Minneapolis
Park & Recreation Board

Resolution 2020-211

Resolution Approving the Park Components of the Coordinated Plan at the Upper Harbor Terminal

Whereas, The Minneapolis Park and Recreation Board (MPRB) is the steward of the Minneapolis park system;

Whereas, The MPRB adopted the Above the Falls Regional Park Master Plan on December 18, 2019 as a guide to development of parkland along the Mississippi River's upper reach through Minneapolis;

Whereas, The Upper Harbor Terminal (UHT) is a 48-acre parcel of land owned by the City of Minneapolis (City) along the Mississippi River in North Minneapolis;

Whereas, A portion of the Upper Harbor Terminal is an area identified as Above the Falls Regional Park and is designated as a regional park by the MPRB and the Metropolitan Council;

Whereas, The MPRB, City, and the Development Team led by United Properties (Developer) entered into an Exclusive Rights Agreement in August 2017 outlining the process through which the parties have been collaborating on a planning process for the UHT site which will ultimately result in a Coordinated Plan recognizing the core elements, uses, and configuration of public and private development components;

Whereas, The Administration and Finance Committee considered and approved Resolution 2020-141 on March 4, 2020 which focused on Amendment #2 to the Exclusive Rights Agreement with the City of Minneapolis and the Developer for collaborative efforts related to creating a Coordinated Plan for the Upper Harbor Terminal (Exclusive Rights Agreement);

Whereas, The MPRB, the City, and the Developer have continued to collaborate on community engagement and planning work and propose a schedule change to the Exclusive Rights Agreement;

Whereas, The City is requesting assurance that MPRB agrees to certain fundamental aspects of an overall plan, referred to as the Park Components of the Coordinated Plan, in order to coordinate the City and developer led components of the project and to proceed with regulatory and environmental reviews associated with a Coordinated Plan;

Whereas, MPRB's efforts to work through community engagement and detailed design processes to define a plan for the park components will continue and may result in modifications to the fundamental aspects of an overall plan; and

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Whereas, This resolution is supported by the MPRB 2007-2020 Comprehensive Plan, which envisions “Dynamic parks shape city character and meet diverse community needs;”

RESOLVED, That the Board of Commissioners approves the Park Components of the Coordinated Plan at the Upper Harbor Terminal; and

RESOLVED, That the President of the Board and Secretary to the Board are authorized to take all necessary administrative actions to implement this resolution.

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TO: Planning Committee

FROM: Michael Schroeder,

DATE: May 6, 2020

SUBJECT: Resolution Approving the Park Components of the Coordinated Plan at the Upper Harbor Terminal

BACKGROUND

This action approves the Park Components of the Coordinated Plan (*Attachment A*) with the City of Minneapolis (City) for collaborative efforts related to creating a Coordinated Plan for the Upper Harbor Terminal (UHT).

The Upper Harbor Terminal is a 48-acre property owned by the City of Minneapolis which lies partially within the boundaries of the Above the Falls Regional Park as indicated by the Above the Falls Regional Park Master Plan, the current version of which was approved in 2019. In 2017 the City, MPRB and the Development Team led by United Properties (Developer) entered into a collaborative planning process guided by an Exclusive Rights Agreement and Amendments #1 and #2 (*Attachments B, C, and D*) that sets forth the process, milestones, timeline and deliverables needed to reach development terms for the eventual sale of the initial development parcel(s) to the Development Team and the conveyance of a portion of the UHT site as parkland to the Minneapolis Park and Recreation Board (MPRB).

In March 2019 the City Council approved a Concept Plan that formed a basic framework for site development and that offers direction for completion of the planning process. At that time, Amendment #1 to the Exclusive Rights Agreement clarified the role of MPRB related to the park-related aspects of the project. MPRB maintains clear responsibility for park-related actions (and does not have a regulatory position directing the City's plans for the UHT site). Both Amendment #1 and #2 have adjusted the project schedule in order to allow additional time for project work.

In Spring 2019 MPRB created a Community Advisory Committee (CAC) to serve as a deliberation group and advise the MPRB Board of Commissioners on a park concept and first phase of improvements. The CAC has met regularly since Summer 2019 and it expects to review draft concepts in the second quarter of 2020; at that time or in the early part of the third quarter 2020, it will likely make a recommendation regarding park improvements.

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The City of Minneapolis is requesting a commitment from MPRB on fundamental aspects of the project that form a foundation of continued planning and that can be used in regulatory and environmental reviews. City and MPRB staff collaboratively wrote the Park Components of the Coordinated Plan at the Upper Harbor Terminal *(Attachment E).* Importantly, the CAC and public engagement processes will continue and may result in modifications to the fundamental components associated with this action. In particular, as the detailed design and regulatory review processes proceed, the team may modify the plan for the existing industrial structures, including more extensive removals. Approval of the draft content is similar to approval of a concept plan; MPRB as an agency considers the project direction, but the sheet is not final nor is it a legal agreement. MPRB will consider additional detail with a concept plan and the first phase of improvements. The City and MPRB will likely enter into a legal agreement in Fall 2020 which will be the basis for conveyance of parkland to MPRB.

The Park Components of the Coordinated Plan considered by this action are consistent with the planning process to date, including regional park planning efforts executed over the last decade. A few areas that should be considered for discussion include:

1. The park boundary: The City, MPRB staff and the Developer agree that the boundary shown in Exhibit A is preferable to the boundary shown in the March 2019 Concept Plan approved by the City. The boundary was also approved by the UHT CAC in the Fall 2019 (*Attachment E*).

2. Funding and park dedication: The split of the $15 million state bond funds awarded to the City and MPRB in 2018 is appropriate. MPRB staff believes that a $6 million required local match is the maximum amount that MPRB can commit. If the City dedicates 19.5 acres of parkland to fulfill park dedication requirements, this amount of land is greater than the land dedication requirements achieved through the parkland dedication ordinance for the 48-acre site.

3. First phase of improvements: The draft sheet notes that MPRB will focus park improvements near the key access point (Dowling Avenue) and include basic circulation to access points. These basic terms are good guidance for park development and help address community concerns about access and connectivity.

4. Industrial structures: MPRB is not committing to any specific plan or preservation of any structures with these terms. MPRB staff and the consultant team are recommending closer evaluation of the structures listed on *Attachment A* as there may be design, cost, and environmental benefits to adaptive reuse.

RECOMMENDATION

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Staff recommends approval of the Park Components of the Coordinated Plan at the Upper Harbor Terminal.

This action is supported by the following vision and goal statements in the MPRB 2007-2020 Comprehensive Plan:

Vision Theme 3: Dynamic parks that shape city character and meet diverse community needs.

Goal: Park facility renewal and development respects history and focuses on sustainability, accessibility, flexibility, and beauty.

ATTACHMENTS:

- Attachment B -UHT Grant of Exclusive Negotiating Rights (PDF)
- Attachment C - First Amendment to Grant of Exclusive Negotiating Rights (PDF)
- Attachment D -2nd Amendment to Grant of Exclusive Negotiating Rights (PDF)
- Attachment E - Memorandum to City of Mpls Collaborative Planning Ctee (PDF)
- AttachmentA-2020-03-18_TermSheet (PDF)

Prepared By: Kate Lamers,, Design and Project Management
Review:
Cindy Anderson Completed 04/30/2020 8:10 PM
Cliff Swenson Completed 04/30/2020 8:10 PM
Michael Schroeder Completed 04/30/2020 8:11 PM
Jennifer Ringold Completed 04/30/2020 8:11 PM
Al Bangoura Completed 04/30/2020 8:11 PM
Planning Committee Pending 05/06/2020 5:50 PM