



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JUN 01 2015

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 794184)
 - Copy of the City-issued orders/letter being appealed
 - Attachments you may wish to include
 - This appeal form completed
 - Walk-In OR Mail-In
- for abatement orders only: Email OR Fax

<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>June 16, 2015</u></p> <p>Time <u>1:30 p.m.</u></p> <p>Location of Hearing: Room 330 City Hall/Courthouse</p>

Address Being Appealed:

Number & Street: 817TH STE City: St. Paul State: MN Zip: 55101
 Commercial Real Estate Services for HFS Properties
 Appellant/Applicant: contact Pat Wolf Email PatWolf@CRBS-INC.COM

Phone Numbers: Business 651-290-8890 Residence _____ Cell 612-751-9422

Signature: [Signature] Date: 6/1/15

Name of Owner (if other than Appellant): HFS Properties

Mailing Address if Not Appellant's: 85 East Seventh Place, Suite 200

Phone Numbers: Business 651-290-8890 Residence _____ Cell 612-751-9422

What Is Being Appealed and Why? Attachments Are Acceptable

- Vacate Order/Condemnation/
 - Revocation of Fire C of O
 - Summary/Vehicle Abatement
 - Fire C of O Deficiency List/Correction
 - Code Enforcement Correction Notice
 - Vacant Building Registration
 - Other (Fence Variance, Code Compliance, etc.)
- Fire Inspection Correction Notice Ref #12719
Deficiency items #2 and #4: these items
take us in a new direction from past
code approvals which provided security
for our tenants as well as providing
emergency egress

(ALSO see attachments)



COMMERCIAL REAL ESTATE SERVICES, INC.

June 1, 2015

City of Saint Paul
Legislative Hearing Officer
Office of City Council
15 West Kellogg Blvd
Suite 310, City Hall
St. Paul, MN 55102

Re: Fire Code Variance Appeal for Fire Inspection Correction Notice Ref.#12719

This letter is in response to Fire Inspection Correction Notice #12719 (See attachment A). We offer the following proposal to satisfy the 2007 Minnesota State Fire Code 1028.2 Reliability for correction notice items #2 and #4.

We propose to use the existing fire pull stations wired to the fire alarm panel (see Attachment B and D with instructional signage. The fire pull stations would release the doors upon activation.

Two violations under appeal:

1. Deficiency list item 2: 2nd floor – Passenger elevator lobby – MSFC 1028.2 – Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

Variance appeal: Already in place in the elevator lobby on 2nd floor is a fire pull station located at 3'-6" from the exit opening (see attachment B.) We propose to use this existing condition to satisfy the egress requirements for the access controlled door in this lobby. Instructional signage is located above the fire pull station (see attachment B.) We have also included attachment C identifying the evacuation route. See also attachment F as a previously accepted variance for a similar condition.

2. Deficiency list item 4: 3rd floor – Passenger elevator lobby – MSFC 1028.2 – Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

Variance appeal: Already in place in the elevator lobby on 3rd floor is a fire pull station located at 3'-7" from the exit opening (see attachment D.) We propose to use this existing condition to satisfy the egress

requirements for the access controlled door in this lobby. Instructional signage is located above the fire pull station (see attachment D.) We have also included attachment E identifying the evacuation route. See also attachment F as a previously accepted variance for a similar condition.

I certify that I am familiar with the subject building, the information provided is true and factual, and that I am authorized by the owner to act in their behalf on this appeal.

Agent for the owner's signature: For HFS Properties
Eric Meyer

Date: 6-1-15

W/attachments A, B, C, D, E and F

Eric Meyer
Operations Manager
Commercial Real Estate Services, Inc.
85 East Seventh Place Suite 200
St. Paul, MN 55101
Phone 612.790.9058
Fax 651.224.4048



Attachment "A"

DEPARTMENT OF SAFETY AND INSPECTIONS
Fire Inspection Division
Ricardo X. Cervantes, Director



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-8951
Web: www.stpaul.gov/dsi

May 22, 2015

COMMERCIAL REAL ESTATE SERVICES, INC. - PAT WOLF
85 7TH PLACE E STE 200
ST PAUL MN 55101

FIRE INSPECTION CORRECTION NOTICE

RE: 81 7TH ST E
Ref. #12719

Dear Property Representative:

Your building was inspected on March 31, 2015 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date. **A re-inspection will be made on June 22, 2015 at 2:00 PM.**

Failure to comply may result in a criminal citation or the revocation of the Fire Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

DEFICIENCY LIST

1. 2ND FLOOR-FREIGHT ELEVATOR LOBBY - MSFC 1028.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

-A key fob is required in order to exit. Remove the card reader or provide an alternate code compliant solution.

