Sidnie Olson

From: Patrick Riggs [riggs@foggy.net]
Sent: Friday, March 31, 2006 8:37 PM
To: Sidnie Olson
Subject: marina center email list

Balloon Tract Final.3-06.doc (...

ATT00471.txt (66 B)

Dear Ms. Olson,

I am writing to ask to be placed on your email list with respect to this proposal.

I also want to voice my strong objection to an interested party (in this case Security National) having any say whatsoever in who is hired to perform the EIR. How on earth can the city hope to maintain any sense of integrity or objectivity on this issue by allowing such obviously collusive interaction? The EIR must be prepared by a neutral party and similarly paid. Otherwise one clearly has the fox guarding the hen house, which even my third grade students realize is extremely poor policy.

Finally, I have attached a copy of the resolution recently passed on a unanimous vote by the Humboldt County Democratic Central Committee. It calls for a full clean up of the property before any zoning changes can be contemplated and for full public decision making in creating a Master Plan for using this land.

Thank You,

Patrick Riggs
Chair, Humboldt County Democratic Central Committee

Humboldt County Democratic Central Committee

RESOLUTION ON "BALLOON TRACT" LAND USE:

(Final, March, 2006)

WHEREAS the elected representatives of Humboldt County have the obligation and responsibility to protect the water, land and air so that current and future generations can live healthy and productive lives in Humboldt County; and

WHEREAS the community has the right to require that all commercial property owners clean up pollution they created or assumed responsibility for, such that the water, land and air are returned to the condition they were in prior to their industrial use; and

WHEREAS the property currently known as the "Balloon Tract" in Eureka, California is the largest remaining undeveloped waterfront acreage in Eureka and is contiguous with the newly revitalized downtown making this area important public space; and

WHEREAS the public has the right to have full input in order to determine the best use of the "Balloon Tract" property for the greatest good of the community before any land use decision is made;

THEREFORE, BE IT RESOLVED that the Humboldt County Democratic Central Committee (HCDCC) supports a total cleanup of the "Balloon Tract" property, which restores it to its pre-industrial-use condition, as a prerequisite for any rezoning; and

BE IT FURTHER RESOLVED that the HCDCC supports full public participation in all land use planning, deliberations and decisions for the future uses of the "Balloon Tract" property, in effect creating a publicly driven Master Plan for the property; and

BE IT FURTHER RESOLVED that the HCDCC directs its officers to communicate this resolution to all appropriate commercial, political, and media entities.

Sidnie Olson

From: Diane Beck [dfbeck@northcoast.com]
Sent: Friday, May 05, 2006 4:25 PM
To: Sidnie Olson
Subject: Marina Center Project scoping comments (Sierra Club)

Please see attached.

Sierra Club
North Group, Redwood Chapter
P.O. Box 238, Arcata, California 95518

May 5, 2006

To: Sidnie Olson, Community Development Department
From: Diane Beck, Conservation Co-Chair, Sierra Club, Redwood Chapter, North Group

Re: Marina Center Project EIR Scoping Comments

The following comments on the City of Eureka's General Plan amendment and rezoning for this project are on behalf of the North Group, Redwood Chapter, Sierra Club, with nearly 1,400 members in northwestern California. Our members are greatly interested in the intelligent use of resources in ways that encourage smart growth and good community decisions for the benefit of all.

It is difficult to speak to the particular issues when our members are basically opposed to Big Box development, especially on the last large undevelped tract of land on Eureka's waterfront. Although nearly 300 of our members are residents of Eureka, the town is also the county seat and the largest town in the county, and as such is important to most of our members.

Rezoning.--To rezone this 38-acre tract of land adjacent to the bay out of "public" so that it may be privately developed without much of any real public process is redolent of back-room dealing, and the Eureka City Councilmembers should be ashamed. Public awareness and interest in this land is and has been obvious at the very least since Wal-Mart's proposal in the late 1990s.

Public process.--The development of interest to many residents has involved projects of public benefit like a park, aquarium, marine research facilities, etc. It is far too soon to push ahead on a significant proposal--a Big Box proposal at that--that requires a zoning change without ever having seriously considered the wishes of the residents of Eureka and the wider community.

