plan Review Application BZZ-732), but Home Depot never built and the permits expired but the IOA stayed in effect. This was the second time that the City approved the Garden Center expansion and the company failed to build. The first time was in 2000, when the City approved the proposal in September 2000 (Minneapolis City Planning Department Report, Site Plan Review Application BZSP-190 and Conditional use Permit Application BZCU-202).

Prior to this, in November 1999, Home Depot applied for a Conditional Use Permit that would allow them to be open 24-hours. WPCiA (Windom Park Citizens in Action, the neighborhood organization for the neighborhood just north of the Quarry) was employed by citizens angered, Home Depot, a company that was already not complying with city regulations would be approved for a 24-hour permit by the City. WPCiA recommended denial of the application not only because of concerns about lack of compliance with existing regulations but also because the community was



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Please remember to use the credit line above.

This aerial image shows the Home Depot at the Quarry in May 1999. Notice the materials stored outside of the Nursery to the left of the building in the image.

against a 24-hour Home Depot in their neighborhood. The reasons they gave for this opposition were increased traffic and noise during late night hours. WPCiA also passed a resolution containing suggested conditions to be added to the conditional use permit if it were to be approved by the Planning Commission. See Appendix 2 for a Motion drafted by WPCiA giving reasons Home Depot has been a ‘bad neighbor’ and shouldn’t be approved the conditional use permit. Also see Appendix 3 for an opinionated flyer circulated by residents to the neighborhood notifying them of an upcoming meeting where issues with Home Depot will be discussed.

At the time the Planning Department recommended approval of the permit but this approval was subject to twelve conditions, essentially the same conditions that WPCiA suggested. Later, at the December 13th, 1999 meeting, the Planning Commission denied the application. Home Depot was denied largely because they were not in compliance with existing regulations and had not been a ‘good neighbor’ to the adjacent residential community (Fisher). Home Depot appealed the decision but withdrew permit application before it could go before the City Council in January 2000. In their Letter of Withdraw Home Depot stated, “Home Depot wishes to exhibit improved property and store management over a period of time prior to pursuing approval for a 24-hour store,” (Correspondence between Michael Orange, MCDA, and Paul Farmer, MCDA).

For most of Home Depot’s existence at the Quarry, residents of Windom Park neighborhood to the north have complained about the store’s management practices related to the staging and storage of materials on the exterior of the building and Garden Center. Prior to 2002 the City cited Home Depot many citations for violations to the Zoning and Fire Code because of their staging and storing of materials on the exterior of the site. Home Depot challenged these citations in court in 2002. The court dismissed the City charges on the basis that Home Depot received insufficient notices of the violations before the City issued the citations (Department of Community Planning and Economic Development, Planning Division, Conditional use Permit and Site Plan Review BZZ-2223).

Part of the conflict with the legality of staging of materials is that (at least at the time) the City’s Zoning Code does not contain solid definitions for the staging and storing of materials. In addition, the original zoning permits for the Quarry didn’t address conditions of approval to the problems a Home Depot type store could



Home Depot image taken by my resident in 1999 showing the exterior staging and storing of materials

pose. The solutions made in 2002 to these problems were “1) create structures that delineate and contain staging and storage areas, and 2) clearly define operating parameters that Home Depot can live within and the City can enforce without ambiguity.”

In 2002, WPCiA had a Quarry Committee meeting to discuss issues related to Home Depot (Minneapolis City Planning Department Report Site Plan Review Application BZZ-732). It was expressed in this meeting that Home Depot stores

in other communities appear to be more thought out and visually appealing. Some people in the neighborhood feel that Home Depot judged them to be a 'lesser' community than the others in the metro judging by how much the company is willing to spend on the aesthetics of the building and grounds. It was expressed at this meeting that this was an especially sore spot for the community given the amount of business the company gets from the community. In other communities in the metro (the Burnsville, Edina, and Woodbury Home Depot locations are mentioned) the Home Depot is a larger building where ample space is present to accommodate material staging and storage. Thus, the neighborhood believed that the building at the Quarry location should be enlarged and is why they supported the expansion proposal for the Garden Center. In addition, there were other minor concerns that residents and City had, including the roofing on the Garden Center, opaque screening of stored materials, questionable parking of trucks, and an illegal temporary sign.

There was, although, concern that the proposed expansion only improved the screening of materials on the south and west but not making any improvements on the north side where there are direct views to the open storage from residences. There was also an issue of the expansion creating three distinct facades on the south side of the store where only two should be, the main building and the Garden Center. This additional façade didn't meet site review criteria. Although the expansion was approved in 2002, Home Depot never built.



Storage of wood pallets at Quarry Home Depot, photograph taken by Windom Park resident

The Interim Operating Agreement (IOA) clearly defines regulation of the issues related to truck idling and truck and trailer parking, outdoor storage, delivery and staging, primary and secondary lumber staging and delivery Area, loading dock recycling area, and Garden Center staging and delivery area. The agreement also addresses when certain elements of the facility can and cannot operate.