An Equal Opportunity Employer

2. 2ND FLOOR-PASSENGER ELEVATOR LOBBY - MSFC 1028.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

-A key fob is required in order to exit. Remove the card reader or provide an alternate code compliant solution.

3. 3RD FLOOR-FREIGHT ELEVATOR LOBBY - MSFC 1028.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

-A key fob is required in order to exit. Remove the card reader or provide an alternate code compliant solution.

4. 3RD FLOOR-PASSENGER ELEVATOR LOBBY - MSFC 1028.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

-A key fob is required in order to exit. Remove the card reader or provide an alternate code compliant solution.

5. 3RD FLOOR-TENANT SPACE LOBBY - MSFC 1028.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

-A key fob is required in order to exit. Remove the card reader or provide an alternate code compliant solution.

6. 4TH FLOOR-FREIGHT ELEVATOR LOBBY - MSFC 1028.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.

-A key fob is required in order to exit. Remove the card reader or provide an alternate code compliant solution.

7. BASEMENT LEVEL-ELECTRICAL ROOM - MSFC 605.3.1 - Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign stating ELECTRICAL ROOM or similar wording.
-No sign posted. Post sign. Assure that the sign is easily visible and that it contrasts with the background.
8. BASEMENT LEVEL-NEAR STAIRWELLS - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations: Provide minimum 2A10BC fire extinguishers spaced not more than 75 feet travel distance from any point in the building to an extinguisher. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.
-Provide two fire extinguishers. One near each stairwell.
9. BASEMENT LEVEL-THROUGHOUT - MSFC 903.4.4 - Provide approved physical security of all fire sprinkler control valves.
-Secure all fire sprinkler control valves.
10. MEZZANINE LEVEL-FREIGHT ELEVATOR LOBBY-DOOR LEADING OUTSIDE - MSFC 1010.1, 1003.2.10 - Provide and maintain approved directional exit signs.
-Provide a hard-wired exit sign above the door that leads directly to the outside.
11. MEZZANINE LEVEL-FREIGHT ELEVATOR LOBBY-EXIT LEADING OUTSIDE - MSFC 1028.2 Reliability. Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the fire code official.
-Remove the sliding lock from the door.
12. MEZZANINE LEVEL-WEST STAIRWELL - MSFC 1010.1, 1003.2.10 - Provide and maintain approved directional exit signs.
-Provide a hard-wired exit sign with the directional arrow pointed towards the exit.

Saint Paul Legislative Code authorizes this inspection and collection of inspection fees. For forms, fee schedule, inspection handouts, or information on some of the violations contained in this report, please visit our web page at: <http://www.stpaul.gov/cofo>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: Sebastian.Migdal@ci.stpaul.mn.us or call me at 651-266-8985 between 8:00 a.m. - 9:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Sebastian Migdal
Fire Inspector

