

From: [Brookins, Kelley \(FTA\)](#)
To: [Loster, Kathryn \(FTA\)](#)
Subject: FW: Snelling Site Joint Development Application - FOIA
Date: Friday, November 09, 2018 6:57:08 AM
Attachments: [Revised Snelling JD Overview.pdf](#)
[Revised Snelling JD Final ProjectRequestForm.xlsm](#)
[MUFCEconImpactMarch2016.pdf](#)
[Snelling Net Ground Lease continuing control highlighted.pdf](#)

Greetings Katy,

This communication is responsive to the FOIA request.

Thank you,

Kelley Brookins

Regional Administrator

Federal Transit Administration, Region V | 200 West Adams, Suite 320 | Chicago, IL 60606

T [REDACTED] | E [kelly.brookins@\[REDACTED\]](mailto:kelly.brookins@[REDACTED]) | F 312.886.0351

From: Brookins, Kelley (FTA)
Sent: Monday, June 12, 2017 11:15 AM
To: Hopson, Melody (FTA) <[Melody.Hopson@\[REDACTED\]](mailto:Melody.Hopson@[REDACTED])>
Subject: FW: Snelling Site Joint Development Application

Greetings Melody,

Here is Met Council's application with documents for our first JD project.

For your information.

Thank you,
Kelley

From: Galbraith, Lucy [[mailto:Lucy.Galbraith@\[REDACTED\]](mailto:Lucy.Galbraith@[REDACTED])]
Sent: Friday, March 25, 2016 2:36 PM
To: Loster, Kathryn (FTA) <[kathryn.loster@\[REDACTED\]](mailto:kathryn.loster@[REDACTED])>
Cc: Clements, Sheila (FTA) <[Sheila.Clements@\[REDACTED\]](mailto:Sheila.Clements@[REDACTED])>; McLemore, Cyrell (FTA) <[Cyrell.McLemore@\[REDACTED\]](mailto:Cyrell.McLemore@[REDACTED])>; Gustafson, Mary <[Mary.Gustafson@\[REDACTED\]](mailto:Mary.Gustafson@[REDACTED])>; Krantz, Michael <[Michael.Krantz@\[REDACTED\]](mailto:Michael.Krantz@[REDACTED])>; Geisler, Amy <[amy.Geisler@\[REDACTED\]](mailto:amy.Geisler@[REDACTED])>; Matross, Jeanne <[jeanne.matross@\[REDACTED\]](mailto:jeanne.matross@[REDACTED])>; Brookins, Kelley (FTA) <[kelly.brookins@\[REDACTED\]](mailto:kelly.brookins@[REDACTED])>; Simon, Marisol (FTA) <[Marisol.Simon@\[REDACTED\]](mailto:Marisol.Simon@[REDACTED])>; Ciavarella, Jason (FTA) <[jason.ciavarella@\[REDACTED\]](mailto:jason.ciavarella@[REDACTED])>; Arkell, Reginald (FTA) <[reginald.arkell@\[REDACTED\]](mailto:reginald.arkell@[REDACTED])>; Schned, Daniel (FTA) <[daniel.schned@\[REDACTED\]](mailto:daniel.schned@[REDACTED])>; Gayle, Kimberly (FTA) <[Kimberly.Gayle@\[REDACTED\]](mailto:Kimberly.Gayle@[REDACTED])>
Subject: RE: Snelling Site Joint Development Application

Dear Katy-

Thank you for reviewing the final joint development application for this site. Please see below for our responses to your questions.