The CEQA document should analyze a broad range of land-use alternatives for the Balloon Tract, not merely a no-action alternative.

Pollution.--The Balloon Tract is highly polluted with heavy metals and hydrocarbons. Union Pacific could not be happier than to sell it to an entity that would merely pave over most of the toxic wasteland and forget about it. But that is no solution--or a solution only for an out-of-sight-out-of-mind simpleton. With the Marina Center Project, those cancer-causing toxics will continue to be allowed to leach into Humboldt Bay into the distant future. The city should have been and be working with the North Coast Region Water Quality Control Board and Union Pacific to clean up the poisonous mess. The bay is an enormously important esturarine resource for the whole community, and keeping it clean benefits all of us.

What is the nature of the toxic stew that is leaching into Humboldt Bay and that this Project threatens merely to seal over? A wide range of clean-up aternatives must be considered.

The economic effects of the Project on downtown and other city businesses.--The Marina Center Project is way out of scale for Eureka's downtown and threatens to overwhelm it. After the unfortunate crash of many businesses with the coming of the Bayshore Mall, the downtown--with much effort and dedication--is continuously growing into an extremely attractive destination

of small shops and services.

The City of Eureka's own commissioned study, "Economic Impacts Assessment for New Retail Development" (August 1999), shines a light on the subject: "The best scenario for existing retail sales outlets would be a 'no-build scenario,' with no new competition from either a discount general merchandise store or home improvement center, and increasing retail sales due to increases in population and per capita disposable income. However, the retail environment in the county, particularly for general merchandise stores and other stores selling similar items, is already fiercely competitive. As shown by the data on individual outlets for Bayshore Mall, Downtown, and Henderson Center, there is already a great deal of turnover."

What will be the economic effects of Big Box development on downtown and other existing businesses in the county? Compare and contrast the economic study that will be made by Security National to the City of Eureka's 1999 study. A wide range of alternatives must be developed in the CEQA document.

Transportation patterns and infrastructure must be thoroughly studied. How will traffic problems around Broadway and Washington through Fourth streets be mitigated? The proposed Waterfront Drive Extension through Palco Marsh should **not** be included in any calculations. It is very unlikely that that ill-conceived project will ever be approved and built through those wetlands.

The railroad.--As with the Waterfront Drive Extension proposal, this project seems to have disregarded the railroad--or the public's hope to one day have a functioning railway system along the bay.

How will the railroad right-of-way affect the Marina Center project?

The North Group, Redwood Chapter, Sierra Club appreciates the opportunity to comment on this significant proposal.

Yours sincerely,

Diane Fairchild Beck
Conservation Co-Chair
3200 Greenwood Heights Drive
Kneeland, CA 95549
445-2690
dfbeck@northcoast.com

David A. Ammerman
P.O. Box 303
Cutten, CA 95534

8 February 2006

City of Eureka
Community Development Dept. – Planning
531 K Street
Eureka, CA 95502-1146

RECEIVED
FEB 13 2006
DEPARTMENT OF
COMMUNITY DEVELOPMENT

Re: Development of Balloon Tract

Dear City Planners:

I am an 11-year resident of Cutten and Humboldt County, but I am a regular rider of City and County transit buses, I work on Woodley Island and I frequently patronize stores, restaurants, movie theaters and other businesses within the city limits of Eureka. I'm reacting to the increasing number of newspaper articles I've read in the Eureka Times Standard, North Coast Journal, Eureka Reporter and other sources regarding development of the long neglected Balloon Tract, an eyesore and continuing public nuisance (with the exception of some wetland and slough habitat) still in existence on this property. I personally am glad that somebody, including the Arkley's have taken the initiative to make some proposals and for the City in moving forward with review of the proposed "Marina Center".

First, Union Pacific should take responsibility for cleaning up the site. They have cooperated to a certain extent with monitoring of the site and allowing investigation of the site for the extent of hazardous or toxic materials contamination. On the other hand, if potential developers or buyers of this site are willing to invest in the clean up process, then there should be no barriers placed for them to do so provided it is done properly and thoroughly.

