

February 2, 2015

Saint Paul Planning Commission
Saint Paul City Hall
15 Kellogg Boulevard W.
Saint Paul, MN 55102

RE: West Side Flats Master Plan

Dear Commissioners:

Thank you for the opportunity to submit comments on the draft West Side Flats Master Plan.

I have been a member of the West Side Community Organization's (WSCO) Riverfront, Development and Land Use Committee for eight years and was elected to the WSCO board just recently. Also, I was a member of the West Side Flats Master Plan task force. The comments and opinions I am submitting are on my own behalf, not any of the organizations or groups with which I am affiliated.

I would like to thank Lucy Thompson, Commissioner Reveal, other task force members, and consultants who worked so hard to develop the plan you have before you today. The process leading up to this plan has been inclusive and thorough, working to ensure everyone's voice was heard. There was extensive outreach to the diverse communities on the West Side and focus groups with developers and stakeholders.

I support the plan as forwarded by the task force. The plan embraces and complements the West Side Community Plan, the current West Flats Master Plan, and other small area plans for the flats. It echoes values and principles that the community has expressed many times over:

- Honor the heritage of our neighborhoods and build inclusive places that are welcoming for everyone;
- Protect our natural environment, especially the Mississippi River, and increase connections to it;
- Create development opportunities and access to jobs so all our residents and businesses can prosper and grow; and
- Ensure our quality of life is enhanced, not diminished, as the West Side and St Paul evolve.

In my opinion, this plan and the process that produced it embody and speak to these principles in the following ways among others:

- Use of storm water management as an organizing principle for future development reinforces and revives the natural and cultural connections between the bluffs and the flats that were lost as streams were channelized and buried;
- Re-imagining Robert Street as a lively multi-modal transit corridor that is a focal point of a rich mix of land uses, businesses, and entertainment options;
- Reconfiguring the street grid to produce a smaller scale block pattern encourages and supports diverse building types, land uses, and transportation choices; and in the case of the West Side Flats increases access to the river via foot, bicycle, wheelchair or automobile; and
- Create opportunities to honor the diversity of people and cultures who have made and will make the West Side their home with places for community activities, the arts, education, and natural history.

In support of the plan, I would like to address two issues that have generated much debate: building heights and reconfiguration of the street grid.

First, building heights. The task force, environmental advocates and developers all agreed that the most desirable development pattern would avoid the “crew cut roof tops” that we see in some places in the river valley and instead generate buildings of various heights that offer multiple views of the river valley and preserve the sense of space and place that makes this part of the Mississippi truly unique. The task force reached a compromise of a maximum of 90’ with a conditional use permit for parcels fronting Robert Street near Plato Boulevard and building heights elsewhere would follow the pattern established in the first WSFMP. I support this compromise but in my opinion neither this building height guidance nor the proposed zoning code changes for discretionary analyses guarantee the variation in building heights or view shed protections desired. I urge the Planning Commission to establish standardized criteria and a process for conducting a visual impact analysis and, in the case of the West Side Flats, make it mandatory, not discretionary. This approach would create a level of certainty that developers, community, and advocacy organizations are seeking so everyone is clear on the ground rules and the resources required and trusts the results.

Second, the traditional street grid pattern. At the public hearing, I was disheartened to hear that employees of Rexam Beverage Cans Americas believe that adopting a plan that proposes a smaller street grid and includes parks would result in the imminent loss of employment and the strong sense of family and community created by their employer. I do not doubt the sincerity of their concern or their belief that adopting the proposed plan would require Rexam to shut down. That they have been led to believe this is extremely unfortunate as it falsely pits business and jobs against a community vision for vibrant urban neighborhoods.

Task force discussions focused on what we can do through this plan to retain and attract business and industry to the flats and increase the number of jobs. The same is true of WSCO Riverfront, Development and Land Use committee discussions. In my opinion, Rexam is exactly the type of employer and jobs that we've been talking about and welcome as a good neighbor.

During the planning process, the Port Authority did express their concern about the smaller scale street grid. As I remember it, their argument was that new industrial businesses would not be interested in locating on smaller blocks not that current businesses would be forced to leave.

Peer cities and regions across the country — our economic competitors — are all pursuing the triple bottom line advantage of traditional street grid patterns. They understand that the benefit to communities, the environment, and local economies that are accrued through this development strategy attracts the talent, entrepreneurs, industries, and investments needed to give them a competitive edge and produce the eco-friendly growth that the Port Authority supports. Indeed, the City of Saint Paul agrees and has already embraced the traditional street grid. This is the approach that was taken in the Central Corridor, which has had over \$1 billion in investments.

I would like to see this type of investment in the West Side Flats and do not believe a traditional street pattern would be impediment. I support the draft plan. Thank you for the opportunity to comment.

Sincerely,
Carol Swenson
79 W. Isabel Street
St Paul, MN 55107



West Side Community Organization
1 W Water St, Suite 260
St. Paul, MN 55107
Tel: 651-293-1708
Fax: 651-293-0115

January 2015
Saint Paul Planning Commission
City Hall Conference Center Room 40
15 Kellogg Boulevard West
St. Paul, MN 55102

Re: West Side Flats Master Plan and Development Guidelines and Proposed Rezoning

Dear Planning Commissioners:

The Riverfront, Development, and Land Use Committee forward our recommendation, on behalf of the West Side Community Organization Board of Directors, that the City of St. Paul adopt the West Side Flats Master Plan and Development Guidelines.

All West Siders desire to see attractive, high quality development on the West Side Flats. This development should include a vibrant mix of housing, commercial, and industrial uses, and we affirm our deep conviction that the WSFMP will help our community realize these desires in a way that honors the fundamental values and traditions of our neighborhood. Those who live, work, and volunteer on the West Side are united by a desire to encourage development on the West Side Flats that benefits our whole neighborhood and the City of St. Paul. This development will expand the availability and diversity of housing, will increase shopping, dining, and entertainment options, will create growth opportunities for existing and new businesses in our neighborhood, and will protect the environmental assets of the area.

The plan is the product of a thoughtful and intensive community engagement process that began at the end of 2012. City staff was extremely communicative with WSCO and other community organizations from the outset, engaging our organization and elected community board members before opening up a request for proposals. This engagement allowed our community to shape not only the final product, but also the process used for effectively and inclusively communicating with the neighborhood. These methods included the creation of a Community Task Force, regularly updating and accepting feedback during WSCO committee and Board meetings, conducting key stakeholder interviews, hosting listening sessions with specific West Side groups, public open houses, several developer roundtables, a design charrette, and regular electronic communication. There were numerous opportunities for the community to engage in and shape the WSFMP and the process represents best practices in community engagement.