From: [kathryn.loster@\[REDACTED\]](mailto:kathryn.loster@[REDACTED]) [mailto:kathryn.loster@[REDACTED]]
Sent: Thursday, March 24, 2016 11:25 AM
To: Galbraith, Lucy <[Lucy.Galbraith@\[REDACTED\]](mailto:Lucy.Galbraith@[REDACTED])>
Cc: Sheila.Clements@[REDACTED]; Cyrell.McLemore@[REDACTED]; Gustafson, Mary <[Mary.Gustafson@\[REDACTED\]](mailto:Mary.Gustafson@[REDACTED])>; Krantz, Michael <[Michael.Krantz@\[REDACTED\]](mailto:Michael.Krantz@[REDACTED])>; Geisler, Amy <[amy.Geisler@\[REDACTED\]](mailto:amy.Geisler@[REDACTED])>; Matross, Jeanne <[jeanne.matross@\[REDACTED\]](mailto:jeanne.matross@[REDACTED])>; [kelley.brookins@\[REDACTED\]](mailto:kelley.brookins@[REDACTED]); [Marisol.Simon@\[REDACTED\]](mailto:Marisol.Simon@[REDACTED]); [jason.ciavarella@\[REDACTED\]](mailto:jason.ciavarella@[REDACTED]); [reginald.arkell@\[REDACTED\]](mailto:reginald.arkell@[REDACTED]); [daniel.schned@\[REDACTED\]](mailto:daniel.schned@[REDACTED]); [Kimberly.Gayle@\[REDACTED\]](mailto:Kimberly.Gayle@[REDACTED])
Subject: RE: Snelling Site Joint Development Application

Good Morning Lucy:

We have been reviewing the final joint development application, and have a few comments.

- 1) On Page 2 of the Project Overview, the third paragraph of the section titled "Structure and Timeline" states that all project costs are expected to be paid with private or "local FTA funds." Can you please provide more detail on what "local FTA funds" Metro Transit is referring to?
This was a mistake. We intended to write "local non-FTA funds." A revised Project Overview with the correct language is attached.
- 2) Criterion 2 on the attached has both Options 1 and 2 completed as evidence of the public transportation benefit from the project. Only one option is needed. Can you please update the form to indicate which option is a part of the application?
We have elected to satisfy Criterion 2 using Option 1. The attached project request form has been updated to reflect this preference. We are also attaching an updated Economic Impact analysis.
 - a. Also, 1.2 seems incorrect in stating that the project is physically related to transit, since the next section goes on to note that there's a sidewalk between the site transit stations. Perhaps it's a type-o, since the cite to the FTA C 7050.1 section is to projects functionally-related to transit and the preliminary application discussed the functional relationship.
Based on our review of FTA C 7050.1 we believe this project is both physically and functionally related to a public transportation project. However, we have clarified the text in the project request form to more clearly establish the physical relationship. Per Section III.3.b.(1)(a) of FTA C 7050.1, "a joint development is physically related to a public transportation project if there is a direct physical connection to public transportation services or facilities." Listed as an example of a physical connection is an "avenue of access that connect[s] directly to public

transportation.” There is an existing pedestrian path (sidewalk) between the site and the LRT and BRT stations; the pedestrian access will be rebuilt and improved during construction of the stadium and the adjacent development.

b.

- 3) Lastly, per Section 5(c)(1) of Section VI of FTA C 7050.1, please send us the specific terms and conditions in the application materials that preserve “satisfactory continuing control” to ensure the property is used for its transit purpose.

In the ground lease, there is language specific to continuing control for transit purposes in the following sections:

Section 3. Contingencies, Subsection a.

Section 6. Use, Subsections a, c, e, and g.

Section 13. Alterations, Additions, or Improvements Surrender of the Property, Subsection a.

Section 21. Assignments or Subleases, all.

The specifics for continuing control are referenced in these multiple places. Therefore, instead of repeating the transit language each time, these sections of the lease reference Exhibits B, C, and D, which are appended to the ground lease.

Exhibit B requires an Operations and Maintenance Agreement between the landlord, the tenant, any subtenant, and/or possessors/users of the property. Each O & M agreement will be tailored to the specifics of each facility and its use & operations. At a minimum, each O & M agreement will address the items listed in Exhibit B-1: Operations & Maintenance Agreement Outline.

Exhibit C contains the Transit Provisions, including Transit Components within the property, Transit Facilities near the property, and Transit Goals of the Landlord. Section 3. states that the Landlord will maintain control of Transit Components on the Property through Operations and Maintenance Agreements and through the Transit Design Review for Construction Requirements for Facility and Alterations set forth in Exhibit D.

Exhibit D is the Transit Design Review Requirements for Construction of Facilities and alterations and defines our approval rights and required process. To summarize, we have review and approval for transit purposes of everything built on the site, as well as changes of use, alterations of facilities, etc.

We have attached a copy of the ground lease with these specifics highlighted. All subleases, use agreements, etc., throughout the term of the lease will have to be reviewed and approved by Met Council in writing, in advance, to assure that they conform to all of the language in the main ground lease.

