

Environment Committee

Meeting date: April 13, 2021

For the Metropolitan Council meeting of April 28, 2021

Subject: Authorization to Acquire Real Property Along Third Street and Commercial Street

District(s), Member(s): District 13, Chai Lee

Policy/Legal Reference: Policy 3-3, Expenditures; Minnesota Statutes § 473.504

Staff Prepared/Presented: Adam Gordon (651) 602-4508, Greg Ewig (651) 602-1556

Division/Department: MCES c/o Leisa Thompson (651) 602-8101

Proposed Action

That the Metropolitan Council authorize the acquisition of all easements and fee interests necessary for the ongoing maintenance of the 1-MS-100 interceptor sewer, liquid waste receiving operations and future construction to rehabilitate the interceptor and associated facilities in the vicinity of Third Street and Commercial Street in the City of Saint Paul, and adjacent to the Bruce Vento Regional Trail and Nature Sanctuary (Subject Area).

Background

The Subject Area and proposed acquisition parcels are displayed on Attachment A. The Subject Area and surrounding environs are home to a diverse mix of former industrial buildings, railyards, the Bruce Vento Regional Trail and Nature Sanctuary, a planned cultural and environmental interpretive center (Wakan Tipi Center), and a major bridge (Kellogg Street) reconstruction project.

Along with the 1-MS-100 interceptor, which handles approximately half of the Twin Cities' wastewater flow, the Third and Commercial liquid waste receiving site (Site) is used as a back-up when the primary liquid waste receiving site at the Metropolitan Wastewater Treatment Plant is unavailable due to river flooding of Warner and Childs Road, when maintenance activities impact Metro Plant receiving facilities, or when necessary for efficiency reasons. In addition, the Site contains an emergency relief structure that is critical to the safe operation of the Metropolitan Wastewater Treatment Plant.

Due to the critical importance of the wastewater conveyance and treatment infrastructure, the Council seeks to protect it from conflicting land uses and development in the Subject Area and secure additional permanent real estate interests to allow for planned rehabilitation of its infrastructure. This represents the culmination of an effort cultivated by Environmental Services during the past 20 years, whereby the Council entered into a variety of long-term agreements and covenants with the City of St. Paul regarding the expansion of easements for the interceptor and wastewater infrastructure in the Subject Area, including the Commercial Street right of way.

With the siting of the Wakan Tipi Center nearby and recent state bond funding for the Kellogg Bridge replacement, the City and Council have reengaged in discussions about long-term needs in the Subject Area, including the Council securing additional permanent rights to rehabilitate and maintain the wastewater infrastructure in the Subject Area.

In addition to the agreements and covenants with the City of Saint Paul concerning the Subject Area and Commercial Street right of way described above, the Council has also identified privately owned real property that would be needed for the 1-MS-100 Interceptor Rehabilitation Project (Project) and part of

Environmental Services' long-term planning efforts, for which the Council secured a right of first refusal from a private property owner who owns two parcels along Commercial Street. Pending Council approval, staff will enter negotiations with the property owner for purchase of fee interest in those two parcels.

Lastly, staff have identified the need for a small permanent easement impacting an additional privately-owned parcel in the Subject Area, which contains a billboard and cell tower. Staff believes neither the billboard nor cell tower will be materially impacted by a Council easement.

Rationale

Fee interest and permanent easement acquisitions are necessary to protect public safety, maintain space for rehabilitation of crucial wastewater infrastructure in the Subject Area, and protect the operation of the infrastructure from incompatible uses.