Second, and the reason I'm writing this letter, is that I would like to see a public transportation component mixed within the "Marina Center" proposal or any other proposal that is being considered. In order for the Balloon Tract development to be really successful, there needs to be a link between there, Old Town and other areas of the City. While ample private car parking should be necessary, I believe people should be encouraged to take public transit to these areas. Specifically, I would like to see an intermodal bus terminal (something like the City of Redding's) built within the Tract. This terminal would serve City Transit, County bus transit, possibly even Greyhound, Amtrak, casino buses and City Cab. Right now all of these services are scattered and it is hard for people who depend on public transit, including out of towners, to find the right pick up point for a given mode of transportation. Each mode of transportation at an intermodal facility would be assigned a pick up point within the Tract, clearly marked. That way there is no doubt for a transit rider where to expect a bus or cab of any stripe.

Such an intermodal facility probably should have adequate restroom facilities, phone banks and ever present security. Proximity to a coffee shop or restaurant would also enhance the Tract. Loast Coast Brewery has considered moving to a larger facility. The Tract location might be a prime location for such a move. The current Brewery location is very convenient, being adjacent to the 3rd and H bus hub. If they move to the tract, they might lose what advantage they have now unless there is a strong public transportation link and adequate car parking. This goes the same for other businesses that might build or relocate there. Another example is the Co-op Store which is moving farther down Broadway to a larger building. While their current store is undersized, it is in a very convenient location. I probably would be less likely to patronize the new Coop location because of its distance from the Central Business District which I interpret to be a rough line from C Street north to around L Street.

I think most people are in agreement that the Balloon Tract is neglected and needs some kind of commercial or public development. At this point, there is considerable differences of opinion on what to develop there. I hope a consensus among the public can be forged. This site will need continuing public disclosure of plans, the CEQA and even NEPA process (wetlands, sloughs, etc.), and public feedback.

A final thought, if car traffic is going to enter the tract directly from the southbound lanes of Broadway (probably would be less likely from the northbound lanes), this is a potential bottleneck. I would expect Balloon Tract traffic to be rerouted by signage, etc. to Waterfront Drive. This makes it even more important that the public be encouraged to take public transit to the Balloon Tract. Currently, no transit serves that area on either Broadway or Waterfront Drive, with the possible exception of Koster Avenue and Washington Avenue (not going to be adequate).

I would appreciate your taking my comments into consideration as they are now and I am looking forward to future comment periods as the process develops for this site

Sincerely,

David A. Ammerman

David A. Ammerman

Copy Furnished:

Mr. Randy Gans
Security National Properties
P.O. Box 1028
.Eureka, CA 95502

Sidnie Olson

From: Maggie Banducci [maggiebay@cox.net]
Sent: Friday, May 05, 2006 12:07 PM
To: Sidnie Olson
Subject: waterfront development

Dear Ms. Olson,

Thank you for reading my comments regarding the above project.

I'm excited to see more opportunity for people to enjoy Eureka's beautiful waterfront.
I am also very concerned about the necessary and thorough clean-up of the toxic contamination from years of railroad use.

I have lived in Humboldt County for just under 30 years. My husband and I co-founded 2 local businesses that provided good jobs (Yakima and Fire & Light), and have raised our 2 children here. I care about this place.
Therefore, it disturbs me greatly to think of giving our waterfront over to the cookie-cutter, "Big Box Mall" approach.
As I view the architectural model, it lacks local character and originality.
I wonder if we've fully explored the economic impact of such a development upon existing businesses and employment.

I'd love to see a thoughtful approach to stimulating economic, recreational, historical development in a way that provides a true "sense of place" for all who use the space.
However, at this point, because the Arkleys are the only ones with enough money to pull off a development of that size, is that reason enough for Eureka to become "Arkleyville"?

That would be a disappointment to a lot of us.

Respectfully submitted,

Maggie Banducci

Sidnie Olson

From: Kathy Bhardwaj [kbhardtrin@humboldt1.com]
Sent: Friday, May 05, 2006 8:35 AM
To: Sidnie Olson
Subject: Balloon Track Big Box Proposal

May 5, 2006
Re: Ballon Track Proposal.

Dear Ms. Olson,

I am writing because of my concern about the Balloon Track proposal.

