

October 10, 2022

Attn: Ms. Marcia Moermond-

As you may recall, I unsuccessfully appealed the vacant building registration last fall because we were still in the planning phase of our project. We ended up paying the fine and hoped to be open for business this fall. Unfortunately last spring, we waited almost 3 months for our building permits from the city. I can tell you there were several unanswered emails and unreturned phone calls. I finally decided to reach out to my city council person and we did get a quick response at that point from the city. A huge thank you to Mitra and Tom Basgen!

And then another delay – in July we had to wait another few weeks for our utility permits. I knew we could not lose any more time so I ended going to the St. Paul Regional Water Services office. Apparently, our application was lost in the shuffle so there was another delay. All to say, there have been several unanticipated delays. I can now confidently say we are now scheduled to be done with construction at the end of March.

I am appealing the vacant building registration again due to the city permitting delays we experienced. I'm feeling super frustrated that we are being asked to pay another fine when we had to work so hard to get the city to approve our plans. It has been an uphill battle and adding cost to the project, is not what we need.

Please consider this request to give us another six months to complete our construction, apply for our food license and received our Certificate of Occupancy.

I'm attaching some documentation for your review and consideration.

Thank you for your time.

Best,



Angie Pierach
SSAP Holdings, LLC
Herbst Eatery & Farm Stand

Herbst Site Plan Review

From: Rob Hunter (rhunter@jddltd.com)
To: angie.pierach@yahoo.com; JorgP@fasthorseinc.com
Cc: ajensen@jddltd.com; avarpness@jddltd.com
Date: Friday, April 29, 2022, 2:17 PM CDT

Angie, Jorg –

I apologize in advance for this getting long, but want to give you the full history of the City process to date. As discussed, it might be valuable for you to contact your council person regarding the status of the Site Plan Review (SPR) for Herbst to see if they can knock loose getting any information. I have left repeated voicemails and emails over the past two weeks with our assigned Site Plan Review coordinator asking for updates, all with no response. Our Site Plan Review Coordinator's name is Ashley Skarda. While she was extremely helpful and accommodating early on she has been non responsive of late. All we have been asking for is a status update. Here are some summary points surrounding this SPR.

2/18/22: First submittal of all required Site Plan Review materials to City by JDD

3/18/22: Conditional approval of Site Plan by City, with comments from various City departments

4/5/22: Resubmittal of all Site Plan Review materials addressing Conditional approval comments by the City

Next Tuesday will be 4 weeks from the resubmittal date. In conversations with Ashley prior to resubmittal she indicated that this second review should be relatively quick as the various departments are familiar with the project and can focus on how the resubmittal responds to their respective comments. After two weeks of hearing nothing from the city regarding the resubmittal JDD made the following attempts to follow up with Ashley to receive a status update:

4/19/22 sent email

4/21/22 left voicemail

4/26/22 sent email

4/26/22 left voicemail

4/28/22 left voicemail

4/29/22 left voicemail

In addition to the above, JDD has placed numerous calls to Ashely (3-4) that she did not pick up and when we did not leave a voicemail. We understand that SPR takes a great deal of effort by the City and are appreciative of that.

However, given earlier indications that the resubmittal review would be relatively quick, and that there has been no response to requests for updates, I feel that contacting your council person might help gain an understanding of where things stand.

For some context, this current lack of communication mirrors events leading up the original SPR submittal. Last August TENxTEN contacted the City to inquire if SPR was required for this project. They were told it was not. JDD wanted to confirm this and attempted multiple times through the fall to contact the SPR office via phone with no response. When we finally heard back from the City in mid-December via phone they again indicated that they did not think the project would require SPR, but that if it was determined that it was required the materials submitted for building permit on 12/17/21 would suffice for this review, and we would need to make no special submittals beyond that for permit. This was made very clear to me. We were then notified on 2/14 – 8 weeks after submitting for permit – that, in fact, we needed to submit for SPR and that the materials submitted for permit alone would not suffice. I unfortunately do not have the names of the phone contacts at the City TENxTEN or JDD had, but I do know that they were not Ashley.

I hope this is helpful. Please let me know if you want to discuss.

Thanks,

Rob

Robert Hunter, AIA, CID

Principal

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