The Community Task Force for the WSFMP update included a broad range of West Side interests, among them were WSCO staff, Board, and committee members, representatives from the Neighborhood Development Alliance, Saint Paul Port Authority, Sherman Associates, Friends of the Mississippi River, Saint Paul Smart Trips, Cerenity Senior Care Center, as well as

neighborhood residents and business owners. Though the issues faced by the task force were at times difficult, the results in the form of the draft WSFMP represent an exciting opportunity for the future of the flats, a future that was shaped by the many community members, organizations, and businesses that value the West Side.

This plan upholds the spirit of the previous plan from 2001 of a mixed use urban village, while addressing a changing development market, new urban design and land use standards, and the potential for improved stormwater management and sanitary sewer capacity. It reflects and complements the work of many previous plans, including the West Side Community Plan (updated in 2013), the District del Sol Small Area Plan, the Great River Passage Plan, as well as regional plans, including Thrive MSP 2040. It also extends the planning area further east into the neighborhood's industrial park, ensuring the creation of a cohesive West Side Flats community that embraces residential, commercial, and industrial uses, forming a neighborhood in which you can live, work, and play. We believe that the extension of a neighborhood scale street grid is a vital component to creating this welcoming neighborhood and serving stormwater management needs.

Industrial businesses on the Flats are crucial to the vision laid out in the WSFMP. They represent an economic engine for the community and will facilitate the long-term development of the area. Our community and the City should ensure a strong business environment that allows these businesses to thrive for many years to come, and we believe the WSFMP accomplishes this goal. The plan ensures that no current land uses on the flats are made non conforming from proposed zoning changes and that businesses that continue to operate under their current land use designation will be free to invest in their operations or sell their business to new owners. As more of the WSFMP is implemented, and the neighborhood develops and matures, businesses will have the opportunity, at their own discretion, to change land uses and develop their businesses and property in a way that reflects the evolving characteristics of the neighborhood.

We are excited for the future of the West Side Flats and believe that this plan, which came out of a multi-year long engagement process, represents a promising path forward. WSCO urges the Planning Commission to recommend the adoption of the West Side Flats Master Plan by the City of St. Paul.

Sincerely,

A handwritten signature in black ink, appearing to read "Mason Wells". The signature is fluid and cursive, with the first name "Mason" and last name "Wells" clearly distinguishable.

Mason Wells
WSCO Staff/On behalf of Riverfront, Development and Land Use Committee and WSCO Board
of Directors

31 January, 2015
Saint Paul

Madam Chair, Members of the Planning Commission:

Thank you for the opportunity to present testimony on the West Side Flats Master Plan on Friday, 30 January. I want to add some further detail to my answer to commissioners' very good questions about the proposed eventual re-establishment of the street grid / block pattern and the virtues of doing such a thing.

As I understand it, the proposal does not attempt to exactly duplicate the historic block pattern, but rather seeks to approximate the former pattern and scale of blocks with the minimum realignment/reconstruction of existing streets. Lucy Thompson and Chair Reveal will know the development of this proposal in much greater detail than I do.

At any meeting that I have attended during the development of this Plan, I have never once heard even the suggestion that an existing business/industry should leave. On the contrary, the principle that "it will be important to retain and grow industrial/commercial businesses, jobs, and tax base in the West Side Flats" (p. 26) has been repeatedly emphasized. The West Side values business owners and employees as community members: as we were reminded, many spend as much time here as they do at home.

In my enthusiasm for the pedestrian life, I do not mean to say that the city should be planned exclusively for pedestrians. Obviously, rail and truck access will be vital for a manufacturer, as parking will be for employees who drive to work, some, as we heard, over considerable distances. But the existing street infrastructure, like so much from its mid- to late- twentieth-century period, is designed almost exclusively for motorized traffic, and can be unsupportive and even discouraging to cyclists and pedestrians, including those who arrive on transit. We need "Complete Streets" that serve everyone, not just drivers, and the short cuts and route options that a humanly-scaled block pattern provides are crucial to walkability.

Even I drive a car when I need to, but I regularly take transit to my work at the University of St. Thomas and the University of Minnesota. If I were fortunate enough to be employed by the West Side manufacturer in question here, I could walk to work. My more or less carbon-neutral commute would be about twenty minutes one-way. I know this because I frequently walk from my home to the post office on Eva Street, a trip that is not only unpleasant but dangerous because of two unsignalized crossings of high-traffic roads. Even so, a pedestrian connection through an existing superblock (not in the Plan study area) would save me about five minutes. If I lived in the West Side Flats apartments, my walk would be less than ten minutes, though if I had options about my route, and if there were places along the way to get coffee, or a drink after work, or groceries, I might be tempted to stop. I might meet someone I know, or someone I don't, yet, and I need groceries, and grocery clerks and baristas need work, too, even if they do make less than machinists.

One reason for planning to increase density of housing *and* employment is to enable a lifestyle that is more sustainable for more people. I don't think I am alone in hoping that in fifty years, this West Side manufacturer and others will be thriving, that more of their employees will be living locally, and that a gradual move, over time, toward more complete streets, will make that more sustainable and more engaged life not only possible, but highly attractive.

Respectfully,

Robert Ferguson
79 West Isabel Street, Saint Paul 55107



Minnesota Department of Transportation
Office of Aeronautics
MS410
222 East Plato Blvd.
Saint Paul, MN 55107

February 2, 2015

Lucy Thompson
Principal City Planner
Department of Planning and Economic Development
1300 City Hall Annex
25 W. 4th Street
Saint Paul, MN, 55102

RE: Public Comments to West Side Flats

Dear Ms. Thompson,

The Master Plan and Development Guidelines for the West Side Flats has been received and reviewed by the MnDOT Office of Aeronautics. The following comments provide guidance regarding proposed development near the St. Paul Downtown Airport as it relates to Airport Safety Zoning, state permitting for airspace obstruction to a public use airport, federal airspace notification, and federal guidance on storm water facilities. Note that the location for West Side Flats is within one mile of the St. Paul Downtown Airport.

Airport Safety Zoning

A proposed Airport Zoning Ordinance for Saint Paul Downtown Airport was submitted for MnDOT approval in September of 2010. The ordinance submitted did not meet standards as prescribed in Minnesota Rules 8800.2400 and was therefore objected to by the Commissioner of Transportation. However, had it been approved, the maximum construction heights included in the ordinance would impact the entire development area. It should also be noted that if an Airport Safety Zoning ordinance meeting current State minimum standards were adopted at St. Paul Downtown Airport the entire development area would again be impacted by land use and airspace restrictions.