1. This proposal does not thoroughly CLEAN UP the underground toxic materials at the Balloon Track; it just CAPS THEM. The filth will remain in the soil, and will continue to LEACH INTO our Bay, as it is doing now. The presence of a retail mall on top of the mess will make it impossible to do anything about it in the future.

2. The LOCATION is not right for a mall. The area will need to be "spot zoned" to accomodate a shopping area. It should be preserved for public use and recreation. We can enhance the attractiveness of our city and build the tourist industry if we develop the area along the Bay properly. A shopping mall with its associated traffic is not what we need there; it should be built in an area with appropriate zoning. A more appropriate use for the Balloon Track would be a park, or a building for public use such as the Adorni Center.

3. A Big Box store is wrong for our area. Humboldt County is a small community that has an extraordinary number of small businesses that sell unique products. For example, there are several independent bookstores. In Santa Barbara, which is a much larger community there is ONE. All the others have all been squeezed out by the big chain stores. This makes for fewer consumer choices, because everyone is selling the same things. We want to keep the diversity and the vibrancy of our local economy; to do that, WE NEED TO KEEP IT LOCAL and keep big box stores out of our area.

I do hope you will consider the above points and help stop this proposal.

Sincerely,

Kathy Bhardwaj
Trinidad
677-3984

May 5, 2006

RECEIVED
MAY 05 2006
DEPARTMENT OF
COMMUNITY DEVELOPMENT

Moss Bittner
1310 6th Street
Eureka, CA 95501

Comments on Environmental Impact Report for proposed zoning change to Balloon Track

Dear City Staff and Consulting Professionals,

Please consider the following questions and remarks in the preparation of the Environmental Impact Report related to the change in the Balloon Track properties from Public Use to zoning designations more appropriate to zoning designations more appropriate to the uses proposed by developer Security National.

I assume that these questions fit within the regulatory framework of CEQA, but as an outsider I cannot be sure. They are mostly drawn from a close reading of the Eureka General Plan, and as such I hope they will be considered during the zoning change application process even if they fall outside of the preview of CEQA.

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1. At a recent public forum a traffic consultant for Security National said that the proposed project will produce 15,000 trips per day. Is this an acceptable level of traffic to add to adjacent streets, particularly Broadway, 4th and 5th?

2. Does the project adequately provide for alternative modes of accessing the facility? Are bus stops, pedestrian and bicycle routes complete so that foot and bicycle traffic can move to the project from other parts of town?

3. Does the proposed project integrate with the city's plan for a transit center between Commercial and A Street?

4. Does the conversion of the Balloon Track have any negative impacts to the viability of the viability of rail service on the North Coast Railroad?

5. The Eureka General Plan policy 3.F.2 states "The city shall work with the North Coast Railroad to determine if feasible locations for switching operations can be located outside the city, allowing the current balloon track area to be used for industrial or commercial development purposes." Has the city found a location for switching operations outside of the city? If not, are the city and the developer responsible for identifying and reserving a switching operations area before a zoning change and redevelopment of the parcels?

6. Is the 50' right of way that the developers propose reserving for the NCRA adequate to serve foreseeable railroad operations? At a recent public forum a representative from Security National said that a bike-pedestrian path would be included in the railroad right of way, reducing the de facto right of way to something substantially less than 50'. Future rail operations could include concurrent use by passenger and freight trains. Since the proposed "Marina Center" would be a plausible station stop for local passenger train service, is the proposed right of way sufficient for a through line and an adequate siding for a passenger train to pick up passengers while a freight train passes?

7. Would any element or elements of the proposed development be incompatible with the restoration of rail service?

8. Traffic from the proposed development will be one its principal environmental impacts. It is my belief that project alternatives should look at alternative modes of providing access to the property. This includes, especially, trolly or passenger train service along the existing rail line.

9. One of the major components of the proposed development is new office space. Is there existing underutilized property within the downtown area that already has appropriate zoning for the proposed use?

10. Is there existing underutilized property within the downtown area that already has the appropriate zoning for commercial use of the type proposed at the balloon track?

11. One of the major economic impacts of the project will be a boom-bust cycle imposed by the simultaneous development of 39 or so acres followed by the completion of building. How disruptive will this boom-bust construction cycle be to the local economy?

