



# ZONING APPEAL APPLICATION

To/From Board of Zoning Appeals  
Dept. of Safety & Inspections  
Zoning Section  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806  
(651) 266-9008

To / From Planning Commission  
Dept. of Planning & Econ. Devt.  
Zoning Section  
1400 City Hall Annex, 25 W 4<sup>th</sup> St.  
Saint Paul, MN 55102-1634  
(651) 266-6583

Zoning Office Use Only	
File #	_____
Fee Paid \$	_____
Received By / Date	_____
Tentative Hearing Date	_____

## APPELLANT

Name(s)	_____						
Address	_____	City	_____	State	_____	Zip	_____
Email	_____	Phone	_____				

## PROPERTY LOCATION

Project Name	_____
Address / Location	_____

**TYPE OF APPEAL:** Application is hereby made for an appeal to the:

- Board of Zoning Appeals**, under provisions of Zoning Code § 61.701(c), of a decision made by the Zoning Administrator.
- Planning Commission**, under provisions of Zoning Code § 61.701(c), of a decision made by the Planning Administrator or Zoning Administrator.
- City Council**, under provisions of Zoning Code § 61.702(a), of a decision made by the Board of Zoning Appeals or the Planning Commission.

Date of decision \_\_\_\_\_, 20 \_\_\_\_\_ File Number \_\_\_\_\_

**GROUND FORS APPEAL:** Explain why you feel there has been an error in any requirement, permit, decision or refusal made by an administrative official, or an error in fact, procedure or finding made by the Planning Commission or Board of Zoning Appeals. Attach additional sheets if necessary.

St. Anthony Park Community Council believes there are serious concerns with this project, which has received conditional approval from the Department of Safety and Inspections. If it is built, it will affect the health, safety and welfare of our neighborhood a surrounding communities and damage a remaining wetland area. The attached document outlines our grounds for appeal.

If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution.

**Appellant's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

St. Anthony Park Community Council  
2395 University Avenue West, Suite 300E  
Saint Paul, MN 55114



TO:

Dept. of Planning & Econ. Devt. Zoning Section  
1400 City Hall Annex, 25 W 4th St.  
Saint Paul, MN 55102-1634

DATE: September 25, 2019

Dept. of Safety & Inspections Zoning Section  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806

RE: Rohn Industries Trailer Parking - 2495 Kasota - SPR File# 19-075478

This appeal letter is in response to the City of St. Paul – DSI Site Plan Review Report (SPR File# 19-075478) dated September 16, 2019. We are formally challenging the premature Conditional Approval provided via this review report as we have made the Site Plan Review Committee aware of these below listed serious and disturbing concerns prior to and during the plan review process to no avail. Therefore, we are issues the following concerns to be addressed by the City and other agencies responsible for protecting the health, safety and welfare of our neighborhood and the surrounding communities directly impacted by this overt negligence.

There are serious and disturbing health and environmental concerns being ignored by the City that pose significant danger to human health due to the release of toxins from disturbing topsoil because an old ash dump underlies this site. We have brought these concerns forward so they can be fully explored and have been ignored by the City.

Grounds for Appeal:

1. The site is a known brownfield, and excavation for this project will disturb that material. Under section 19, Mississippi Watershed Management Organization is cited as the applicable agency and since the conditional approval was issued, MWMO has sent a letter outlining its required involvement in this process. Based on this alone, the conditional approval should be overturned in favor of the MWMO process.
2. Despite conditional approval in section 13, Public Works Sewers, we dispute that the site meets City design standards for stormwater because the site has shallow springs and a very high water table and we believe neither were taken into account when developing the Hydro-Cad Model and Drainage Map for the Site. Additionally, MPCA Stormwater Design Standards are not followed as it relates to infiltration testing prior to design as well as required three-foot buffer requirement minimum to depth of modeled soils which indicate water table.
3. Under item 14b Water Quality/Erosion Control, we dispute that the existing historic remnant wetland onsite is an incidental wetland. This wetland is part of the original larger wetland complex that existed prior to pre-European settlement. Under item 14c, we also dispute that the existing historic remnant wetland onsite is an existing stormwater pond.

4. Under Zoning 2b (first bullet point) we note the correction that the closest residential zoning district is to the EAST not the west as is incorrectly noted in the report.
5. Under Zoning 2b (second bullet point), we dispute the following: In addition to landscape screening being required on the Kasota Avenue side, we interpret that all sides of this property are in full view due to the location of the site being in full view of and adjacent to 280 as well as open views presented from the west and that it therefore requires screening around the perimeter of the property to meet the intent of the City's screening requirements. We also disagree with the City's interpretation that a screening fence shall be the answer. As a neighborhood, it has been our experience that these vertical surfaces quickly become tagging/graffiti opportunities for vandals. Therefore, we suggest the full perimeter be screened with a natural screen in the form of evergreen vegetation, providing year-round coverage with no opportunity for vandalism.
6. Under District Council item 6a, the conditional approval does not acknowledge the fact that District 12 staff provided comments on the long history of this site as a brownfield, transportation concerns, and more, and they were not included in the conditional approval.
7. Public Works Construction item 8a pointed out that the site entrance is within 100' of the TH280 ramp terminal. If one applies the MnDOT parameters stated, it is NOT possible to safely provide access to and from this site. This should in effect render this site for the proposed use not feasible/allowable.
8. Under Public Works Transportation Planning item 9, we believe it would be a minimum of care to do a thorough traffic study, including turning movements in and out of the site in every direction as well as within the site for the appropriate design vehicle (WB 67 semi-truck / trailer).
9. Under MnDOT, item 10b, the conditional approval appears to ignore the MnDOT letter dated August 30, 2019 and its stated requirements.

SIGNED: \_\_\_\_\_

Its: Executive Director