State Permitting for Airspace Obstructions

Because the St Paul Downtown Airport is not zoned, Minnesota Statute (MS 360.83 Subd. 2) and Rules (Minnesota Rules 8800.1200) give MnDOT Aeronautics airspace obstruction permitting authority and responsibility for any proposed structure:

- that is more than 200' AGL within three nautical miles of an airport and increasing by 100' for each additional mile out to six miles and 500', or
- that would increase an instrument approach minimum flight altitude or increase its flight visibility minimums, or
- that would increase the minimum obstruction clearance altitude of a federal airway, or

An Equal Opportunity Employer



- that would penetrate any of the following imaginary surfaces: primary, horizontal, conical, approach, or transitional surfaces.

As such, a permit from MnDOT Aeronautics may be required for the proposed structures of the West Side Flats. For additional information on MnDOT's role in permitting structure visit the following webpage: <http://www.dot.state.mn.us/aero/documents/tallstructures.pdf>.

Federal Airspace Notification

Any construction may require notification to the FAA using FAA Form 7460-1, Notice of Proposed Construction or Alteration. Projects within 20,000' of a runway at St. Paul Downtown Airport will require notification for any equipment that will penetrate a surface of 100:1 from the end of any runway. For further information on penetrating airspace surfaces within 20,000 feet of an airport please refer to <https://ocaaa.faa.gov/ocaaa/external/portal.jsp>. Terrain height will factor into whether the project affects navigable airspace.

Storm Water Facilities

The Master Plan and Development Guidelines for the West Side Flats include designs for storm water systems. Please note that the FAA Advisory Circular (AC) 150/5200-33B, Hazardous Wildlife Attractants on or Near Airport, provides guidance on new storm water management facilities and may be applicable. Section 2-3b of the AC states that "storm water detention ponds should be designed, engineered, constructed, and maintained for a maximum 48-hour detention period after the design storm and remain completely dry between storms". The complete AC can be found online at: http://www.faa.gov/documentLibrary/media/advisory_circular/150-5200-33B/150_5200_33b.pdf.

In summary, the MnDOT Office of Aeronautics recommends that due to the close proximity of the proposed West Side Flat development to the St. Paul Downtown Airport consideration be made for the people and property of those flying in and out of the airport and for those who will work and reside in close proximity to the airport.

Please do not hesitate to contact me with questions or for further information on any of the preceding comments.

Sincerely,



Ryan E. Gaug, AICP
Planning and Finance Director
MnDOT Office of Aeronautics

cc: Cassandra Isackson, Office Director
Kathy Vesely, Assistant Office Director

Thompson, Lucy (CI-StPaul)

From: Butler, Sonja (CI-StPaul)
Sent: Tuesday, February 03, 2015 12:25 PM
To: Thompson, Lucy (CI-StPaul)
Subject: FW: West Side Flats improvement project

From: Sherry M Quarnstrom [<mailto:sherryquarnstrom@gmail.com>]
Sent: Monday, February 02, 2015 12:43 PM
To: Butler, Sonja (CI-StPaul)
Subject: West Side Flats improvement project

My name is Sherry Quarnstrom and I work at Rexam Beverage Can located at 139 Eva St. in St. Paul. If you follow through with your plans for phase 4 street and park improvements you will put me out of a very high paying job. I say NO to phase 4 street and park improvements.

No one from the planning commission contacted Rexam or any of its' employees when the original task force met in 2013. Rexam was not notified of this project until November 2014.

Rexam is good for the city of St. Paul. Rexam pays \$200,000.00 in property taxes. Rexam has an annual payroll of \$8 million. Rexam contracts with many local Businesses who supply us and work with us. This will all be lost if a street and a park are put through the property Rexam sits on.

Thank you

Thompson, Lucy (CI-StPaul)

From: Butler, Sonja (CI-StPaul)
Sent: Tuesday, February 03, 2015 12:25 PM
To: Thompson, Lucy (CI-StPaul)
Subject: FW: West Side Flats

From: Lawrence Carlson [<mailto:lac1357@comcast.net>]
Sent: Monday, February 02, 2015 2:22 PM
To: Butler, Sonja (CI-StPaul)
Subject: Fwd: West Side Flats

From: Lawrence Carlson <lac1357@comcast.net>
Date: February 2, 2015 1:34:00 PM CST
To: sonjabutler@ci.stpaul.mn.us
Subject: West Side Flats

We want to cast our vote to spare the businesses that should be grandfathered in on the West Side Flats. Lawrence A. Carlson and Joan G. Carlson

Thompson, Lucy (CI-StPaul)

From: Butler, Sonja (CI-StPaul)
Sent: Tuesday, February 03, 2015 12:26 PM
To: Thompson, Lucy (CI-StPaul)
Subject: FW: West Side Flats

From: Eileen Sather [<mailto:sparrowems@yahoo.com>]
Sent: Monday, February 02, 2015 2:28 PM
To: Butler, Sonja (CI-StPaul)
Subject: West Side Flats

To Sonja Butler:

Regretfully, I was unable to attend the public meeting on Friday, January 30, 2014, in regards to the West Side Flats Master Plan and Development Plan. Therefore, I want to go on record to say, "NO", to the proposed Westside Master Plan street grid system or new parks plan. I ask that this Email be added to the public record for:

1. Removal of the proposed street grid plan
2. Adopting the Chamber of Commerce recommended language that addresses eminent domain usage
3. Remove the park plan.

I understand that the original task force met in 2013, am I correct? Yet some businesses did not find out about this plan until October 2014. That, to me, is unconscionable. Those affected should certainly be given adequate time to propose their thoughts for or against such a plan, or have adequate time to give their employees advanced notice should they need to be terminated.

Will such a plan not require removal of many businesses in that area? Has consideration been given to where those businesses would relocate - to Minneapolis or China perhaps? Is that what we want for our city? Seriously, I'm not for losing any more businesses in our city for whatever reason.

I understand the new plan is to put in a housing development. How long ago were people living in that area nearly every year removed due to flooding until the river receded? Are you aware of that? And you are proposing a new housing development? Perhaps that is no longer an issue.....until a new housing development is installed by those unaware of the floods of former days. Then we have a record flood - and again many more people will need to be relocated? Has that possibility been considered? Do not say you were not forewarned.

Flooded parks take a long time to recover and once again be usable.

Flood walls, not too far away, are still used from time to time at the airport.

Therefore I put in my, "No," vote to the Planning Commission to add to the others who are against the West Side Flats Master Plan and Development Plan.

Respectfully submitted,

Miss Eileen Sather

Thompson, Lucy (CI-StPaul)

From: Butler, Sonja (CI-StPaul)
Sent: Tuesday, February 03, 2015 11:14 AM
To: Thompson, Lucy (CI-StPaul)
Subject: FW: West Side Flats Development

Another one I received.