11. Would a phased approach to building on the parcels moderate the boom-bust cycle referred to in question 10?

12. Security National representatives have stated that Union Pacific will not sell the property without placing a covenant on the deeds that disallows residential or park use. This amounts to a permanent and unalterable zoning change. What would it cost to clean up the property to a level that would allow residential and park uses to go on safely, and without creating liability for Union Pacific? I feel strongly that this should be considered among the project alternatives.

13. Is housing appropriate for the parcels along Broadway? What are the noise and air quality constraints to housing at this location?

14. The Eureka City council will be making its zoning change decision based in part on the economic growth promised by the development. Are the figures that have been provided by the developer realistic? Do they adequately account for loss of business at other locations within the city and county?

15. This project has the potential to use a substantial part of Eureka's unused land. Will an

adequate inventory of buildable land exist after development is complete?

16. Aesthetic considerations: Eureka city blocks in the downtown area are almost exactly two acres, including street space. The proposed project is equal to 19 city blocks, yet the developer proposes using the services of a single architect to design buildings on the site. Is this inconsistent with the generally diverse character of Eureka, which the developers propose to extend?

17. It is all but certain that a number of national chain retail tenants as a rule use large back-lit plastic signs. To many people these signs are the markers of suburban sprawl, yet they will be on buildings located near down town and old town. Will these signs be visible from residences in Eureka, or in any other way disruptive to the aesthetics of Eureka?

18. As a project alternative consideration, I would like to see discussion of painted, front-lit signs.

Thank you for your consideration,

Moss Bittner

Moss Bittner

RECEIVED

MAY 0 5 2006

DEPARTMENT OF
COMMUNITY DEVELOPMENT

Sidnie Olson

From: Mike Buettner [mike@bitman.com]
Sent: Friday, May 05, 2006 4:24 PM
To: Sidnie Olson
Subject: CEQA scoping comments

Hi Sidnie -

Attached please find my CEQA scoping comments in a MS Word doc.

Thank you for this opportunity.

Sincerely,

Mike Buettner
Eureka

--
This message has been scanned for viruses and
dangerous content by **MailScanner**, and is
believed to be clean.

To: Sidnie L. Olson, Senior Planner
Community Development Department
531 K Street
Eureka, CA 95501

Balloon Tract CEQA Scoping Comments

Dear Sidnie Olson,

What follows are my scoping comments on the City of Eureka General Plan Amendment and Rezoning requested for the Marina Center project proposed for the Balloon Track tract.

I am not proficient at the terminology used in making these comments so mine will be straight forward and to the point.

1. First and foremost I would like to see the Balloon Track tract cleaned up of all hazardous materials. This clean up should be to the level that eliminates danger to the community and allows any sort of future use for as much of the site as possible. There are examples of this sort of clean up on railyards owned by Union Pacific in Sacramento, CA, Salt Lake City, UT, Evanston, WY and others. To facilitate this clean up I would suggest the city use available non-matching funds from the EPA Brownfields Pilot Program.

2. We are losing open space on the waterfront and would like to see what effect removing this parcel from public zoning will mean to the inventory of potential open space parcels on or near the waterfront in Eureka. Open space is important to the character of our community.

3. What effect will the Marina Center have on the local economy? Will it produce living wage jobs or will it further diminish the available land to develop light industrial businesses that could pay living wage? Will the Marina Center cause a business drain on the existing Old Town area?

4. How will using the Balloon Track tract for commercial purposes impact the ability for Eureka to use infill residential development? If the Balloon Track tract were used for housing with a higher density wouldn't it help elevate the problem we have with a lack of lower cost housing?

