



**CANADIAN  
PACIFIC  
RAILWAY**

Real Estate

Suite 804  
501 Marquette Avenue South  
(55402)  
PO Box 530 (55440)  
Minneapolis Minnesota

Fax (612) 347-8170

**Via Fax to: 414-286-3456**  
*Original to follow by regular mail*

April 15, 2002

City of Milwaukee  
Zoning, Neighborhoods  
& Development Committee  
c/o Ronald D. Leonhardt, City Clerk  
200 E. Wells Street  
Milwaukee, Wisconsin 53202

Re: File No. 010724, proposed re-zoning West Oregon St. and South 3<sup>rd</sup> St.  
Teweles Seed Tower Apartments.  
**Public Hearing April 16, 2002, 9:30 am, 301-B City Hall**

Honorable Chair and Committee Members:

This is in response to the proposed re-zoning set out in the above-referenced file and is intended to substitute for the railroad's attendance at the above hearing. As owner of facilities and adjacent to the proposed Teweles Seed Tower Apartments project, Soo Line Railroad Company, doing business as Canadian Pacific Railway, hereby states for the record:

1. Due to the close proximity of the subject property to two main line railroad corridors, it is opposed to any re-zoning or re-development of the subject property for residential use.
2. Should the subject development be approved despite Soo Line Railroad Company objections, the Commission should, at a minimum, require that any landlord, developer or manager of a residential development at the subject location inform, individually in writing, potential buyers or tenants that:
  - a. the premises is situated immediately adjacent to two main line railroad tracks transporting freight and passengers seven days-a-week, twenty four hours a day;
  - b. dwellings at such a close proximity to railroad operations are inherently exposed to high levels of noise and vibration;
  - c. it is anticipated that rail traffic levels on the subject lines will increase in the future, including possibilities of routing traffic from other rail carriers over the lines, high speed commuter rail, increased train lengths, and increased freight and passenger service;
  - d. by making a decision to reside in the subject development, they acknowledge and accept the foregoing conditions.

In general, the railroad believes that good planning demands evaluation of conditions that will

benefit all residents of an area and the implementation wise choices. The term "residents" is intended to include not only individuals, but business and industry, such as the railroad. A good plan will balance the needs of the residents. The building adjacent to the tracks at this location has been historically used as warehouse for obvious reasons—it was adjacent to an inherently noisy and disruptive activity—the railroad. But, balance was achieved because warehouse activities are tolerant of such conditions.

When the goal to balance the respective residents' interests are ignored, the result is friction. In a situation such as the present proposal, it likely will not be the railroad or the developer that will feel this friction, but the individuals: the tenants or unit owners.

For the foregoing reasons, Soo Line Railroad Company respectfully requests that the application to re-zone the subject area be denied. Failing that, we request that you use your position and authority to protect the interests of potential consumers of the development by requiring any owner, developer or manager of such residential development to disclose, as set out above, the nature, character and expected changes of the neighboring railroad activities.

Sincerely,



David S. Drach  
Manager, Sales and Leasing  
612/347-8354  
email: david\_drach@cpr.ca

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