Thrive Lens Analysis

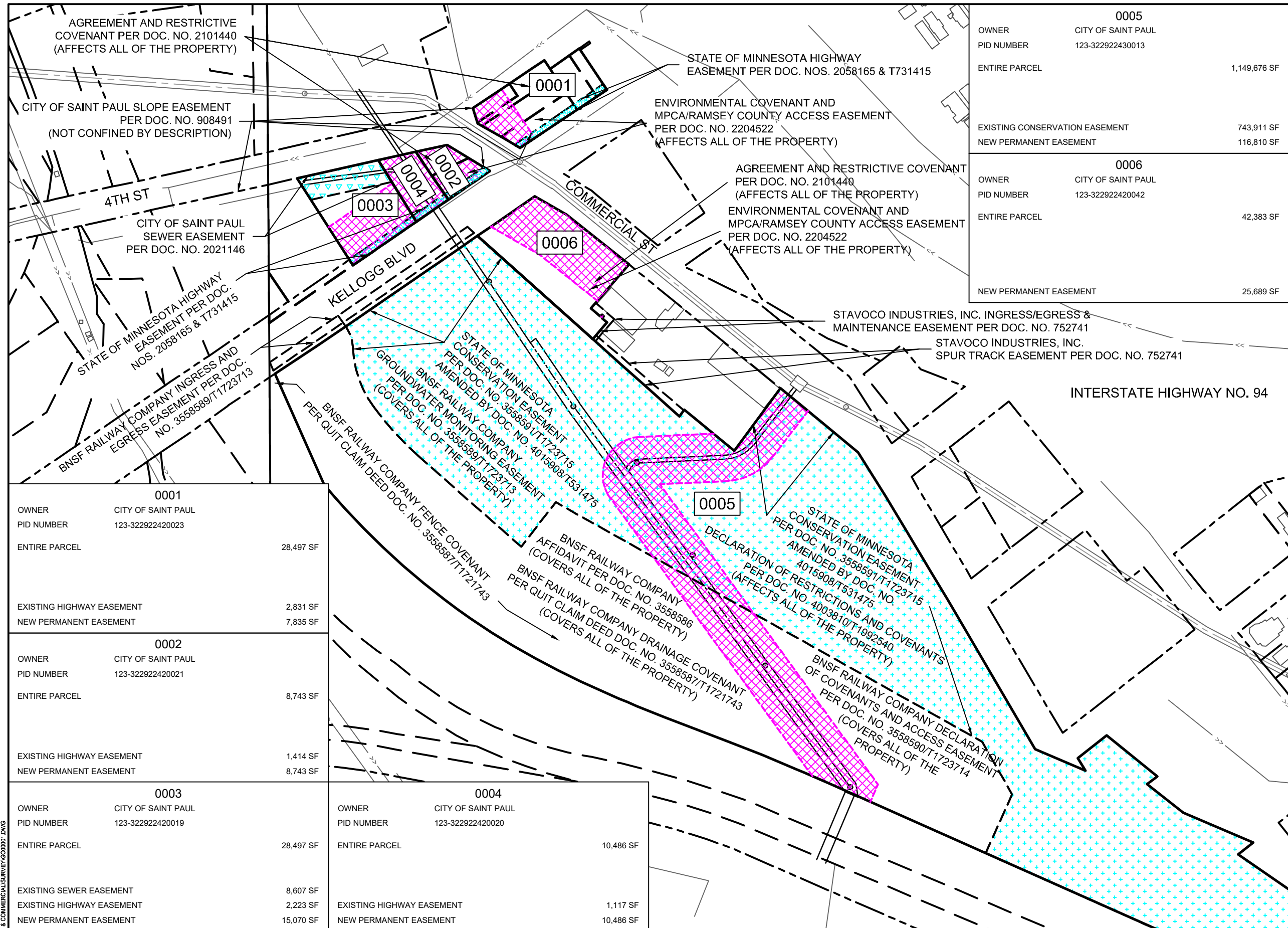
This action advances the Thrive Outcome of Stewardship. Public financial resources will be invested efficiently and effectively to maintain and restore existing wastewater infrastructure, which protects the region's natural resources.

Funding

Funding for land acquisition at 3rd and Commercial will be allocated from the Authorized Capital Program for Project 8088 – Saint Paul Interceptor System Rehabilitation.

Known Support / Opposition

The Council's critical wastewater infrastructure is located in an important environmental, recreational and cultural area. With the pending development of the Wakan Tipi Center, Council staff continue to engage in dialogue with the City of Saint Paul and Lower Phalen Creek Project regarding the siting of the Wakan Tipi Center in the Bruce Vento Nature Sanctuary. Environmental Services staff continue to participate as a liaison in design team meetings for the Wakan Tipi Center project.



OWNER	0005	CITY OF SAINT PAUL
PID NUMBER		123-322922430013
ENTIRE PARCEL		1,149,676 SF
EXISTING CONSERVATION EASEMENT		743,911 SF
NEW PERMANENT EASEMENT		116,810 SF

OWNER	0006	CITY OF SAINT PAUL
PID NUMBER		123-322922420042
ENTIRE PARCEL		42,383 SF
NEW PERMANENT EASEMENT		25,689 SF

OWNER	0001	CITY OF SAINT PAUL
PID NUMBER		123-322922420023
ENTIRE PARCEL		28,497 SF
EXISTING HIGHWAY EASEMENT		2,831 SF
NEW PERMANENT EASEMENT		7,835 SF

