



April 6th, 2021

**City of Saint Paul**

Attn: City Clerk  
1400 City Hall Annex  
25 West 4<sup>th</sup> Street  
Saint Paul, MN 55102

**VIA EMAIL**

**Re: CLARIFICATION - Notice from Appellant Regarding Proposed Voluntary Conditions of Approval – Appeal of Planning Commission Denial of Site Plan for 411-417 Lexington Parkway North submitted by Alatus Development LLC (City File #20-102-273)**

Dear City Clerk and Councilmembers,

This letter is submitted in connection with our appeal of the February 5, 2021 decision of the Saint Paul Planning Commission (“Planning Commission”) to deny approval of the site plan (the “Site Plan”) for a proposed 6-story, mixed use project at 411-417 Lexington Parkway North (the “Project”). At the March 17 City Council meeting, questions were raised regarding the appellant’s commitment to affordable housing as part of the Project and this letter is intended to clarify our willingness to place long term, voluntary restrictions on rental rates in order to ensure affordability.

First, as a preliminary note, as set forth in our February 11 appeal documents, the Planning Commission’s attempt to deny approval of the Site Plan is based on two (2) erroneous findings of fact that are wholly unsupported by the record. The Site Plan satisfies all standards for approval set forth in Code Section 61.402(c). The Project, which proposes to successfully redevelop long-vacant and underutilized land, without variance, conditional use permit or public subsidy, will result in the creation of 288 transit oriented, largely affordable, residential units and supporting commercial space. The Site Plan is consistent with all of the City’s guiding planning and land use documents for development in this area and the Project supports the City’s core values of equity, affordability and sustainability. For all of these reasons, we respectfully request that the City Council reverse the decision of the Planning Commission and approve the Site Plan for the Project.

Notwithstanding the fact that the Site Plan satisfies all Code requirements, to demonstrate our commitment to affordability and to the City’s long term housing goals, we have voluntarily agreed to have the City condition approval of our Site Plan approval on specific affordability standards. While we have referenced our willingness to participate in the 4(d) program, we have not officially applied to the program because the application process is closed. From an approval perspective, our suggestion has been that the City impose an additional condition on our Site Plan approval, requiring affordability for a number of units. Specifically, we propose to have the City Council add the following condition to the approval of the Site Plan:

U.S. Bancorp Center  
800 Nicollet Mall  
Suite 2850  
Minneapolis, MN 55402  
Phone 612.455.0700  
Fax 612.455.0740  
[www.alatusllc.com](http://www.alatusllc.com)

***“Applicant shall be required to execute and record a Declaration of Restrictive Covenants (the “Declaration”), in a form that is reasonably approved by the City attorney, which Declaration shall require that no less than 124 efficiency units remain affordable at 60% AMI rental rates, ten (10) 1 bedroom and 1 bath units at 50% AMI rental rates, and ten (10) 2 bedroom and 2 bath units at 50% AMI rental rates for a period of ten (10) years.”***

By agreeing to this voluntary condition, in addition to those two other conditions that were previously proposed (solar array installation and public art) we are formalizing our commitment to create long term, affordable housing within the City of Saint Paul. In doing so, we should eliminate any question as to whether the Project is consistent with not only the City’s planning requirements, but also with the City’s core values.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Chris Osmundson  
Director of Development – Alatus LLC

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