

From: [Tom Darling](#)
To: [*CI-StPaul_Contact-Council](#); [CouncilHearing \(CI-StPaul\)](#)
Cc: [Graybar, Matthew \(CI-StPaul\)](#); [Gause, George \(CI-StPaul\)](#); missy.staples.thompson@gmail.com; [Carolyn Will](#); [Katherine Cairns](#); [Wendy Caucutt](#); [Gray Quale](#); harrywalsh375@gmail.com; fluikart@comcast.net; eric.galatz@stinson.com
Subject: Summit Avenue Residential Preservation Association Statement in support of appeal # AHPC 20-2 (Hargens-Thompson)
Date: Tuesday, November 3, 2020 10:17:22 AM
Attachments: [SARPA Position Statement on Proposed Summit Avenue Facing Structure at 542 Portland Avenue 11-3 final.docx](#)

November 3, 2020

Saint Paul City Council
City Hall
15 West Kellogg Blvd West
Saint Paul, Minnesota 55102

Dear Council Members: I am a member of the Summit Avenue Residential Preservation Association (SARPA) board of directors. I am attaching a Word document setting out SARPA's support of appellants in the appeal referenced above. I am also pasting the content of that document into this email. Please acknowledge your receipt of this material by a return email and include this material in the appeal packet. If I have not properly provided this material for any reason please inform me as soon as possible so I can correct any error. Thank you for your consideration of SARPA's position.

RE: SARPA support of appeal # AHPC 20-2 (Hargens-Thompson) regarding the HPC decision on 540 Portland Ave.

The Summit Avenue Residential Preservation Association (SARPA) is dedicated to the preservation of the historic, residential, and urban park character of Saint Paul's historic Summit Avenue. The SARPA board of directors approved the following position statement at its November 2, 2020 meeting:

SARPA supports the appeal # AHPC 20-2 (Hargens-Thompson) regarding the HPC decision on 540 Portland Ave. and requests that the City Council reverse the HPC approval of the Project.

Perhaps the most important tool available to SARPA in carrying out its mission is its ability to meaningfully provide public bodies—including the Heritage Preservation Commission, the Board of Zoning Appeals and the City Council and their respective staffs—with community input on specific proposals including the facts and analysis supporting those positions. SARPA is not alone in needing this tool. The ability to

meaningfully provide input is also critically important to other concerned organizations and individuals who would like to, and are entitled to, present their positions, facts and analyses to public bodies and their staff. The importance of methods for providing meaningful input is underscored by statutes, ordinances and regulations such as the Open Meeting law and the ordinances mandating that the public have the right to provide input and comment as part of the decision-making process of the HPC and the BZA and the City Council. Moreover, even absent these legal mandates commonsense tells us that decisions based on more data from diverse sources will be better decisions than those made on limited and incomplete data. Everyone, citizens and public bodies and staff, benefits from more input meaningfully provided.

The Hargens/Thompson appeal demonstrates that the methods utilized by the HPC and staff in this case effectively thwarted the ability of the appellants and other concerned citizens to meaningfully present their positions, facts and analyses for consideration by the HPC and staff. Because submissions in opposition to the proposal were not included in the commissioner's materials their existence let alone their substantive content were not available to the decision makers. Because the commission hearing and the BZA hearing were scheduled to overlap concerned citizens could not make their positions known effectively in either hearing. Because the technology was insufficient to allow all participants to present public comments or to even hear and understand what was being said, not only did the City violate the Open Meeting Law but, once again, concerned citizens were effectively shut out of a process they were legally entitled to participate in. In addition, it is simply unjust to have city staff working actively with a developer on such a complex project which will affect many Portland Avenue neighbors and Summit Avenue itself for many months as set out in the appeal and then give the public only very short notice and insufficient opportunity to be heard.

SARPA is taking a position on this appeal for two basic reasons.

First, the project will have a very obvious impact on Summit

Avenue. The second large triplex that is proposed—on this small lot for such a large building—will have its greatest visibility not on Portland Avenue but on Summit Avenue. Therefore, SARPA feels it necessary and proper to take a position.

Second, as noted above, the ability of concerned citizens and organizations to provide meaningful input to public bodies and to participate in, hear and understand the decision-making process is fundamentally important not only for SARPA but truly for all Saint Paul residents. Thorough and fair consideration of this project in this historic district is certainly very important in its own right. But the principle that every citizen of Saint Paul has the right to have their positions and the facts and analyses supporting them heard in a meaningful and fair way is perhaps even more important. A project outside a historic district can have just as significant an impact on its neighbors and the character of their neighborhood as this project. Meaningful input is crucial in either case. *The process in this case was so deficient that ignoring those deficiencies could affect consideration of other projects in the future.*

For these reasons SARPA supports the appeal # AHPC 20-2 (Hargens-Thompson) regarding HPC decision on 540 Portland Ave and requests that the City Council reverse the HPC approval of Applicant's Project. SARPA also requests that the City Council adopt, and require the HPC to adopt, a public hearing platform that allows the public to fully hear and participate in public hearings by the HPC and the City Council.

Summit Avenue Residential Preservation Association

By its Interim President /s/ Wendy Caucutt

and its Board Members /ss/ Katherine Cairns; Thomas Darling; Francis Luikart; J. Gray Quale; Harry Walsh; and Carolyn Will

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Tom Darling
tsdarling@earthlink.net



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