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July 23, 2015

City of St. Paul Planning Commission
c/o Bill Dermody, City Planner
Planning & Economic Development
25 W. 4th St., 14th Floor; Saint Paul, MN 55102
(e) bill.dermody@ci.stpaul.mn.us

Dear Commissioners:

Please accept this letter on behalf of Brixmor Property Group, Inc., owner and operator of the Sun Ray Shopping Center located at 2089 Old Hudson Road, St. Paul, Minnesota ("Sun Ray"), as their comments on the City of St. Paul Department of Planning & Economic Development zoning study and proposed Gold Line Station Area Plans.

Brixmor generally supports the vision incorporated in the proposed Gold Line Station Area Plans, including the proposed rezoning of the Sun Ray property to a higher density T4 Traditional Neighborhood District, provided the implementation of the Plan and the zoning amendments recognize the current success of Sun Ray and does not obstruct the orderly incremental development of Sun Ray over the next ten to twenty years.

Background

Sun Ray is composed of approximately 22 acres of land on which four commercial buildings used for general retail purposes are situated. Sun Ray is a thriving shopping center that has been contributing to the community, the local economy and the St. Paul and Ramsey County property tax base for over fifty years. Sun Ray is a historically successful shopping center, with a current occupancy rate of 92%. Sun Ray tenants include TJ Maxx, Famous Footwear, Great Clips, and Cub Foods, all of which provide important goods and services to the surrounding community, jobs to those people who work at the shopping center, and sales tax revenues. Brixmor has no current plans for expansion or redevelopment of Sun Ray, no interest in selling Sun Ray to a developer, and has received no indications of interest in acquiring Sun Ray for redevelopment. Brixmor is forward-thinking, appreciates that the proposed BRT park-and-ride may create a market for higher density development of Sun Ray and understands that the rezoning to T4 will accommodate higher density development when the time comes. Brixmor, however, objects to the fact that the Gold Line Station Area Plan does not accommodate existing development or contemplate incremental growth.

Gold Line Station Area

Brixmor understands that the draft Gold Line Station Area Plans are conceptual and will not necessarily dictate future development, but we are concerned that the Sun Ray Station Area Plan (Figure 38 on page 54 of the Draft Report) envisions completely scraping the site and imposing a street grid that has no relationship to the existing improvements. The short term Plan shows a street running through a significant portion Sun Ray, currently occupied by Famous Footwear and Petland. The caption to Figure 38 says the street "should actually be a pedestrian and bicycle connection only." Whether the street carries vehicles, bicycles, pedestrians or all three, Brixmor objects to the street because it interrupts the shopping center in a location that may not make sense for current or foreseeable future use of the site. Brixmor has long term commitments to its tenants and is negotiating extension of leases with existing tenants and new leases with new tenants all the time. The acquisition of a right of way for the proposed extension of a street through existing tenant space will be disruptive to Sun Ray and expensive to the City.

With respect to the longer term plan to impose a street grid on the site, Brixmor understands that this is consistent with current planning principals and agrees a street grid may present development opportunities worth considering when the time comes. Brixmor however again objects to the fact that the grid ignores current improvements. If the grid were parallel to the frontage road and the existing improvements, instead of on a true north-south axis (as almost nothing else in St. Paul), it would be possible to integrate the street grid with future development of Sun Ray. As drawn, the street grid cannot be developed without demolishing Sun Ray. A plan that cannot get started until an existing, thriving shopping center goes out of business voluntarily or is taken by the County or City will never get started.

Rezoning

Brixmor supports the City's vision of higher density transit-oriented development on and around Sun Ray. Brixmor does not object to the proposal to change the zoning classification of Sun Ray from the existing B2, Business district, to T4, a Traditional Neighborhood district if the zoning ordinance amendments address incremental improvements to accommodate near-term growth. Brixmor does object, however, if the City adopts zoning amendments that would result in the shopping center becoming nonconforming in any respect. The current nonconforming use rights under the state statutes and City ordinances guarantee that Sun Ray can continue in its current configuration indefinitely. If the City hopes to achieve its vision in the foreseeable future, the zoning ordinance amendments must allow for incremental improvements that move the site toward the higher-density vision without requiring an all-or-nothing approach to compliance.

