



Friends of Warrendale and Save Historic St. Andrew's, LLC

Luis Pereira
Planning Director, PED
1400 City Hall Annex
25 W. 4th St.
St. Paul, MN 55102

December 18th, 2018

Dear Mr. Pereira,

As a matter of introduction, Friends of Warrendale and Save Historic Saint Andrew's (SHSA) is a limited liability corporation that formed in 2018. We are dedicated in to preserving the historic Church of Saint Andrew building at the heart of the larger Warrendale neighborhood and ensuring development that is beneficial to the surrounding neighborhood.

We write today with concerns about the Planning Commission's recent consideration of the potential designation of the Church of Saint Andrew building.

To begin, we believe the nature of Commissioner Dan Edgerton's participation unduly influenced the perceptions of Commissioners around the strength of the designation nomination and our role in relation to the proposed expansion of the Twin Cities German Immersion School (TCGIS). Commissioner Edgerton's actions left us with many serious questions and concerns. The membership list of the Comprehensive and Neighborhood Planning Committee on the city's website does not list Dan Edgerton. Yet, he sat at the table of that Committee and voted. In talking with a former Planning Commissioner, the idea of a non-committee member playing a dominant role in discussions and then voting was highly irregular and likely violated community accepted procedures, to the point of undermining what ought to be an objective, unbiased and factual decision-making process.

Planner Josh Williams announced at the beginning of the December 12th committee meeting that the Commission's recommendation was considered "quasi-judicial". If the meeting was quasi-judicial as Williams stated, Commissioner Edgerton's influence takes on special significance. We have discussed this with people knowledgeable on city procedures, and they have noted that a non-member would never be allowed to suddenly and temporarily join a Committee, speak as a dominant member of the Committee, and then vote. This irregularity suggests that the meeting was not in fact quasi-judicial, despite Williams' statement to the contrary.

If not quasi-judicial, then how to explain why we were kept from correcting the Commissioner's false statements and misunderstandings? We were told this was done because the meeting was understood to be quasi-judicial. We then sat and watched in utter shock and helplessness at the clear misunderstandings that were stated and repeated over and over as Commissioners discussed the issue. We tried correcting them before Commissioners made a decision, giving information to Josh Williams and others to correct misunderstandings, but that was never shared. We then sat and listened to a conversation at the December 14th Planning

Commission meeting where Commissioners cited misinformation and what can be charitably described as under-informed and narrow perceptions as the basis for their conclusions.

Was it quasi-judicial or not? We certainly aren't in a position to know at this time, but regardless of the answer, the net result has kept the decision of the Commission from being a meaningful process rooted in fact. We've left this process disillusioned and fearful that what has happened will taint and prejudice all city discussions to come.

Here is a number of our concerns about how this process played out to date, as well as the accounting we were never allowed to share. This all may cast a long shadow into the future, including the pending variance and site plan decisions.

- Commissioners centered a number of their stated objections to designation on concerns about vacancy. At the first meeting, Commissioner Edgerton generally equated historic preservation on the site with an empty building. Of note, public documents clearly project that the TCGIS and its building company are “underwater” on its property until around 2030. They likely won't be able to leave anytime soon, meaning the building will, if left standing, almost assuredly not become vacant. In addition, Commissioner Edgerton stated at the first Committee meeting that the Church building was vacant from 2011 to 2013. Commissioner Vue cited this period of vacancy as part of his support for why he reached his conclusion at the December 14th Planning Commission meeting. However, we had definitive proof that the church was not vacant but leased by Church of the Redeemer (Anglican) from January through August of 2012. We shared this with city staff, but this fact was not corrected and was again shared by Commissioner Vue during the full Commission vote as part of his justification for his decision.
- Many, if not all Commissioners, seem to believe the former church cannot be repurposed to meet the needs of TCGIS or another potential occupant. To correct this notion, we provided staff with a document showing thirteen former churches within the City of Saint Paul that have been repurposed as condos, homes, non-profits, performance spaces, and, yes, a charter school, many of which are historically designated properties. But this information was not allowed to be considered as evidence by Commissioners.
- At the December 12th Committee meeting, just after being instructed that Commissioners could not consider the content of the letter from TCGIS' lawyers in their comments, one Commissioner volunteered that they “couldn't unsee” the letter, indicating an inability proceed without being in violation of the guidance given by staff and the City Attorney. Meanwhile, our attempts to correct clearly false facts and add additional context where missing went nowhere.
- Commissioner Edgerton positioned himself as a knowledgeable source about the issue. However, we have seen Commissioner Edgerton at perhaps one of the dozens of relevant Twin Cities German Immersion School board, D10 Como Community Council, or Save Historic Saint Andrew's meetings on this issue. At the first Committee meeting, he had to inquire as to the identity of TCGIS Executive Director & Superintendent Ted Anderson, clearly indicating his lack of knowledge on the context and details of the issue.
- Commissioner Edgerton shared his opinion that “A lot of people who lived within a block of the church didn't know it was there.” This flummoxed the best of us. Yes, it is on a side street, but it is quite inaccurate to say that people who live right there didn't notice

the massive structure, nor the parsonage with crosses that was next door for many years. This is suggestive of not just a difference of opinion, but exceptional bias. We therefore question the appropriateness of Commissioner Edgerton's presence as the chair and as a voting member of the Zoning Committee when they are charged with making quasi-judicial decisions on three variances and a site plan on December 20th.