From: Brendmoen, Amy (CI-StPaul)
Sent: Monday, February 02, 2015 12:37 PM
To: ehrich; Butler, Sonja (CI-StPaul)
Cc: Sage-Martinson, Jonathan (CI-StPaul); #CI-StPaul_Ward5
Subject: Re: West Side Flats Development

Sonja and Jonathan-

Can you please be sure to include me on your response to Mr. Ehrich?

Thank you,
Amy Brendmoen

From: ehrich <t_ehrich@hotmail.com>
Date: February 2, 2015 at 8:02:20 AM CST
To: "sonja.butler@ci.stpaul.mn.us" <sonja.butler@ci.stpaul.mn.us>
Subject: West Side Flats Development

Good morning,

My name is Travis Ehrich and I am an employee of Rexam Beverage Can. I attended the city hall meeting this past Friday, concerned, to listen to the details of the proposed West Side Flats development.

Even though this project is in the beginning stages, I want to speak up before this project is fast tracked into fruition.

This project needs to be sent back for redesign for a number of reasons. Please remove the "park and street" grid from the plan and be more concise on the wording of eminent domain. It is "likely" that Rexam will not be affected by the proposed developments, needs to be changed to "will not" be affected.

Before myself and all of my co-workers know it, a street will be constructed right up to our building and the eminent domain law would take hold, consequently putting over 100 hard-working union workers jobless.

Rexam pays a lot to the city of St. Paul in taxes every month and so do a number of business' east of Robert St.

Many times in the presentation Friday the point was made to keep industrial companies operating in the proposed plan. We are those companies.

I understand the importance of aesthetics and walking/bike paths. But it can't be like that everywhere. Rexam has been at its location for decades providing livable wages and great healthcare to families. And it will be very difficult for is to just pick up and move on, just for some smaller blocks, a park and paths.

If it's not broke, don't fix it.

Please consider revising the street grid plan at these early stages and spare Rexam and its neighboring business'.

Thank you for your time.

-Travis Ehrich, employee of Rexam.

Sent from my iPhone

Thompson, Lucy (CI-StPaul)

From: Butler, Sonja (CI-StPaul)
Sent: Tuesday, February 03, 2015 12:26 PM
To: Thompson, Lucy (CI-StPaul)
Subject: FW: West Side Flats

From: Karpovich, Chris [<mailto:Chris.Karpovich@rexam.com>]
Sent: Monday, February 02, 2015 4:25 PM
To: Butler, Sonja (CI-StPaul)
Subject: West Side Flats

To the Planning Commission:

My name is Chris Karpovich. I am the plant manager of Rexam Beverage Can located at 139 Eva St. St. Paul, MN 55107. I testified at the hearing this past Friday but wanted to add the following to the official record.

I heard much talk about a task force that was formed to begin this Master Plan. I want the record to show that this business plus my neighbors (Spriggs, Strategic, Red Cross, ABC Supply, etc) knew anything about or was informed about any task force looking to redevelop this area. We were never afforded the chance to have our voice heard until after the plan was completed. It looks like the task force was handpicked with just community folks no businesses allowed to be heard.

Commissioner Pat Connolly asked how many St. Paul residents does this business employee – the answer is 23 of the 110 live in St. Paul. That is 23 families with children are St. Paul residents but the 88 families do live in the surrounding area and we spend quite a bit of money in St. Paul. Commissioner Connolly also asked what estimate I believe our plant leaves in St. Paul. I estimate this at ~\$300,000 in the form of business lunches, gas, staff events, employee lunches and employee functions. We attempt to keep everything as local to St. Paul as possible for catering events and functions. We support our community we work in. The sad part is we feel as though the City of St. Paul does not embrace good union jobs that support families. We feel like there are some among you that are against industry and we are the life blood to the economy. We pay very well with our employees averaging over \$70k/year. To have Lucy Thompson on November 5, 2014 tell my union president and myself that, “...*You are not in phase 4, you will be gone by then*” just isn’t right. These high paying jobs help St. Paul not hurt them.

I ask again that the Planning Commission please return the Master Plan back for edit to remove the new street grid plan and park improvement plan that currently exists.

Thank you for your time,

Chris Karpovich
Plant Manager
Rexam St. Paul
O: 651-227-7211X522
C: 651-491-0810

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VICTORY CAPITAL CORPORATION

421 Wabasha Street North, Suite 200 St. Paul, Minnesota 55102 Office: 651.222.8970 Fax: 651.222.8973

February 2, 2015

Ms. Lucy Thompson
Principal City Planner
City of St. Paul
Department of Planning and Economic Development
1300 City Hall Annex
25 West 4th Street
St. Paul, MN 55102

RE: West Side Flats Master Plan, Development Guidelines and Proposed
Rezoning

Dear Ms. Thompson:

I have had the opportunity to review the West Side Flats Master Plan proposal and I was also in attendance this morning at the public hearing in front of the City of St. Paul Planning Commission. As a significant industrial property owner in the Riverview Industrial area, I wanted to share some of my thoughts and concerns and I would ask that this letter go on record as part of the public hearing.

As mentioned above, through various partnerships, I am involved in the ownership and management of over 200,000 sf of industrial property within the master plan area. The first property is the Riverview Business Center located at 105-145 State Street and the second is Riverview Industrial Center located at 130-180 Eva Street, directly across the street from the Rexam facility. Both of our properties would be impacted by the new street grid system with several roads going through the middle of them. No matter whether the implementation of this plan happens 10, 20 or 30 years from now, adopting it will have a significant detrimental impact on the value and sustainability of our properties. The following bullet points outline my reasoning for this:

- We have nearly 20 different tenants in these properties, most of which are long standing St. Paul businesses. Should the City adopt this plan, each of these companies will no doubt re-evaluate their ability to occupy space in these properties and invest in their operations with the likelihood that they will lose their space at some point in the future.
- There is no question this will have a significant negative impact on our ability to retain tenants and attract new tenants to the property, reducing the ultimate value of the properties.

- With lower occupancy and the threat of losing the property to make way for the new infrastructure, our properties will have increased deferred maintenance as there will be no desire and less capital available to invest in the properties.
- We will most certainly have financing related issues in the future as loans come up for renewal and as occupancies decline.

As was stated over and over again this morning, I don't understand why the City would adopt a plan that will most likely force existing St. Paul companies to move their operations. Many of these companies have been on the West Side for decades. They employ hundreds of hard working people and contribute significantly to St. Paul's economy in many different ways. Why would you want to displace these companies and their employees, while forcing them to spend millions of dollars to relocate? The proposed new street grid will most certainly do that.

The plan does call out for the possible use of eminent domain in the future for the implementation of the plan. As someone who has had some recent experience with a quasi-governmental entity trying to take our property through the use of eminent domain, I can tell you there is nothing good that comes of that for property owners. These often end up in long drawn out court battles where the only winners are the attorneys. If the plan moves forward in any capacity, I would strongly urge you to remove the ability to acquire property via the use of eminent domain.

