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April 30, 2018

Saint Paul City Council
310 City Hall
15 West Kellogg Boulevard
Saint Paul, MN 55102

RE: Appeal of Conditional Use Permit, 2103 Wabash Avenue, File Number 18-024-155

Members of the Saint Paul City Council:

American Engineering Testing, Inc. (AET) is requesting this letter be added to the public record as part of AET's appeal of the Planning Commission's approval of the Conditional Use Permit (CUP) for the 2103 Wabash project (Project). This letter serves to update the Council on information since the April 4, 2018 City Council meeting and supplements the information provided in AET's letter dated April 2, 2018.

- AET agreed to the applicant's request for a continuance to allow more time to review and discuss potential options and solutions. AET, the Project applicants, a representative from the St. Anthony Park Community Council (SAPCC), and Bill Dermody, PED met at AET on April 9, 2018. We presented our concerns with the Project. To date, the applicants have not provided ideas or solutions on how to address AET's concerns with regard to the Planning Commission's requested safety plan, additional required off-street parking, bus and truck traffic, safety near the two rail lines, and noise.
- The State of Minnesota regulates noise and the maximum acceptable noise level for a site is based on the land use of the receiving noise not the zoning of the site (Minn. Rules Ch. 7030). Therefore, the 2013 Wabash site would be classified as residential and the noise limits would be residential limits, not I2-Industrial noise limits. AET would be subject to residential noise regulations due to the Project being located within feet of the property boundary. Bill Dermody confirmed this analysis in an email to AET and the applicants dated April 19, 2018.
- We recently learned West Rock is going to start shipping in railcars on the Wabash track. Minnesota Commercial Railway has installed new signage and reinstalled a crossbuck. The Wabash rail track is located directly adjacent to the south property line of the 2013 Wabash building.

AET requests the City Council deny the Conditional Use Permit for the Project. The Project is not consistent with I2 zoning, will impede AET's future industrial viability and AET's normal and orderly use, development and improvement of our property, and raises too many unknowns related to public safety.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel J. Larson', is written over a printed name and title.

Daniel J. Larson
Chairman and CEO

cc: Bill Dermody, City of St. Paul PED

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