Reference Number 12719

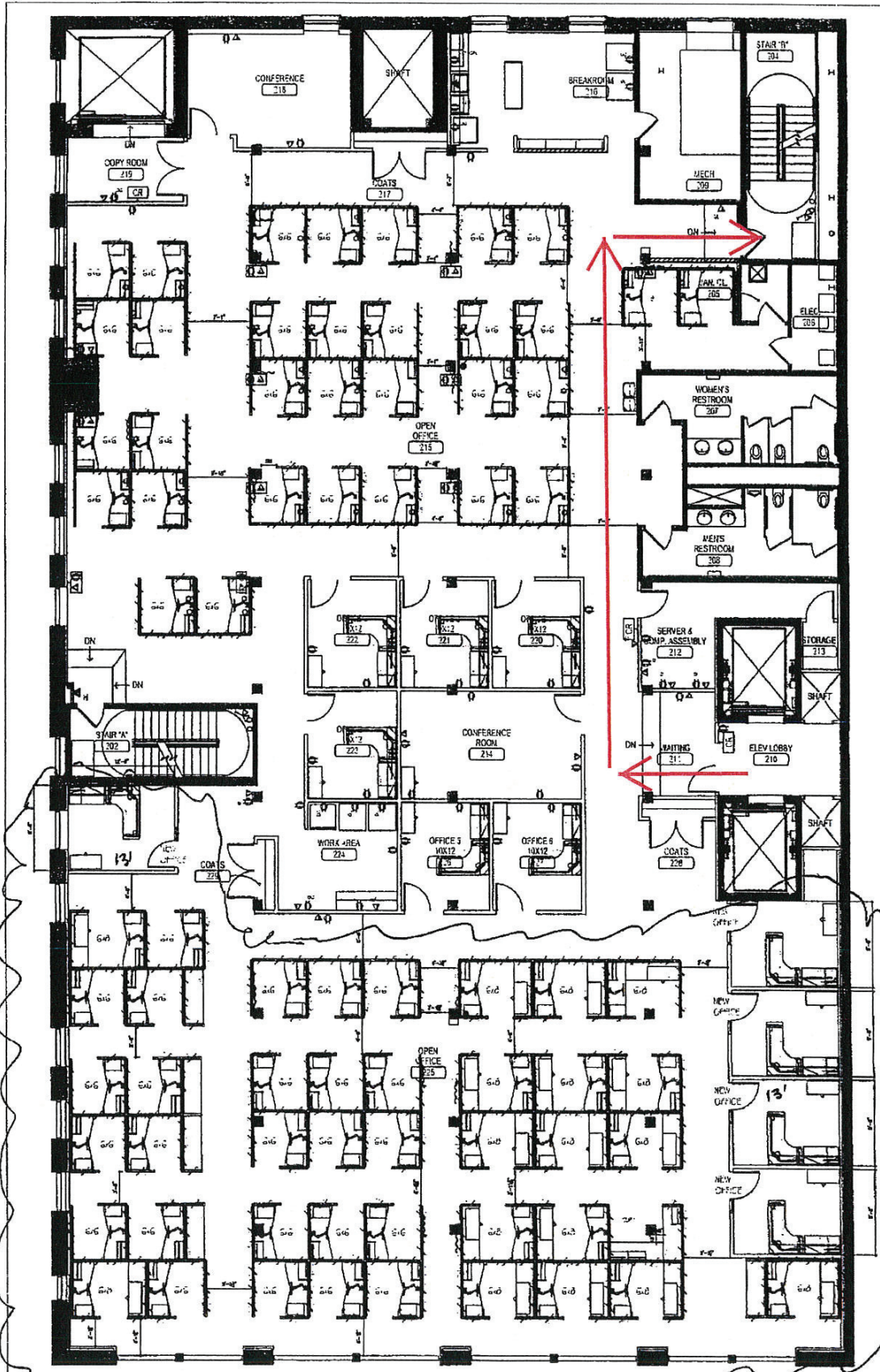
July 1st for Golden Rule

*Eled. Permit
Fire permit
Testing*

IN CASE OF FIRE OR EMERGENCY
PUSH IN AND PULL DOWN LEVER
TO RELEASE DOOR



Attachment "B"