Finally, in the meeting this morning you mentioned that the task force took into account "market reality" when putting this plan together. The reality is that the market changes and evolves every year, so I don't know how one could project out 10, 20 or 30 years and know what the market reality will be at that time and what product types will be in demand. Why would the City put a master plan in place that has no flexibility to adapt to future market conditions? It would make much more sense to adopt a plan to guide future development in the area, but does not dictate where certain roads will go. Let that planning happen in the future as the market evolves and redevelopment occurs.

In conclusion, my partners and I are very opposed to the West Side Flats Master Plan in its current form and would ask the Planning Commission to send it back to the task force for further evaluation and discussion.

Thank you.

Sincerely,



Todd A. Geller
Victory Capital Corporation
Badger Properties Riverview, LLC
Riverview Industrial Ventures, LLC

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55102-1313



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January 29, 2015

Ms. Barbara Wencil, Chair
Saint Paul Planning Commission
1400 City Hall Annex
25 West 4th Street
Saint Paul, MN 55102

RE: Saint Paul Port Authority Comments on West Side Flats Master Plan and Development Guidelines

Dear Chair Wencil:

We appreciate the opportunity to provide the Planning Commission with comments and recommendations on this Draft Plan for the West Side Flats area, which lies within the Port Authority's Riverview Industrial Park.

We also appreciate the efforts of Commissioner Betsy Reveal in leading the advisory Task Force, of which the Port Authority was a part, through its process in suggesting plan elements.

There are some very positive recommendations in this Plan for both infrastructure upgrades and visual enhancements for this area. Some of these include storm water management strategies, building heights and maintenance of view sheds, some of the green amenities, sewer system infrastructure improvements, transit on Robert Street, and public arts opportunities.

We are concerned, however, about the proposed new street grid system; the proposed new City park where an ongoing business provides significant jobs and taxes; and the language regarding eminent domain. We are also concerned that there has been no Fiscal Analysis of the likely impact of these proposed changes.

The Port Authority believes that this Plan's Vision for a "thriving riverfront urban village" can and should include the component of retention of companies throughout the Plan Area/Riverview Industrial Park; they engage in key economic activities, are compatible with other land uses, and are in close proximity to neighborhood residents who we believe appreciate a short commute to good jobs.

Initiative for a Competitive Inner City (ICIC)

Chair Wencil, as you recall, about a couple of years ago, Lorrie Louder of my staff presented to the Planning Commission the findings of our Saint Paul Industrial Study conducted by the ICIC. Dr. Michael Porter of Harvard University, and Chairman of the Board of the ICIC, created this organization. One of the main conclusions is that the industrial assets are important in Saint Paul, but are underappreciated. The ICIC strongly recommended that the City and Port Authority work to retain industrial land in Saint Paul because of all of its business growth, jobs at good wages, low level of city services use, and significant contribution to the City's fiscal health.

The term "industrial" seems somewhat arcane to some people. We shouldn't forget, however, that some of the strongest parts of the economy in Saint Paul and the metro area are in the industrial business areas of Production, Repair, Distribution, and Logistics (P,D,R,L). These sectors are what contribute so

significantly to the fiscal health and vibrancy, indeed the economic lifeblood, of Saint Paul. And the West Side Flats/Riverview Business Park is a key example of this. We hope that the Planning Commission will consider this big picture as it further reviews our recommendations to improve the Draft Plan.

Recommendations

We ask you to consider existing City policies on economic development as you deliberate on the following recommendations. Specifically, please refer to Strategy 2 of the City's Comprehensive Plan, which we understand was adopted in February, 2010. The final page of this chapter says the following:

"Economic Development. The crux of economic development is jobs.....2.31: Implement the City's Economic Development Strategy to focus resources effectively in a coordinated series of initiatives and programs intended to secure and retain industries and commerce, and the jobs both create."

Additionally, we hope that the Planning Commission in its deliberations will consider the Commission and City Council-approved West Side Community Plan, regarding land for industry and jobs; West Side businesses being "engines of prosperity"; and jobs connections with businesses.

We believe that this Draft can be significantly improved and more synchronized with the City goal of supporting a strong business community that provides jobs to our residents by making the following changes:

1. Eliminate the Proposed New Street Grid Plan: There is significant street infrastructure in place at this time that serves well the existing uses throughout this area. A residential street pattern is not appropriate for this industrial area, and there has been no demand for this to our knowledge from the industrial marketplace.

We understand from staff that the idea of the new street grid is to integrate the employment district with the neighborhood west of Robert Street. We urge to you to consider that this area is already clearly related to the area West of Robert and should be viewed as a continuing fundamental part of the West Side Flats area. The strategy should be one of letting existing businesses know that they are valuable to the City and welcoming their retention and growth; and supporting some smaller buildings that may be repurposed with various commercial-industrial uses; is also a positive part of the strategy.

Please refer to the Map on the last page. We understand from City staff that the proposed street grid is a pretty close approximation of their locations in the future. It should be noted that the proposed new street system goes through parking lots and buildings that contain going concern businesses. Please consider a couple of specific examples: A) American Red Cross Property along Robert, south of Fillmore: This business is manufacturing and office, has a critical need for its parking areas, and currently provides approximately 600 jobs. B) REXAM Manufacturing Plant, south of Fillmore on Eva St.: REXAM is a global company located on 7 continents and is in the Production category noted above. It produces over 5 million cans a day for Pepsi, Coca-Cola, our own Saint Paul-based Summit Brewing Company, and other customers; it provides jobs to over 100 people, some of them 2nd generation workers; it provides robust average wages of about \$75,000 per year; it has plans for significant expansion on this site; and it pays about \$210,000 in annual property taxes.

In short, these companies, and others in this area, comprise the type of economic engine that ICIC indicates is so vital for a City's fabric and that economic development policies have long encouraged. We should honor this business base as the West Midway Industrial Strategy does.

2. Eliminate the Proposed City Park on Eva Street: This new park is proposed to be placed on the site now occupied by the REXAM Company. This is not an appropriate use, it reduces industrial land, and the proposal sends the wrong message to the business community regarding the City's view of jobs, tax base, and economic activity.
3. Revise the Eminent Domain Language: Although the message to the business community and others has been that businesses need not worry and no public action will be taken until the businesses wish to move out, the current language does not adequately reflect this. We urge you to change the language to indicate that the City does not intend to use eminent domain. We concur with the specific language proposed by the Saint Paul Area Chamber of Commerce in their letter to the Planning Commission of January 7, 2015.

Port Authority's Business and Jobs Growth Goal

The Port Authority's goal is to protect industrial land; our professional experience tells us this Plan will reduce it.

