

# HADAC LAW OFFICE PLLC

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VIA EMAIL TO [Contact-Council@ci.stpaul.mn.us](mailto:Contact-Council@ci.stpaul.mn.us)

August 15, 2023

15 West Kellogg Blvd  
310 City Hall  
St. Paul, MN 55102

Re: **Objection and Intent to Appeal**

Property Owner: Lowry Building LLC

Project: St. Paul Downtown Improvement District Proposed Service Charge

Property Address: 345 Wabasha St N (the "Property")

Property ID: 06-28-22-12-0062

Dear Mayor, City Clerk, and the St. Paul City Council Members:

I am legal counsel for the Lowry Building LLC ("Lowry"), a Minnesota limited liability company and owner of the Property.

This letter is intended to serve as Lowry's written objection to any service charge being imposed against the Property relating to the St. Paul Downtown Improvement District.

Lowry objects to the proposed service charge for two main reasons. First, over the course of the last few years, it has become very apparent that the Downtown Improvement District provides no increased level of service compared to the service that is ordinarily provided throughout the city from the general fund revenues. In any event, the proposed service charge greatly exceeds the amount needed to pay for any alleged increase level of service in violation of Minn. Stat. § 428A.03, subd. 1 and other laws. This is likely why the Revised Notice of Public

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Hearing provides no detail of the charges (and indeed the “total estimated budget for full program implementation in year 2024” varies from \$1,324,240 on the Revised Notice to \$1,299,240 on the Proposed Service Charge sheet). What is the accurate number? The City has failed to provide any such notice.

Secondly, the vast majority of the Property consists of residential units for lower income individuals, many of whom are on some form of assistance program. Such residential properties are simply not subject to special service district charges under Minn. Stat. § 428A.02, subd. 1. If the city wants affordable housing, then it should reconsider trying to add special service charges against residential properties in violation of the law.

Sincerely,

/s Kelly S. Hadac

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