- At the November 30th Planning Commission meeting, one Commissioner stated that he believed the process of historic designation was being "weaponized" against the school. This statement was repeated in the D10 Como Community Council newsletter, further tainting this process. The Planning Commission needs to make decisions based on facts, not conjectural statements that impugn other people's motives. We cannot and do not believe this Commissioner can render a fair and impartial decision about the zoning variances and site plan before of the Commission.
- In order to explore solutions, we've repeatedly asked for details on the couple dozen plans and any related cost estimates TCGIS and their architect say they've considered. Despite being a public, taxpayer-funded institution, they have provided none, and so in late November, we submitted a request for that information under the Minnesota Data Practices Act. We asked for it in advance of any Planning Commission decisions, of which this was one. The plans we've requested are essential in determining whether TCGIS, in fact, could not reasonably repurpose the Church of Saint Andrew building, were it designated. The Commission did not see that information, nor were they aware of our efforts to secure it from a public, taxpayer-funded school.
- Several Commissioners stated that they wished there had been a reuse study undertaken that would evaluate ways the school could repurpose the existing building. We agree. In fact, we have proposed just such a process to TCGIS leadership on at least three distinct occasions. In June, Father John Forliti, a former leader in local Catholic institutions who has spent most of his life living immediately adjacent to Saint Andrew's, convened TCGIS parents and neighbors at his home over food and drink. Out of that, both we and a TCGIS parents met and jointly urged board members to consider alternatives to demolition. We were flatly denied by now Board Chair Sam Walling. Second, in August, in a meeting between D10 leaders and the school, a charrette process was urged, which was again flatly denied. And finally, once again rebuffed in October, by which time TCGIS was already trying to tear down the bell tower to undercut its historic significance. Over and over, we are trying to collaborate.

The most palpable irony in all of this was that the Planning Commission centered their opposition to designation on Land Use Policy 1.55 from the Comprehensive Plan: "Collaborate with public and private elementary and secondary schools in conjunction with construction or major remodeling."

As Commissioner Kris Fredson memorably noted at the December 14th Commission meeting, collaboration is not capitulation. The city can collaborate but still underscore that the city's historic assets are a fundamental part of what this City's identity. Collaboration is a two-way street, to uncover paths forward that meet both organization's mutual needs.

And, of course, Save Historic Saint Andrew's sent a letter to PED Director Dr. Bruce Corrie on October 20th seeking a meeting with PED staff to discuss a collaborative design exploration. Despite repeated attempts to pursue a meeting, and one brief early response that Dr. Corrie would get back to us later, our later repeated inquiries have been met with total silence.

In the letter to Dr. Corrie, we proposed a charrette process with former Saint Paul Design Center Director Tim Griffin, to explore alternatives that would keep the church building intact. Tom Fisher, head of the Minnesota Design Center where Griffin now works, and former Dean of the College of Architecture and Design at the University of Minnesota, recently gave a lecture on the Ethics of the Architecture profession at a conference of about 500 people. Fisher met with TCGIS leaders and community and believes a win-win solution is very possible within existing budget constraints. Fisher used the example of Saint Andrew's Church and the TCGIS expansion as a centerpiece of his lecture. On a show of hands, a strong majority of those professionals in attendance suggested an ethical duty to intervene proactively in this situation.

We believe the City's Comprehensive Plan points to a city-assisted collaborative design exploration being the most appropriate path forward, particularly given the school's long-standing interest in using conduit revenue bond financing for their project. Quoting from the Comprehensive Plan, we continue to ask how will PED/HRA staff act to "prioritize the retention" of a structure that has now very clearly been "determined eligible for historic designation?" It would seem actual two-way collaboration is in order.

We've worked to be a respectful team player with the city in all this, but to date we have to say that appears to have hurt us significantly. We could have directly sent Commissioners corrective information, much as lawyers for TCGIS badgered Commissioners with dubious legal analysis and implied threats. Instead, we followed city staff guidance, and that hurt us. We care broadly about this community, and power plays, lawyering and skating over the rules is not our go-to solution for disagreement. The city has a responsibility to operate in a fair and responsible manner, and we believe this process has fallen far short of that so far, and without corrective action, will taint this city's process around this issue well into the future.

We would like, again, to suggest meeting with PED staff. We would like to meet with you, Mr. Pereria, to discuss our concerns in more depth. We would welcome the inclusion of additional staff, including Commissioner Edgerton, in these discussions as deemed appropriate. We have legitimate concerns about how this process has been handled and have outlined and cultivated viable solutions that urgently deserve attention. We know TCGIS had repeatedly had the benefit of meetings with city officials. We reiterate the request to meet with us.

Thank you for your consideration.

Sincerely,
Friends of Warrendale and Save Historic Saint Andrew's, LLC



Teri Alberico



Anna Mosser



Bonnie Youngquist

cc: George Gause, Heritage Preservation Commission
Christine Boulware, Heritage Preservation Commission
Josh Williams, Planner
Allan Torstenson, Zoning
Peter Warner, City Attorney
Betsy Reveal, Chair, Planning Commission