Our conclusions are based on our track record. The Saint Paul Port Authority has been in the industrial redevelopment business for over 50 years; and by all tangible measures (nearly 2 square miles of recycled property, nearly 600 businesses and nearly 24,000 jobs) we're pretty good at it. Truly, our accomplishments and commitment to Saint Paul should speak to this. Even during the economic slowdown of the previous five years, there have been several successful Port-sponsored industrial developments in the city. One of the primary reasons for the Port's success is that we make good judgments about which distressed properties to purchase for redevelopment, and which properties to ignore. Simply put, the Port buys properties that - post building demolition, contamination cleanup, platting and infrastructure installation - will be attractive to private businesses for their next big investment.

We stay away from properties that don't meet that test. Again, our history of success suggests that we are right about these judgments much more often than we are wrong. In the past, the Port Authority has been granted significant flexibility by the City in planning and platting our business parks, and the businesses have responded positively.

The West Side Flats Master Plan sets a new course by effectively creating the plat first, with the expectation that industrial development will follow. For the foreseeable future, we don't believe that industrial businesses and development companies will support the plan. We certainly don't support the above-referenced portions of it. We believe that the current draft West Side Flats Master Plan Draft places insurmountable impediments to near-term industrial redevelopment prospects.

Indeed, it appears the City's ultimate goal is to transition the West Side Flats area out of industrial development and into office/commercial space - uses for which there is currently a very limited near-term market in Saint Paul's core. We recognize that the City has ultimate planning and zoning authority over all properties within Saint Paul. So, while we will continue to object to this plan, we know that it may actually come to fruition. Should that be the case, the following are likely outcomes:

- Upon seeing their property divided by future streets and other infrastructure, current property owners will stop investing in their property. (How many of us would continue to invest in our homes if we knew the City planned to build a road through them?)

Ms. Barbara Wencil
January 29, 2015
Page 4

- The value of the current properties will drop as a result of the impediments and uncertainty created by the plan. (If a road were planned to run through our homes, who would we sell them to?)
- The Port likely will not be the buyer of property that couldn't be repurposed in the near term.
- The area will deteriorate with an attendant loss of jobs and tax base until such time, if ever, that the private business community finds uses for the properties that are consistent with the plan.

Chair Wencil, thank you for your consideration of these recommendations. We are available for further discussion as you may wish.

Sincerely,

A handwritten signature in black ink, appearing to read "Louis F. Jambois", with a long horizontal flourish extending to the right.

Louis F. Jambois
President

West Side Flats Draft Master Plan & Development Strategy

Impact of Proposed Street Grid System on Buildings in Riverview Business Center



Sources: Esri, DigitalGlobe, GeoEye, USDA, USGS, AEX, Geomapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



January, 2015



January 7, 2015

Saint Paul Planning Commission
City of Saint Paul
City Hall Conference Center Room 40
15 Kellogg Blvd. West
Saint Paul, MN 55102

VIA EMAIL

Re: West Side Flats Master Plan and Development Guidelines

Dear Members of the Planning Commission:

As the state's largest local chamber and a strong proponent of creating vibrant river-connected neighborhoods, the Saint Paul Area Chamber of Commerce (SPACC) writes in regards to the city of Saint Paul's draft West Side Flats Master Plan and Development Guidelines (draft plan) released by the planning commission for public comment. In general, SPACC supports the draft plan. But we are also concerned that some of the proposed public improvements will negatively affect business and property owners in the West Side Flats. In advance of the January 30, 2015 public hearing, SPACC offers the following comments and recommendations for consideration.

I. Overview and General Support for the Draft Plan.

The original master plan for the West Side Flats was adopted by the city in 2001. More recently, the Saint Paul Planning Commission initiated a community-based planning process to update the original plan. The planning commission appointed a community task force to lead the planning process. As part of the process, the task force developed a vision and a series of guiding principles to be used in shaping future development in the West Side Flats.

In the draft plan, the West Side Flats is identified as a 21st century urban village that connects the larger West Side community to the Mississippi River and downtown Saint Paul. The draft plan calls on the West Side Flats to have strong visual and physical connections to the river's edge and bluffs, pedestrian and bike-friendly streets, and increased transit opportunities. It is also said that the West Side Flats should continue to provide high-paying commercial and industrial jobs. Finally, the draft plan seeks to promote higher-intensity land uses with increased density.

SPACC supports this vision.¹ Specifically, we believe improving business functionality and providing high-paying job opportunities in the West Side Flats neighborhood is critically important.

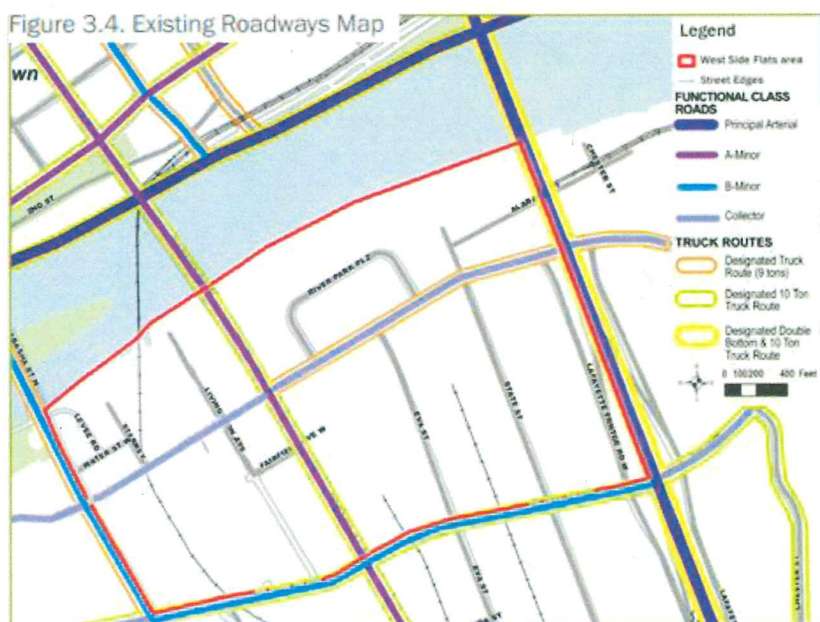
¹ To help achieve the vision, the draft plan recommends rezoning 34 parcels. SPACC does not take issue with the proposed zoning changes as it is our understanding that no legally nonconforming uses will result.

Additionally, we applaud the call for a balanced network of movement featuring new multi-modal nodes with increased pedestrian and bike connections to the riverfront. And we feel strongly that creating a unique and welcoming public edge along the riverfront will increase the vitality of our great city. Unquestionably, we believe this plan is good for Saint Paul.

