



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

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Dear Planning Commissioners:

We are writing to share our strong opposition to the requested variances for a new subdivision and development at 8590 Grey Cloud Island Drive. The setback variances being requested are in egregious conflict with the city's ordinance, Mississippi River Corridor Critical Area (MRCCA) plan and goals, and community wishes.

Friends of the Mississippi River (FMR) is a non-profit organization with a mission to engage community members and other stakeholders to protect, restore and enhance the Mississippi River and its watershed in the Twin Cities Region. We represent thousands of people in the metropolitan area who care deeply about the river, including a growing membership of over 2,700 people and more than 3,200 volunteers and 2,000 advocates engaged each year.

The Mississippi River is a tremendous asset to us all—and the riverfront should be managed in a way that respects the river's significance to our entire community. St. Paul Park is fortunate to have a particularly scenic shoreline that residents and visitors alike enjoy. In order for the riverfront to remain a public asset, riverfront development must be thoughtfully managed.

The proposed variances for this project do not reflect any thoughtful consideration of the riverfront. The applicant has proposed a new structure with a river setback of 120 feet (the requirement is 200 feet) and a bluff setback averaging 58 feet (the requirement is 100 feet). The proposed setbacks only meet 60% (or less) of the required setbacks, which is an egregious violation. This does not demonstrate any good-faith effort to respect city ordinance.

Structure setbacks serve several important purposes. They preserve scenic views, a particularly important function along this beautiful stretch of St. Paul Park's riverfront. The existing house on the property has a setback of approximately 110 feet; the scenic impact of being so close to the river is noticeable. One can imagine that an additional structure with a 120-foot setback would be similarly visible. St. Paul Park should strive to preserve the character of its scenic riverfront by prohibiting new development that would violate setback requirements.

Setbacks also preserve geologically fragile areas and prevent structures from being placed in areas at risk for flooding, erosion or bluff collapse. These functions are intended to protect property owners in addition to protecting the river and the community at-large. Yet Mr. Nesvig has proposed a bluff setback as small as 40 feet in some places, completely disregarding the requirement for a 100-foot setback. This isn't a situation where the discrepancy between the ordinance and proposed development is minor and understandable. The average proposed setback won't even meet 60% of the requirement. A variance this extreme simply isn't defensible.

Lastly, setbacks protect open space along the river to the benefit of plant and animal communities as well as water quality. FMR's ecologists and water quality experts agree that 300 feet is an ideal river setback for protecting these ecological functions. While the city's setback requirement is only 200 feet for this property, St. Paul Park's MRCCA plan states that "the city will work to encourage private landowners within 300 feet on the river to retain, and enhance if possible, existing undeveloped land as open space." Granting a variance to allow a 120-foot setback is in significant violation of the city's ordinance and goals to the clear detriment of the public.

St. Paul Park's forthcoming MRCCA ordinance will also require property owners requesting variances to state in writing how their proposed project is consistent with MRCCA goals: that is, the character and management purpose of the MRCCA district. We encourage city leaders to be future-oriented and consider the MRCCA goals, character, and management purpose as they evaluate this current variance request.

Mr. Nesvig's proposed project is clearly not consistent with MRCCA purpose and intent. This property is within the Rural and Open Space (ROS) district. The city's MRCCA plan states that the ROS district "must be managed to sustain and restore the rural and natural character of the corridor and to protect and enhance habitat, parks and open space, public river corridor views, and scenic, natural, and historic areas. Development within this designation must be consistent with the standards for the DNR's ROS subdistrict including height, setbacks to river and bluffs, lot width, and the percentage of land preserved in primary conservation areas."

This project's proposed river and bluff setback variances are in significant conflict with the city's stated goals and policies. Granting this variance request would set an extremely troubling precedent for future development and send the message that the city's goals and policies are less important than one property owner's desires. Many St. Paul Park residents have contributed to the creation of these goals and policies, and their voices should be prioritized over the request of one applicant—an applicant with a long history of disregarding city policy and community goals.

In the entire 72-mile stretch of the Mississippi river from Dayton to Hastings that is designated as a national park (Mississippi National River and Recreation Area) this property is unique and thought by many to be one of the most special for its ecological and scenic qualities. Nowhere else in the park do we have vertical tall bluff faces that drop into the river's main stem, crowned with undeveloped oak savanna. Recognizing this special significance, the city's MRCCA plan and forthcoming ordinance have put restrictions in place to protect the public values of the site while allowing for appropriate private development. This proposal flaunts those values and disregards those restrictions.

We urge you to deny the applicant's variance requests for the river and bluff setbacks. Thank you for your careful consideration of this proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read "Whitney L. Clark". The signature is written in a cursive, flowing style.

Whitney L. Clark
Executive Director