Home Depot was approved for the third time for their expansion of the Garden Center and other improvements in March 2005 and finally implemented the changes to their Quarry location.

ADDITIONAL CONCERNS, AVENUES, AND NOTES

“Another concern would be the accuracy of the projected increase in traffic generation on major routes along or near the perimeter of the retail center....I would think that the major north/south thoroughfares of Johnson St. and Stinson Blvd. would experience greater traffic increases than projected.” Northeast resident’s concern found in EAW

“The first concern is Ryan Construction’s proposal to vent the methane gas at the Quarry site into the community air. It seems more logical to burn the methane in some way, perhaps as a remembrance of the settlers in this community and the traditions they held dear.” Windom Park resident’s statement submitted in the EAW.

Property Valuation Study

Was the MCDA’s Property Valuation Study every completed in 1994? Does it exist? It’s mentioned in the Task Force as not being provided to citizens by the City, but it does imply its existence.

“It takes me five minutes to get to Rosedale. Why should our neighborhood be at risk?” A Northeast resident voicing their concern at an early neighborhood meeting in August 1993 when the project had just been announced (Fillmore).

“An officer from the Northeast Business Association spoke very favorably for the project at a public meeting. This person made comment that the Hi-Lake Shopping Center improved that neighborhood” (Hi-Lake is a similar sized development with some of the same tenants of the Quarry. It’s located in south Minneapolis). Statement found in EAW

Union Pacific Liable for the Contamination?

There’s one baffling sentence in the 25 September 1996 Minneapolis City Planning Document PR-326. It says “The Union Pacific-Railroad, parent company of the former owners of the site, the Chicago & Northwestern Railroad, is responsible for site clean-up of the soil pollution.” No where else in any document viewed for this study was this allegation referenced. Was it simply a mistake or is Union-Pacific actually liable for some of the pollution on the site? If so, why weren’t they pursued for funds?

“I don’t want to spend my money in the suburbs. I want to spend it where I live.” A concern from a Northeast resident in support of the project early in the planning process. (Fillmore).

APPENDIX I- PERMIT HISTORY

Permit Name	Permit ID #	Status	Staff
1 Environmental Assessment Worksheet for Quarry	N/A	CC/M approved 12/19/95	Orange
2 Rezoning for Quarry Site	P-998	CC/M approved 9/27/96	Orange
3 CUP for extend hours (24) for Rainbow	C-1756	CPC approved 9/11/96	Dorek
4 Street vacation for Quarry (Arthur St. NE)	V-1187	CC/M 9/27/96	Dorek
5 Preliminary and final plat for Quarry	PL-11	CPC approved 9/11/96	Dorek
6 Met Council approval of amendment to Comp Plan for Quarry	N/A	Met Council 10/17/96	Orange
7 City approval of amendment to Comp Plan for Quarry	N/A	CC/M 9/27/96	Orange
8 Site Plan review permit for Quarry	PR-326	CPC approved 9/25/96 with conditions	Orange
9 Appeal of CPC decision on site Plan Review for Quarry-Ryan appealed	PR-326	CC/M denied appeal 11/6/96	Orange
10 Ryan companies appealed the decision of the Zoning Adminster that the Quarry can have only 2 free standing signs. Ryan wanted 3 additional signs, one on each platted outlot.	A-305	Planning recommended approval of the appeal and CPC approved it 11/6/96	Orange
11 Revision to Site Plan Review for Arby's in Quarry	PR-371	CPC approved 6/5/97	Orange
12 Appeal of CPC decision on Site Plan Review for Arby's		Arby's withdrew SPR application	Orange
13 Expansion of Target Store		CPC approved expansion	Tibbs
14 CUP for 24 hours Home Depot	C-2036	CPC denied 12/13/99	Dorek
15 Home Depot appeal of CPC decision		Home Depot withdrew appeal	Dorek
16 CUP and modification of Site Plan Review permitt (PR-326) for Home Depot expansion	BZ-CU-202/BZ	CPC approved 9/11/00; Home Depot withdrew CUP application for 24-hour operation on day of CPC hearing- Permit has lapsed and Home Depot stated they have no intention of implementing the project	Orange
17 Sign Variance to increase permitted # of signs from 5 to 6, and increase allowed size of sign for Quarry	BZZ-234	Board of Adjustment approved 8/29/01	Orange
18 Modification to SPR permit (PR-326) to permit the expansion of Home Depot and its Garden Center area to accommodate new staging and storage areas and to adopt operational restrictions		CPC approved the application on 7/22/02. Staff approve final drawings on 10/22/02 but Home Depot never implemented the expansions and the permits has lapsed (for a 2nd time) Interim operational agreement is executed and effect	Orange
19 Modification to SPR permit (PR-326) and CUP to Permit the expansion of Home Depot Garden Center area to accommodate new staging and storage areas and to adopt operational restrictions	BZZ-2223	Approved at 3/28/05 Planning Commission Hearing	Orange
20 Modification to SPR permit (PR-326) and CUP to permit the expansion of the Quarry to accommodate Famous Footwear store to the east of Rainbow Foods	BZZ-2374	Approved at 6/13/05 Planning Commission Hearing	Orange
21 Target expansion-Quarry	BZZ-3518		
CC/M=City Council and Mayor			
CPC=City Planning Commission			
CUP=Conditional Use Permit			