Sincerely,

Mike Buettner
1216 Hayes Street
Eureka, CA 95501
442-1287

Sidnie Olson

From: kathleen cameron [deneb365@yahoo.com]
Sent: Friday, May 05, 2006 7:27 AM
To: Sidnie Olson
Subject: Balloon Tract CEQA Scoping Comments

Sidnie L. Olson, Senior Planner
Community Development Department
531 "K" Street
Eureka, CA 95501

Subject: Balloon Tract CEQA Scoping Comments

Dear Senior Planner Olson,
I must comment on the sad direction in which I see this project heading. It has been said that we should govern and make critical decisions that effect society with the thought of our grandchildren sitting on our laps. What vision do we see for their future? What legacy do we leave behind? When my own child grows up and has children of his own, what do I say to my grandchildren. "Sorry, I couldn't be bothered." "What you can't see won't hurt you?" This generation has been left a toxic legacy. Are we going to pass it on to our children, their children. Isn't it empowering to consider that right now we have the opportunity to stop it in it's tracks. Slow down, consider alternatives, clean the site properly. Why the race to pass it on to our loved ones in the future. When I'm old and gray I want to add "wise" to that list.
Thank you for considering my comments.
Please consider the following statement:

I am concerned that this project will have significant negative impacts on
the people of Eureka and Humboldt County due to the toxic contamination situation, as well as the profound economic impacts on local communities
as well as on small businesses and their employees. The Environmental Impact Report (EIR) required for this project by the California Environmental Quality Act (CEQA), should pay close attention to these issues in particular.

I am resolute in my determination that the toxic contamination be cleaned
up to the fullest extent of technical feasibility and not be left for future generations to deal with. I am also adamant that the railroad not
be "let off the hook" in their responsibility to clean up their mess.

The EIR must provide a comprehensive and current appraisal of the composition and distribution of the toxic materials on the site. There must be an explanation of the known and potential risks to human health associated with these toxic materials. There must be a state of the art

consideration of the known and potential movement of these materials into
ground water and/or the receiving waters of Humboldt Bay. All possible
connections to all receiving waters must be considered for the site under
current conditions, as well as over time across a long term time scale
equivalent to the persistence of toxic effects from these materials.

All likely and potential impacts of toxic materials must be inventoried
and assessed for all resource values, including but not limited to, water
quality, sport and commercial fisheries and oyster mariculture, and other
wildlife and plant resources. Cumulative impacts of this toxic waste site
must be assessed as one among the many toxic waste sites in the watersheds
of the Humboldt Bay. The cumulative impacts analysis must also be
considered relative to the wide range of alternatives outlined below.

The EIR must consider a full range of alternatives- not a simplistic two
alternative analysis of the current proposal or a "No Action".
Alternatives should consider several levels of toxic contamination
clean-up from full technical feasibility to the minimum levels proposed by
the current project. The EIR should also consider a wide range of land
use alternatives including the current Big Box Mall proposal, a no retail
option, a public facilities option, a waterfront dependent only option, a
light industrial only option, and a wide variety of other mixes of uses.

The EIR must document and disclose the full range of project economic
effects on the regional economy. These findings must be founded on a
comprehensive survey of current studies of economic effects of big box
retail on local economies, especially those that are similar to the
economies Eureka and Humboldt County. Studies that reach conclusions
counter to those providing the rationale for the current Big Box Mall
proposal must be explained and substantial evidence provided for not
applying such studies to the current proposal. Economic effects should be
studied for potential changes to area wage levels, anticipated likely
reallocation of retail spending, employment levels, loss of profits from
the area, costs to local government for infrastructure and provision of
services, indirect subsidies through increased public costs for medical
and social services, and loss of local multiplier effects. Economic
analysis must consider county-wide effects. The economic impacts analysis

must also be considered relative to the wide range of alternatives outlined above.

Based on the vigorous political history surrounding this site, please analyze and demonstrate how a zoning change will not open the way to the
Wal-Mart resoundingly rejected by voters in 1999?
Thanks for your consideration of these comments. I look forward to accomplishing a development plan for this site that best protects the significant public interests at stake here.
Sincerely,
Kathleen Cameron
310 Wells Dr.
Eureka, CA 95503

Get amazing travel prices for air and hotel in one click on Yahoo! FareChase

Sidnie Olson

From: dottess@quik.com
ent: Friday, May 05, 2006 5:11 PM
To: Sidnie Olson

Hello dear planner,

I am writing today in opposition to the Bix Box Plan the Arkley's are presenting. I think the land use is for all of us and not just the developers and reccomend a sane plan with mixed features that include: public transportaion, environmental sanity, utilization of the sun, and a well rounded local business approach. i am not interest in trading our current small business environment for an out of the area development.

Sincerly, Dot Campbell
Blue Lake, Ca 95525