

## Upper Harbor Terminal Discussion at Above the Falls Community Advisory Committee Meeting

**January 8, 2019**

Prepared by Ann Calvert, City of Minneapolis

Meeting held at: Minneapolis Park and Recreation Board (MPRB) headquarters, 2117 W. River Road N.

Note: Text in *italics* is supplementary information added to the meeting summary to make it more informational.

### Introduction, background and presentation

Kate Lamers, MPRB staff person, explained that the goal for the agenda item was to provide background on the regional park boundary and outline the upcoming process to get approval of an updated Above the Falls Regional Park Plan.

The original *Above the Falls Master Plan* also served as the original Above the Falls Regional Park Plan, and in 2002 the Met Council approved the regional park boundary shown in that plan.

The subsequent 2010-13 process to update the Above the Falls plans resulted in both an *Above the Falls Master Plan Update* (which was approved by the City) and an updated Above the Falls Regional Park Plan. The park plan, however, was never approved by the MPRB or Metropolitan Council because the Metropolitan Council decided not to review the plan until the park boundary for the UHT in the City's *Master Plan Update* and the updated regional park plan matched. As a result, the MPRB has been working with a very dated 2000 regional park plan and boundary that have caused multiple process challenges. The Metropolitan Council has urged the MPRB to get a fully updated Above the Falls Regional Park Plan approved.

In order to achieve that goal, some plan revisions are needed in order to comply with new Metropolitan Council requirements that were not in place when the 2013 plan was prepared. In addition, there will need to be a 45-day review period, then a public hearing and Park Board approval. The MPRB is preparing to start this process. The updated Regional Park Plan will include the regional park boundary shown in the UHT Concept Plan so that the two plans match and the Metropolitan Council will approve the regional park plan.

Ms. Lamers outlined the general process that resulted in the UHT Concept Plan and updated park boundary. The City and MPRB agreed that they needed private market development input to help determine what development might be possible on the UHT site. While the UHT site is large in total size, the riverfront parcels are not very deep, and it wouldn't be beneficial to set a park boundary that would result in undevelopable development parcels next to the park. Having development next to the park is desired in order to support and activate the park areas and enhance security. Private market input also was needed to help determine if any of the existing structures should be retained for reuse and also to advise as to whether relocation of the overhead powerlines was critical to allow development. Therefore, the City and MPRB used

a “request for qualifications” process to select the master development team that has been working with the City, MPRB and community to formulate the proposed concept plan.

### Q&A, Comments and Input:

1. What is considered in deciding what is “possible;” is profit the only factor considered?

A: The real estate market and financial feasibility for various potential uses are key factors informing what private development might be possible, as are the parcel dimensions and other factors that impact the site’s development potential (e.g., powerlines, access, land use and other regulations).

2. Has AFCAC submitted its input letter to the City yet?

A: A draft version has been prepared, but it had not been finalized and submitted as of the meeting date.

3. A study completed in 2004 outlined three possible development plans; when and how did the plan shift to what is included in the proposed concept plan?

A: The 2004 study identified three possible scenarios that were physically feasible, but that were based on market assumptions rather than direct input from a potential developer. In the more than ten years since that study was completed, many factors have changed, and the current concept plan is informed by what an actual development team thinks is feasible.

4. Why was a request for qualifications (RFQ) issued, and why was there only one response?

A: As the City and MPRB attempted to agree on a park boundary after completion of the Above the Falls plan updates, there was concern that they would inadvertently set a park boundary that would result in development parcels that were undesirable. They agreed that input was needed from an experienced developer as to what uses would be feasible, whether the existing structures could be reused, how important powerline relocation would be, etc. In addition, having a developer at the table when formulating a plan meant that, if a plan could be agreed upon, the key players to make it happen would already be part of the process. The two parties agreed, though a 2015 [Memorandum of Understanding](#), to work cooperatively to seek a master developer through an RFQ process to work with them to formulate and then implement a redevelopment plan.

The jointly prepared [RFQ](#) was issued in August 2016, and one response was received in October 2016. Informal input at the time indicated that many other potential developers were concerned about the site’s many complications and uncertain market and also that many potential developers already were involved in other projects and did not have the capacity to take on another.

5. One attendee expressed distrust of the City’s motives.

6. Why were only developers asked to respond to the RFQ?
  - A: The purpose of the RFQ was to select a developer who could provide real-world input and eventually move into implementation. Community input about the UHT site's potential redevelopment had been gathered during the Above the Falls plan update process and also the preparation of the Characteristics of Success that were included in the RFQ. The expectation was that the community (and other stakeholders) also would have input into the plan during the process after developer selection.
7. Concern was expressed that the development team came back to the community with a full plan that was not the result of a co-creation process. More study is needed that hasn't been done. The engagement hasn't been working, and that's not the community's fault. Real input is needed, and many parties (e.g., churches, site neighbors and entities such as the Urban League) are not aware of the site and the planned redevelopment.
8. An AFCAC member who lives in Folwell noted that he was very aware of the site and felt there had been extensive outreach, through newspaper press, the internet and other sources.
9. There needed to be an intentional effort to seek out input. The UHT site is public property, not the City's property, but there's been a continual problem of getting the community involved.
10. It's important to get people to and on the site, yet one community member was surrounded by security guards when he tried to visit the site.
11. The Bruce Vento Nature Sanctuary in St. Paul's Phalen neighborhood was noted as an example of a citizen-led effort with a great outcome. A comparable body rooted in the community is needed for the UHT to determine the site's future.
12. North Minneapolis does not get the same attention as other communities do and is not getting a fair deal. This is a once-in-a-lifetime opportunity for the community to take control of its future.
13. There's concern that the inclusion of a destination such as the CPAC will result in gentrification and displacement.
14. The Bloomberg Climate funding and New Green Deal may bring additional funding opportunities.
15. International developers are interested in the site.
16. The site should be developed for 48 acres and a school, and the process should be slowed down. Only private developers have been included, and the only plan is developer-driven.
17. Using the site for all park would be better.