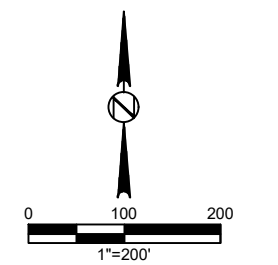
OWNER	0002	CITY OF SAINT PAUL
PID NUMBER		123-322922420021
ENTIRE PARCEL		8,743 SF
EXISTING HIGHWAY EASEMENT		1,414 SF
NEW PERMANENT EASEMENT		8,743 SF

OWNER	0003	CITY OF SAINT PAUL
PID NUMBER		123-322922420019
ENTIRE PARCEL		28,497 SF
EXISTING SEWER EASEMENT		8,607 SF
EXISTING HIGHWAY EASEMENT		2,223 SF
NEW PERMANENT EASEMENT		15,070 SF

OWNER	0004	CITY OF SAINT PAUL
PID NUMBER		123-322922420020
ENTIRE PARCEL		10,486 SF
EXISTING HIGHWAY EASEMENT		1,117 SF
NEW PERMANENT EASEMENT		10,486 SF

DRAFT

- PROPERTY LINE
- RIGHT OF WAY LINE
- PROPERTY PARCEL NUMBER
- NEW PERMANENT EASEMENT
- EXISTING CONSERVATION EASEMENT
- EXISTING HIGHWAY EASEMENT
- EXISTING SEWER EASEMENT



NOTE: NOT A BOUNDARY SURVEY

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NO.	DATE	BY	REVISIONS
6	01/14/2021	DL	CORRECT OWNER #4
5	07/31/2020	DL	CORRECT PID
4	06/25/2020	DL	RENUMBER PARCELS
3	06/24/2020	DL	ESMT COMMENTS
2	05/18/2020	DL	ESMT COMMENTS
1	05/12/2020	DL	SSWR, ESMT COMMENTS

DIVISION: MCES
 MANAGER:
 APPROVAL: _____
 DATE:

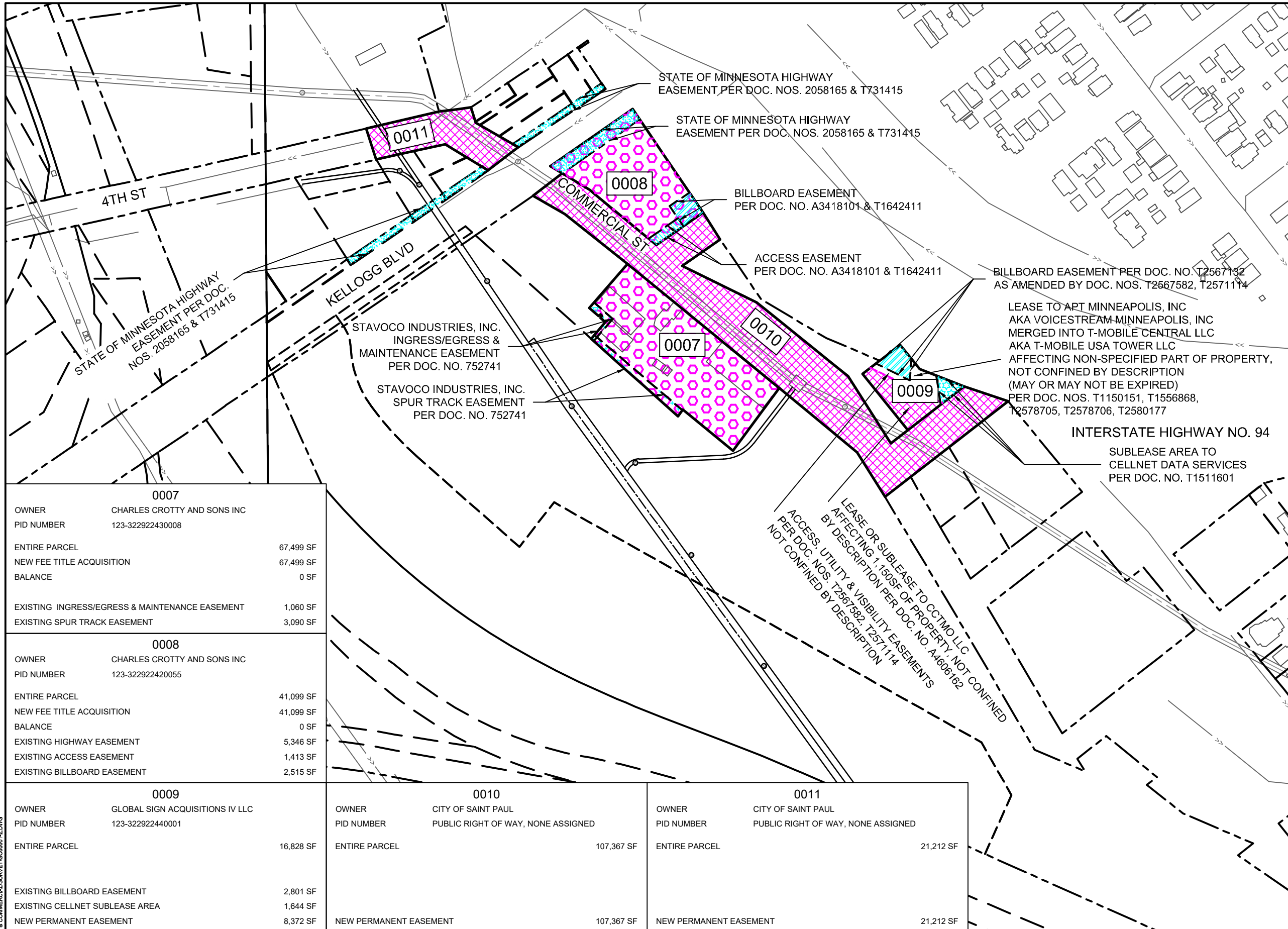
REAL ESTATE OFFICE
 MANAGER:
 APPROVAL: _____
 DATE:

PROJECT NUMBER: 808882
 PROJECT LOCATION: BRUCE VENTO NATURE SANCTUARY, SAINT PAUL
 1-MS-100 REHABILITATION FEASIBILITY STUDY
 EASEMENT WORK MAP

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METROPOLITAN COUNCIL
 390 ROBERT ST
 ST. PAUL, MINNESOTA 55101

DRAFT



- PROPERTY LINE
- RIGHT OF WAY LINE
- PROPERTY PARCEL NUMBER
- NEW FEE TITLE ACQUISITION
- NEW PERMANENT EASEMENT
- EXISTING INGRESS & EGRESS EASEMENT
- EXISTING HIGHWAY EASEMENT
- EXISTING SPUR TRACK EASEMENT
- EXISTING BILLBOARD EASEMENT
- EXISTING ACCESS EASEMENT
- EXISTING ACCESS EASEMENT

0007	
OWNER	CHARLES CROTTY AND SONS INC
PID NUMBER	123-322922430008
ENTIRE PARCEL	67,499 SF
NEW FEE TITLE ACQUISITION	67,499 SF
BALANCE	0 SF
EXISTING INGRESS/EGRESS & MAINTENANCE EASEMENT	1,060 SF
EXISTING SPUR TRACK EASEMENT	3,090 SF

0008	
OWNER	CHARLES CROTTY AND SONS INC
PID NUMBER	123-322922420055
ENTIRE PARCEL	41,099 SF
NEW FEE TITLE ACQUISITION	41,099 SF
BALANCE	0 SF
EXISTING HIGHWAY EASEMENT	5,346 SF
EXISTING ACCESS EASEMENT	1,413 SF
EXISTING BILLBOARD EASEMENT	2,515 SF

0009	
OWNER	GLOBAL SIGN ACQUISITIONS IV LLC
PID NUMBER	123-322922440001
ENTIRE PARCEL	16,828 SF
EXISTING BILLBOARD EASEMENT	2,801 SF
EXISTING CELLNET SUBLEASE AREA	1,644 SF
NEW PERMANENT EASEMENT	8,372 SF

0010	
OWNER	CITY OF SAINT PAUL
PID NUMBER	PUBLIC RIGHT OF WAY, NONE ASSIGNED
ENTIRE PARCEL	107,367 SF
NEW PERMANENT EASEMENT	107,367 SF

0011	
OWNER	CITY OF SAINT PAUL
PID NUMBER	PUBLIC RIGHT OF WAY, NONE ASSIGNED
ENTIRE PARCEL	21,212 SF
NEW PERMANENT EASEMENT	21,212 SF

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NO.	DATE	BY	REVISIONS
5	01/22/2021	DL	NEW TITLE P# 7-9
4	06/25/2020	DL	RENUMBER PARCELS
3	06/24/2020	DL	ESMT COMMENTS
2	05/18/2020	DL	ESMT COMMENTS
1	05/12/2020	DL	SSWR, ESMT COMMENTS
0	04/30/2020	DL	DRAFT

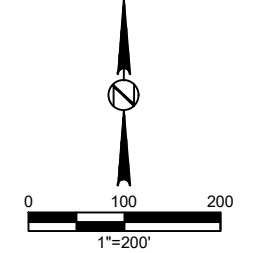
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REAL ESTATE OFFICE
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