The Sun Ray Station Area Plan is a blight-clearance plan but Sun Ray and its surrounds are not blighted. In its present form, the Sun Ray Station Area Plan may be a plan for creating blight where none exists. As long as Sun Ray is successful, no developer will want to acquire it to replace with something less profitable or more risky. If the existing structures are rendered nonconforming, state law and City ordinances will allow Brixmor and its successors to maintain Sun Ray as it is but will hinder if not prevent improvements that will bring Sun Ray into a denser configuration. Brixmor is willing to work with the City to develop a plan for

incorporating reasonable transit-oriented development standards into future improvements to Sun Ray. The T4 design standards are, however, unrealistic mandatory standards for the existing shopping center. In particular, floor area ratio minimums, maximum setbacks, emphasis on two-story buildings, mandates on the configuration of parking facilities, window coverage, and required material on building facades would make all of Sun Ray nonconforming and inhibit any new development that would be compatible with the existing development and consistent with the higher density development the City envisions.

Conclusion

Brixmor welcomes the opportunity to work with the City in developing a plan for locating and providing access to the park-and-ride and drafting zoning amendments that will allow Sun Ray to continue to thrive while fulfilling TOD objectives in the expansion of the Gold Line BRT in the Gateway Corridor.

Sincerely,

STINSON LEONARD STREET LLP

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St. Paul Youth Services
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Affirmative Action. Equal Opportunity Employer

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July 24, 2015

Dear Planning Commission Members,

We are writing with regards to the proposed Gateway Corridor, or Gold Line, as it is now called.

We represent St. Paul Youth Services, a 40+-year-old community-based institution originally founded by the Saint Paul Public Safety Department to redirect young people starting to get in trouble with the law.

Over time, we've become a leading Twin Cities provider of behavioral support services. We impact the lives of 1,200 children ages 5-18 each year through early intervention behavior programs, family engagement, crisis counseling, and restorative justice services. 9 of 10 young people we serve do better in school, stay out of the criminal justice system, and resolve family conflicts. Our offices are located at 2100 Wilson Avenue, directly across Wilson Avenue from the Sun Ray Library.

We learned two weeks ago that the site plan for the Sun Ray station includes our office and adjoining property. We have not been engaged in any discussions on the project and in fact, have talked with neighboring businesses who were also unaware of it. This raises concerns about how the site plan will affect our organization's location, both in the short and long term. How will our clients be served while the project is underway? Will our agency be viable given the potential disruption to our services and the resulting loss in clientele? Will the jobs of our 37 employees be in jeopardy as a result of these changes?

We are champions of public transit - many of the youth and families we serve depend on it for their mobility. However, any plans need to take into account the impact on the communities who will be most disrupted. We are particularly active with the East Side neighborhood of St. Paul, where we regularly host trainings for neighborhood residents, the Sun Ray Library, and other public and nonprofit agencies on strategies regarding youth.

If we are to continue the vital services that we provide, then we need to be involved in plans, such as the Gold Line, that could significantly impact the future of our agency. We are here this morning to request that we will be included step-by-step in the planning process for the Gold Line as it pertains to the Sun Ray station. Only through this engagement can we hope to avoid serious negative impacts to our organization and the population that we serve.

Please contact us at your earliest convenience to discuss our engagement in the next steps. The best contact point is Dr. Tracine Asberry, Executive Director at (651) 252-6251.

Respectfully,

Cheryl Schmura
St. Paul Youth Services
Board Chair

Tracine Asberry, Ed.D
St. Paul Youth Services
Executive Director