18. The City's Community Environmental Advisory Commission (CEAC) has come out against the process and the plan. The engagement was not meaningful, and the plan does not include the City's Climate Action goals.
19. There's still no master plan -- a park bench and pavilion are not enough.
20. A City staff representative noted that a community advisory committee is going to be established, and the duration of the Exclusive Rights Agreement will be extended to allow time for additional community engagement.
21. Concern was expressed as to how much could still be changed in the Concept Plan once it's approved.
22. Other suggestions/concerns noted:
  - There's no trail shown under Lowry.
  - The traffic on Dowling makes access difficult.
  - There's a plan to provide free solar power to the McKinley neighborhood that isn't reflected.
  - A biodigester should be included.
23. It was noted that some of the ideas suggested at the meeting had been included in the RiverFirst vision. Another attendee noted that the former Mayor had preferred the UHT site to be used for job-creating light industrial with only a narrow strip of park, rather than pursuing the RiverFirst concepts.

### **Additional Information about Above the Falls Regional Park Plan**

Ms. Lamers explained that, in order for the MPRB to use regional park funding, the area in question must be in the approved regional park boundary. The fact that the 2013 updated plan was never approved has presented a challenge for other upper river sites and now also will make it harder for the MPRB to do the park planning that is needed to move the UHT discussions forward. Therefore, the goal is to finally get the updated Above the Falls Regional Park Plan approved by the MPRB and then submitted to and approved by the Metropolitan Council.

The first step will be to re-open a 45-day comment period about the updated regional park plan. This will begin at an MPRB meeting on February 6. The new version of the updated Above the Falls Regional Park will include the regional park boundary that is included in the UHT Concept Plan. In about April or May (after the end of the 45-day comment period), the MPRB will hold a public hearing, at which time they will consider approval of the park plan.

Once the Metropolitan Council has approved the updated regional park plan, then the MPRB can begin to invest in park planning for the UHT site. MPRB staff feels that the amount of park area shown in the UHT Concept Plan is sufficient and also can be accomplished. If needed, the park boundary could be amended later. The MPRB will only be asked to approve the regional park boundary and other park-related aspects of the Concept Plan, rather than the entire

Concept Plan. The MPRB will have its own park planning/engagement process, but will continue to coordinate its efforts with the overall UHT planning.

*A boundary set by Metropolitan Council is not set in stone forever, as is evident by the current plans to adjust the 2000 boundary. Generally, Metropolitan Council does not want to see the amount of regional park land reduced. Like the current boundary, both the City and MPRB would need to agree on any changes. Should the planning process lead the team to want to adjust the boundary, MPRB could resubmit a boundary adjustment to Metropolitan Council.*

Due to technical difficulties, Ms. Lamers was not able to project the maps and graphics she had planned to use. A graphic that compares the various park boundaries that was handed around at the meeting may be found [here](#).

### **Additional Q&A, Comments and Input:**

24. Is the amount of park depth along the River that is shown in the Concept Plan sufficient?

A: Staff believes that the depth of the park area along the river edge is sufficient to accommodate riverfront restoration, separated trails and a parkway.

One of the meeting attendees indicated that he thought there should be additional depth.

25. Are the votes there for approval of the UHT Concept Plan?

A: MPRB and City staff understand there is support. The MPRB understands the benefit of approving the regional park boundary so that they can move forward using the State bond funding to begin making improvements to benefit the community.

26. Can the MPRB disassociate itself from the Concept Plan in order to get community support?

A: That would be a Commissioner decision.

A meeting attendee from FMR noted that the regional park boundary is tied to the overall Concept Plan and thus FMR cannot support the park boundary.

27. What impact does the designation of the Mississippi National River and Recreation (MNRRA) have on the planning? If the National Park Service (NPS) owns the land, don't they need to approve the plan?

A: The MNRRA is a boundary designation, but the NPS doesn't own the UHT site (or much other land) in the MNRRA corridor. If implementation of the Concept Plan requires any federal funding or permits/approvals, the NPS then has a stronger role via advising the pertinent federal agency. MPRB and the team have consulted with NPS during this process on possible partnerships around the river and UHT. NPS would likely be a programming partner in the future.

28. What impact will there be on the ecosystem from the noise and light pollution that will be generated by the development?

A: That will be studied as part of the Alternative Urban Areawide Review (AUAR) that will be completed as part of the next phase of planning.

29. An attendee noted that the draft AFCAC comment letter expresses concerns similar to those of CEAC and the Co-Creation Team, but the letter is not sufficient because it does not reference the Green Zone, equity or environmental justice. The Green Zone was approved by the City and thus should be the over-riding litmus test.

An AFCAC member noted that the Above the Falls plan does consider equity and that AFCAC's mandate as an advisory body is to support implementation of the Above the Falls plan, which pre-dates the Green Zone designation (and which recognizes the State Mississippi River Critical Corridor and federal MNRRA designations and requirements, both of which also pre-date the Green Zone).