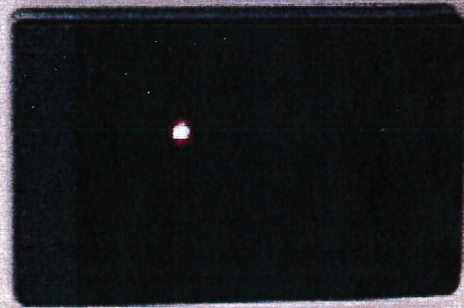
2nd flr. MNSure FURNITURE PLAN-OPTION 1

SCALE: FIT

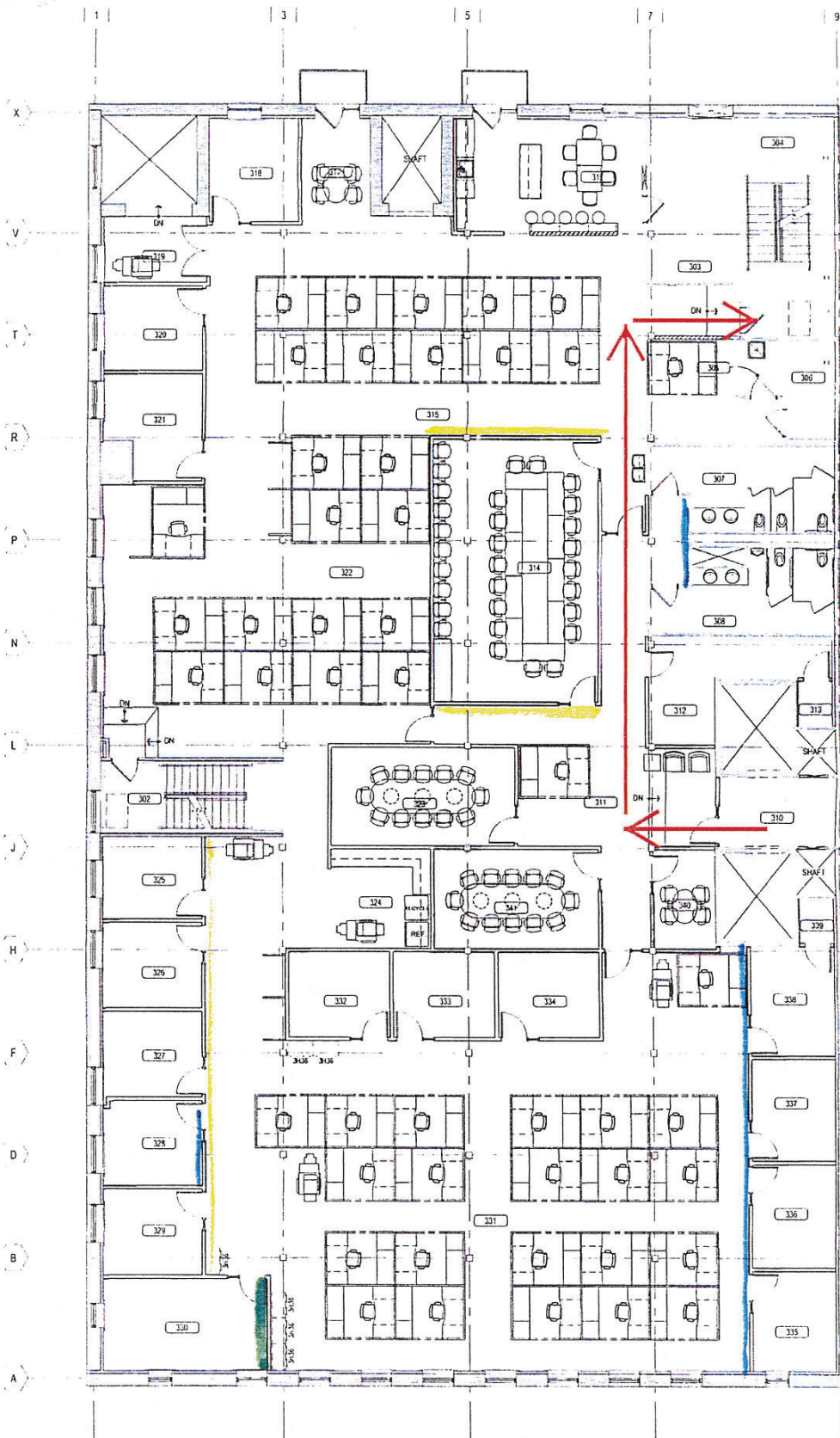
Attachment 81 On Seventh 2nd floor elevator lobby evacuation plan

G:\Drawings\WNSONS\MASURE PHASE 2 AIF-Exc.dwg, 7/11/2014 3:57:27 PM, Emily.A. Fabricio

IN CASE OF FIRE, UNLATCH
PUSH IN AND PULL DOWN LEVER
TO RELEASE DOOR



Attachment D 81 On Seventh



4D FURNITURE PLAN (REFERENCE ONLY)
 A910 SCALE: 1/8" = 1'-0"



Attachment F



City of Saint Paul

City Hall and Court House
15 West Kellogg Boulevard
Phone: 651-266-8560

Legislation Details (With Text)

File #: RLH FCO 15- 33 **Version:** 2 **Name:** 85 Seventh Place East
Type: Resolution LH Fire C of O **Status:** Passed
In control: City Council
Final action: 5/6/2015

Title: Appeal of Eric Meyer, HFS Properties (management company), to a Fire Inspection Correction Notice at 85 SEVENTH PLACE EAST.

Sponsors: Dave Thune

Indexes: Fire C of O Letter, Ward - 2

Code sections:

Attachments: 1. 85 Seventh PI E.appeal.3-5-15, 2. 85 Seventh PI E.Email Chain.3-9-15, 3. 85 Seventh PI E.FC 1008.1.3.4.3-9-15, 4. 85 Seventh St E.Meyer-Wolf Ltr.3-26-15, 5. 85 Seventh St E.Meyer-Wolf Revised Ltr.4-1-15, 6. 85 Seventh PI E.Proposals sent by Eric Meyer.4-9-15, 7. 85 Seventh St E.Meyer-Wolf 4-14-15

Date	Ver.	Action By	Action	Result
5/11/2015	2	Mayor's Office	Signed	
5/6/2015	2	City Council		
4/13/2015	1	Legislative Hearings	Referred	
3/24/2015	1	Legislative Hearings	Laid Over	

Appeal of Eric Meyer, HFS Properties (management company), to a Fire Inspection Correction Notice at 85 SEVENTH PLACE EAST.

WHEREAS, in the matter of the Appeal of Eric Meyer, HFS Properties (management company), to a Fire Inspection Correction Notice at 85 SEVENTH PLACE EAST, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council grant the appeal conditioned on the modifications described in Option 1 of the attached proposal dated April 7, 2015 being implemented by July 1, 2015; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.