Please let us know if there are any additional questions or concerns.

If you have any questions, please feel free to give me a call.

Thank you,

Katy Loster

Regional Counsel, Region 5
Federal Transit Administration
200 West Adams Street, Suite 320
Chicago, Illinois 60606
(312) 353-3869

Again, thank you for the careful reading, apologies for the mistake, and please pardon our eagerness in trying to satisfy all options instead of choosing only one. This is quite an extraordinary project; the City and the region have been overwhelmingly supportive of the proposed development including the soccer stadium.

-Lucy

Lucy Galbraith, AICP
Director, Transit Oriented Development
[REDACTED]
MetroTransit.org

From: Galbraith, Lucy [mailto:Lucy.Galbraith@[REDACTED]]
Sent: Thursday, March 10, 2016 4:42 PM
To: Simon, Marisol (FTA)
Cc: Clements, Sheila (FTA); McLemore, Cyrell (FTA); Loster, Kathryn (FTA); Gustafson, Mary; Krantz, Michael; Geisler, Amy; Matross, Jeanne; Brookins, Kelley (FTA); Brennan, Jean (FTA)
Subject: RE: Snelling Site Joint Development Application

Marisol-

I am so sorry; I just opened the packet and discovered that I had included the previous Overview, instead of the updated one. Please find attached that section of the application packet, as well as the whole packet with the revised Overview in it.

Again, I apologize for not checking everything one more time before sending.

Thank you.

Best Regards,

Lucy

Lucy Galbraith, AICP
Director, Transit Oriented Development

[REDACTED]
MetroTransit.org

From: Marisol.Simon@dot.gov [mailto:Marisol.Simon@[REDACTED]]
Sent: Thursday, March 10, 2016 2:11 PM
To: Galbraith, Lucy <[Lucy.Galbraith@\[REDACTED\].g](mailto:Lucy.Galbraith@[REDACTED].g)>
Cc: [Sheila.Clements@\[REDACTED\]](mailto:Sheila.Clements@[REDACTED]); Cyrell.McLemore@dot.gov; [kathryn.loster@\[REDACTED\]](mailto:kathryn.loster@[REDACTED]); Gustafson, Mary <[Mary.Gustafson@\[REDACTED\]](mailto:Mary.Gustafson@[REDACTED])>; Krantz, Michael <[Michael.Krantz@\[REDACTED\]](mailto:Michael.Krantz@[REDACTED])>; Geisler, Amy <[amy.Geisler@\[REDACTED\]](mailto:amy.Geisler@[REDACTED])>; Matross, Jeanne <[jeanne.matross@\[REDACTED\]](mailto:jeanne.matross@[REDACTED])>; [kelley.brookins@\[REDACTED\]](mailto:kelley.brookins@[REDACTED]); [jean.brennan@\[REDACTED\]](mailto:jean.brennan@[REDACTED])
Subject: RE: Snelling Site Joint Development Application

Lucy,

We are in receipt of the lease agreement and will get back to you at our earliest with any concerns.

Best regards,

Marisol R. Simón,

FTA Region 5 Administrator
[REDACTED]

From: Galbraith, Lucy [mailto:[Lucy.Galbraith@\[REDACTED\]](mailto:Lucy.Galbraith@[REDACTED])]
Sent: Thursday, March 10, 2016 2:02 PM
To: Simon, Marisol (FTA)
Cc: Clements, Sheila (FTA); McLemore, Cyrell (FTA); Loster, Kathryn (FTA); Gustafson, Mary; Krantz, Michael; Geisler, Amy; Matross, Jeanne
Subject: Snelling Site Joint Development Application

Dear Marisol:

Please find attached the Snelling Site Joint Development-Ground Lease Joint Development Application with supporting material. Please note that the lease and associated documents have not been signed. We have preserved FTA authority in the draft lease by making the entire lease contingent on FTA's decision on this application.

Thank you for your attention to this project; we are appreciative of all the feedback, questions, and suggestions that we have received. Please let me know if there are any remaining questions we might answer, or any other information needed for your review.

Best Regards,

Lucy

Lucy Galbraith, AICP
Director, Transit Oriented Development


MetroTransit.org