



Working to protect the Mississippi River
and its watershed in the Twin Cities area.

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May 9, 2019

Mayor Warren Peterson, City Councilmembers, and Planning Commission Members
City of Lilydale
1011 Sibley Memorial Highway
Lilydale, MN 55118

Dear Mayor Peterson, city councilmembers, and members of the Planning Commission,

We are writing to follow up on our April 23 letter about proposed development at the River Bluffs Center site. When Friends of the Mississippi River wrote our first letter, we had not yet seen the development plans and so our comments did not specifically address the proposed building. Now that we have seen Opus's concept plan, FMR has significant, specific objections that we urge you to take into consideration.

Despite our desire to see the existing River Bluffs Center buildings removed from the bluff's edge, we do not believe that Opus's River Bluffs Senior Housing is an adequate redevelopment plan for the site. The proposed development would violate Lilydale's own ordinances in ways that are harmful to area residents, the river bluff, and even the long-term structural integrity of the building:

The structure exceeds height limits, harming scenic views in the Mississippi National River and Recreation Area national park. The proposed structure is 56 feet high. Lilydale's zoning code sets the height limit for the site at 35 feet, with an opportunity to increase height to a maximum of 50 feet through gaining city approval for a conditional use permit or Planned Unit Development (PUD). Gaining approval for a permit or PUD requires that the aesthetic of the river environment and important scenic values be maintained through measures such as vegetative screening, preservation of existing natural vegetation, additional landscaping, buffering, revegetation, and increased setbacks. Rather than undertaking these mitigation measures, the Opus plan doubles down by not only exceeding height limits but also reducing the setback rather than increasing it. The plans also do not show significant added vegetative screening or landscaping along the bluffline, but instead paved walking paths and patios. The developer's own view analysis shows a large structure clearly visible from the river, higher than the surrounding tree line.

The structure would encroach on the bluff, marring both views and delicate landscape. Lilydale's existing zoning ordinance requires that new structures and roads be placed at least 40 feet from established bluff lines. Forthcoming Mississippi River Corridor Critical Area (MRCCA) ordinances will also require a 40-foot setback. The proposed development violates these ordinances, with both the building and its parking lot encroaching on the required setback in several places. In places, a five-story, 56-foot high building facade will be just 25-30 feet from the river bluff. This encroachment

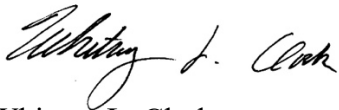
exacerbates the visual impacts of building's excessive height. It also places the bluff at risk of further erosion and degradation.

A building that exceeds the city's own height and setback requirements is a building that fails to respect its presence in a national park, and fails to respect the community that uses the Mississippi River. The Mississippi River bluffs are a tremendous scenic asset that provides river visitors with the impression of being in a wild, natural place even within an urban area. This asset draws residents, businesses, and visitors to Lilydale. The zoning codes and MRCCA rules that guide Lilydale's riverfront development in a way that protects the river were created through years-long stakeholder engagement processes, and that stakeholder input should be respected.

The river bluff in and around Lilydale is also very fragile and several landslides have occurred in the area over the years. Many aspects of development and construction can damage bluffs, including altering land, building structures and roads, removing or limiting native vegetation, and improperly managing stormwater runoff. As climate change brings about more extreme weather events more frequently, rainfall and other factors could accelerate bluff erosion. Each erosion incident brings structures closer to the bluff's edge. Betting on the long-term stability of a bluff puts delicate ecosystems in peril, and it's also a risky liability for any property developer or owner.

We urge the city to deny Opus's concept plan and its request for a PUD. Lilydale deserves development that respects its tremendous riverfront assets, and this project fails to do so.

Sincerely,

A handwritten signature in black ink, appearing to read "Whitney L. Clark". The signature is fluid and cursive, with a large initial "W" and a distinct "L" and "C".

Whitney L. Clark
Executive Director