II. Concerns.

While SPACC generally supports the draft plan, we are concerned about certain of the proposed public improvements. Specifically, the draft plan calls for new streets to be constructed as part of an enhanced urban transportation system with a “complete street” network. The draft plan also envisions new urban parks and open spaces in select areas of the West Side Flats. SPACC typically supports these types of public improvements as they benefit the community as a whole. However, in the case of the West Side Flats, SPACC believes that some of the proposed street and park improvements may discourage existing business and property owners from investing in Saint Paul. This may result in fewer employment opportunities and reduce the strength Saint Paul’s tax base.

The existing street grid system is composed of four major streets: Lafayette Road, Robert Street, Wabasha Street, and Plato Boulevard. Smaller, local roads supplement the major streets. Collectively, the existing street system can be characterized by large blocks that predominantly serve commercial and industrial-type land uses. Figure 3.4 from the draft plan below provides a visual depiction of the existing street system serving the West Side Flats.



The draft plan recommends use of a traditional urban street grid system to enhance connectivity and livability in the West Side community. The current street system would be reconfigured to a more connected street network with smaller blocks. The existing streets (Plato, Fillmore, State, and Eva) would be supplemented with new streets, including Eaton Street (north-south), Fairfield Avenue, and

Indiana Avenue (east-west). Figure 5.5 from the draft plan provides a visual depiction of the West Side Flats' street system after the proposed new streets are constructed.

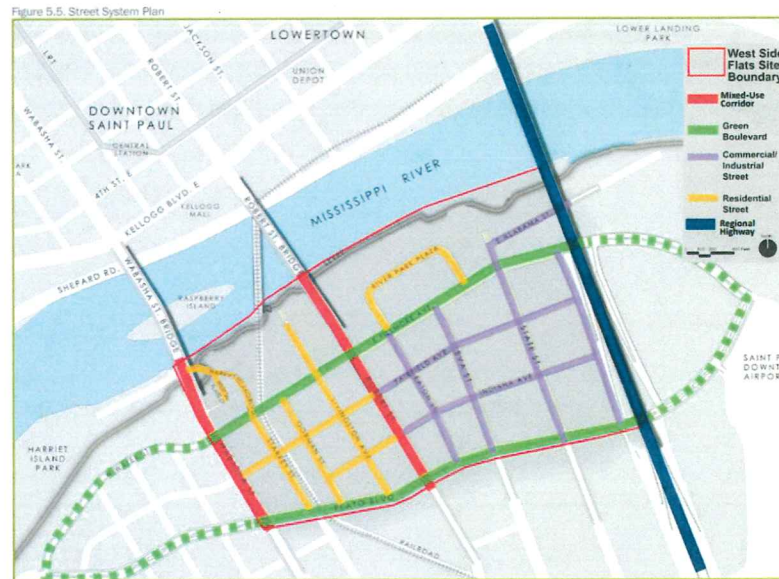


Figure 5.5 makes it difficult to visualize the extent to which the proposed streets interfere with the use of private property, as it does not illustrate how the improvements would interact with existing development in the West Side Flats. To better understand how the new streets would interact with existing land uses, the aerial photograph below (provided by the Saint Paul Port Authority) shows the proposed street system (shown in green) superimposed over existing structures (shown in red) located in the West Side Flats.



In viewing the proposed improvements from this perspective, it is easy to see that some of the new streets will interfere with the productive use of private property.

For some businesses, the proposed public improvements would directly interfere with their ability to operate, create jobs, and expand in Saint Paul. For example, the photographs below provide aerial views of the Rexam manufacturing facility located at 139 Eva Street. The photograph on the left provides a current view of the property. The photograph on the right shows what Rexam's property would look like after the proposed public improvements are constructed (red lines representing proposed street improvements and green area representing the proposed Eva Street Park).



The above-right depiction illustrates how the street and park improvements would affect Rexam. As you can see, the proposed Eva Street Park would nearly replace Rexam's state-of-the-art manufacturing facility. The new streets would cut directly through what was left of the facility. This would be a great loss for the West Side community and Saint Paul as a whole. As a leading global beverage can maker, Rexam pays roughly \$200,000 in annual property taxes. With an \$8 million payroll, Rexam supports around 100 high-paying union jobs in Saint Paul.

In summary, the proposed street and park improvements, even if conceptual in nature, will cause affected business and property owners to question their long-term sustainability in Saint Paul. Many businesses in the West Side Flats are planning to make 50 to 100-year investments in equipment and infrastructure. For these businesses, the long-term investments will become significantly less attractive knowing the city is planning to build a road through their property. If the draft plan is adopted as proposed, businesses will be forced to operate with the overarching fear that the city may initiate eminent domain proceedings against them, taking their property to allow for construction of the proposed street and park improvements.² As a result of these fears, businesses may simply stop investing in Saint Paul. We do not believe this would be good for our community.

² If the city does use eminent domain, there is the added fear among business and property owners that they would be forced into years of costly litigation to determine the compensation justly owed to them by the city for taking their property.

III. Recommendations.

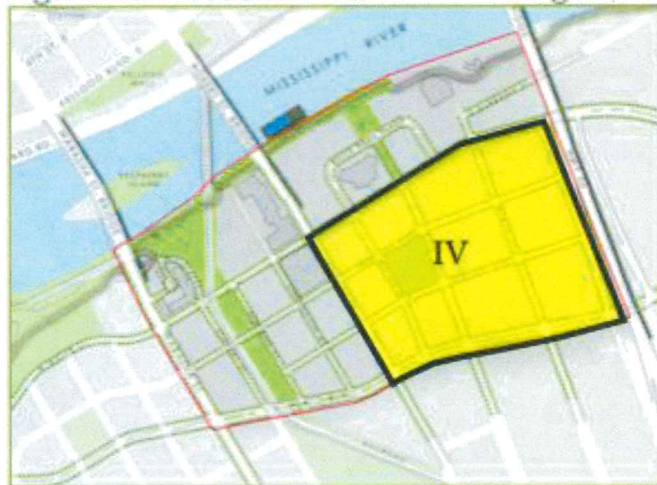
To alleviate the concerns expressed above, SPACC offers the following recommendations:

a. Remove the proposed Phase IV street and park improvements from the draft plan.

The draft plan anticipates that redevelopment of the West Side Flats will occur over the next 30 years. The proposed street and park improvements are planned in four strategic phases. The phases are planned according to time and geographical area.

Specifically, Phase I improvements are planned to occur within the next 5 years. These improvements are located in the northwest quadrant of the West Side Flats. Phase II improvements are planned to occur within the next 5-15 years. These improvements are located in the southwest quadrant of the West Side Flats. Phase III improvements are planned to occur within the next 10-20 years. These improvements are located in the northeast quadrant of the West Side Flats. Phase IV improvements are planned to occur within the next 20-30 years. These improvements, which provide the primary basis for the concerns discussed above, are located in the southeast quadrant of the West Side Flats, as depicted in Figure 7.6 of the draft plan below.