APPENDIX 2- WINDOM PARK MOTION

NOVEMBER 30, 1999

MOTION

WHEREAS, THE VOLUME OF BUSINESS THE QUARRY CENTER HAS RECEIVED SINCE OPENING IS GREATER THAN ANTICIPATED, A FACT THAT HAS BEEN ACKNOWLEDGED BY RAINBOW AND THE PREVIOUS QUARRY CENTER OWNERS, RYAN COMPANIES. ONE NEGATIVE RESULT IS THE SIGNIFICANT INCREASE IN THE AMOUNT OF AUTOMOBILE AND TRUCK TRAFFIC INTO OUR RESIDENTIAL NEIGHBORHOOD AND THE NOISE THAT IT BRINGS WITH IT. WE BELIEVE WE SHOULD HAVE SOME QUIET DURING THE NIGHT-TIME HOURS.

WHEREAS, HOME DEPOT HAS ALLOWED DEBRIS OF ALL KINDS INCLUDING AN EVER-PRESENT MOUNTAIN OF PALLETS, DISCARDED PLUMBING FIXTURES, CHEMICALS IN PLASTIC CONTAINERS, CARDBOARD, PLASTIC SHEETING, AND BROKEN WOOD TO REMAIN OUTSIDE ENCLOSED AREAS FOR DAYS. PHOTOGRAPHS TAKEN BY THE WINDOM PARK CITIZEN INSPECTION PROGRAM ARE PROVIDED HEREWITH. ADDITIONALLY, PAPER PRODUCTS AND LOOSE PLASTIC STORED OUTSIDE OF ENCLOSED AREAS BLOW INTO THE NEARBY NEIGHBORHOOD. IT SHOULD BE NOTED THAT THE WINDOM NEIGHBORHOOD, UNDER THE AUSPICES OF THE MPLS. INSPECTIONS DIVISION, FORWARDED FORMAL COMPLAINTS, INCLUDING PHOTOGRAPHS, TO HOME DEPOT'S CORPORATE OFFICES AND TO THE MANAGER OF THEIR QUARRY LOCATION. CONDITIONS DID NOT IMPROVE AT THE SITE NOR WAS THERE ANY RESPONSE FROM EITHER THE CORPORATE OFFICES OR FROM THE QUARRY LOCATION'S MANAGER.

WHEREAS, AN INCREASE IN STORE HOURS MEANS MORE TRAFFIC AND NOISE FOR THE NEIGHBORHOOD AND MORE VOLUME. MORE VOLUME MEANS MORE DEBRIS THAT HOME DEPOT HAS ALREADY DEMONSTRATED IT CANNOT OR IS UNWILLING TO MANAGE. THE FACT THAT RAINBOW FOODS IS OPEN 24 HOURS A DAY IS NOT THE ISSUE. THE NEIGHBORHOOD'S EXPERIENCE WITH HOME DEPOT IS.

THEREFORE, THE WINDOM PARK CITIZENS IN ACTION (WPCIA) HEREBY RESPECTFULLY REQUESTS THAT THE HOME DEPOT IN THE QUARRY SHOPPING CENTER BE DENIED THEIR REQUEST TO REMAIN OPEN TWENTY-FOUR (24) HOURS A DAY.

APPENDIX 3- WINDOM PARK NEIGHBORHOOD FLYER

HOME DEPOT OPEN 24 HOURS?

Home Depot has applied to the City of Minneapolis for a change in their conditional use permit to remain open 24 hours. What does this mean to the nearby neighborhood?

- * Traffic, including trucks, moving in and out of our neighborhood at all hours.**
- * More debris around the store. More volume, more debris!**

HOME DEPOT HAS NOT BEEN A GOOD NEIGHBOR!

The neighborhood, through its participation with the City of Minneapolis Inspection Program sent TWO notices to Home Depot, the store and corporate offices, regarding the debris around the store AND included pictures. The situation did not improve, nor did they reply to the notices.

Now that Home Depot has applied for a permit to remain open 24 hours, they have finally cleaned up the area surrounding their store. They want something from the community so they've cleaned up...but will it stay that way?

LET YOUR VOICE BE HEARD!

**TUESDAY, NOVEMBER 30, 1999, 7:00 P.M., WINDOM PARK
2201 HAYES STREET N.E. (NORTH END OF PILLSBURY SCHOOL)
CALL PAUL OSTROW, CITY COUNCILMAN, 673-2201**

PUBLIC HEARING

**MINNEAPOLIS PLANNING COMMISSION, MONDAY, DECEMBER 13, 1999
4:30 p.m. CITY HALL, CITY COUNCIL CHAMBERS**

Prepared by Concerned Citizens of the Windom Park Neighborhood

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