Figure 7.6. West Side Flats Phase IV Diagram



SPACC recommends removing the Phase IV street and park improvements from the plan. We believe removing the Phase IV improvements will still allow the city to achieve the proposed vision for the West Side Flats and adhere to the guiding principles enumerated by the task force. Without this revision, businesses located in the Phase IV improvement area may not be allowed to physically expand, as doing so may be deemed inconsistent with the city's comprehensive plan.

- b. Include stronger language indicating that the city does not intend to use eminent domain to take private property to allow for construction of the proposed public improvements.**

On November 5, 2014, representatives from the city's planning and economic development staff invited business and property owners to attend an informational meeting to discuss the draft plan. During the meeting, business and property representatives indicated that they interpreted the proposed street and park improvements discussed above to mean they were not being viewed as part of Saint Paul's future. Business and property representatives also expressed concern about the city's potential use of eminent domain to allow for construction of the improvements.

In response to the concerns raised by business representatives, the city revised the draft plan to alleviate the concerns expressed by business and property owners. Specifically, the city revised the plan as follows:

- added year timelines behind each of the public improvement phases (pages 106-107 of the draft plan);
- added the phrase "As redevelopment occurs," before the second bullet under Phase II, the first bullet under Phase III, and the second bullet under Phase IV (pages 106-107 of the draft plan); and
- inserted "The exact location of new streets and parks will be determined as redevelopment occurs" on page 65 of the draft plan.

SPACC appreciates and supports these revisions. The revisions provide greater clarity as to when the public improvements are to be made. The revisions also state that the improvements are to be made as redevelopment occurs.

In addition, to alleviate concerns about the use of eminent domain, the city inserted the following language into the draft plan (page 106):

In any case, it is important to note that the construction of new streets and parks proposed in this Plan is likely only in conjunction with the redevelopment of private property, as the City is unlikely to have the financial resources to build public infrastructure without attendant private development. Until such time as the City has the resources to build the recommended new streets and parks, as part of a redevelopment project, parcels may be put to any legal use permitted under the current zoning classification, provided that the proposed use meets all applicable conditions and/or standards.

While SPACC is grateful for the city's willingness to address property-related concerns by revising the draft plan, we believe the supplemental language on page 106 still leaves business and property owners uncomfortable with the lack of assurance regarding the long-term plans of the city. As revised, the language on page 106 leaves open the possibility that the city will exercise its legal authority to take

private property to construct the proposed public improvements when it has the financial resources to do so. Such language does not alleviate the concerns expressed by business and property owners.

To sufficiently alleviate the concerns about the use of eminent domain, SPACC recommends insertion of the following language into the draft plan:

The city does not intend to utilize eminent domain proceedings to facilitate the development of new streets and parks proposed under the plan. The proposed streets and parks will be constructed as private development and redevelopment occurs. The proposed streets and parks are conceptual in nature and are subject to change as development occurs. The location of proposed streets and parks in the plan does not necessarily reflect the city's intended placement of those public improvements. When development and redevelopment occurs, the exact location of new streets and parks will be determined. Until such time as new streets and parks are constructed as part of a redevelopment project, parcels may be put to any legal use permitted under the current zoning classification, provided that the proposed use meets all applicable conditions and/or standards.

If this language is incorporated, business and property owners will find great comfort knowing that the city does not intend to take their property to construct the proposed public improvements, even if it had the financial resources to do so. Accordingly, SPACC believes this language will resolve the concerns expressed about the use of eminent domain.

IV. Conclusion.

In conclusion, SPACC is generally supportive of the draft plan. We believe that Saint Paul would benefit greatly from the vision laid out in the draft plan. With that in mind, SPACC is concerned that some of the proposed street and park improvements will negatively affect the existing productive use of private property. To alleviate these concerns, we believe the Phase IV street and park improvements should be removed and stronger language against the use of eminent domain should be incorporated into the draft plan. SPACC appreciates the commission's consideration of its comments and recommendations.

Please feel free to contact me with any questions or comments. Thank you.

With Kind Regards,

A handwritten signature in black ink, appearing to read 'MB', with a long horizontal flourish extending to the right.

Michael J. Belaen
Director of Public Affairs and Legal Counsel

cc: Donna Drummond, Planning Director, City of Saint Paul
Lucy Thompson, Principal City Planner, City of Saint Paul

Thompson, Lucy (CI-StPaul)

From: Salina Amey <salina_amey@hotmail.com>
Sent: Friday, January 16, 2015 4:58 PM
To: Thompson, Lucy (CI-StPaul)
Subject: West Side Flats Master Plan

Hello Ms. Thompson,

Is there a place to give comments with regards to the West Side Flats Master Plan?

I have heard that there are recommendations for 90^(sic) foot tall buildings at Plato and Robert, and this height is seriously out of proportion with anything in the area. I feel such tall buildings are only of benefit to the contractors who make money building them.

As a resident of the West Side, I feel that this is a big mistake, and I hope that this is not approved.

Yours truly,

Salina Amey



February 2, 2015

Ms. Lucy Thompson, Principal City Planner
City of St. Paul – Department of Planning & Economic Development
25 West 4th Street
St. Paul, MN 55102

**RE: West Side Flats
St. Paul, MN**

Dear Lucy:

Sherman Associates, Inc. is concerned over the proposed height limits within the West Side Flats Master Plan. We feel that the proposed heights decrease the density beyond acceptable limits to make projects feasible and do not represent sensible land use.

Sherman advocates for the existing heights of five stories and six stories. We also are in favor of the method of measurement utilizing stories instead of fixed height.

The average floor-to-floor heights of residential is approximately 12'. If the projects are designated as mixed-use, as many are within the West Side Flats Master Plan area, the commercial portion of the project will be approximately 18' in height. If the proposed heights are used, the result would be three- and four-story buildings.

Also, please keep in mind that much of the Master Plan study area is within a levee-controlled flood plain and the shallow groundwater. This does not allow for 1st floor residential uses. Buildings have to be elevated from these conditions; thus, increasing the height.

Sherman Associates has submitted a proposal to the PED staff in accordance with a Development Agreement for a site north of Filmore, west of Livingston and south of the river. The proposed heights negate the feasibility of these proposed projects.

The proposed heights would decrease the density to a level that development would not be feasible for the West Side Flats area. We also feel that it would be sensible land use along the river to increase density.

For these reasons, we recommend retaining the heights within the current West Side Flats Master Plan and not reducing them as proposed.

Sincerely,

SHERMAN ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'Tony J. Kuehnle', written over a horizontal line.

Tony J. Kuehnle
Senior Vice President of Development

