



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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April 17, 2013

Council Research
310 City Hall
St Paul, MN 55102

Dear Mary Ericksson:

I would like to confirm that a public hearing before the City Council is scheduled for May 1, 2013 for the following zoning case:

Appellant: Luis Mota

BZA Zoning File #: 13-162436

Purpose: An appeal of a decision by the Board of Zoning Appeals (BZA) denying a variance of the minimum floor area ratio (FAR) in order to construct a new building for Qdoba Mexican Grill Restaurant in the T2 Traditional Neighborhood zoning district. This zoning district requires that a one-story building occupy at least 30% of the lot area and the applicant is proposing a one-story building that would occupy 21% of the lot area for a variance of 9%.

Location: 2081 Ford Parkway

Staff: Recommended denial of the variance.

District: Recommended approval of the variance.

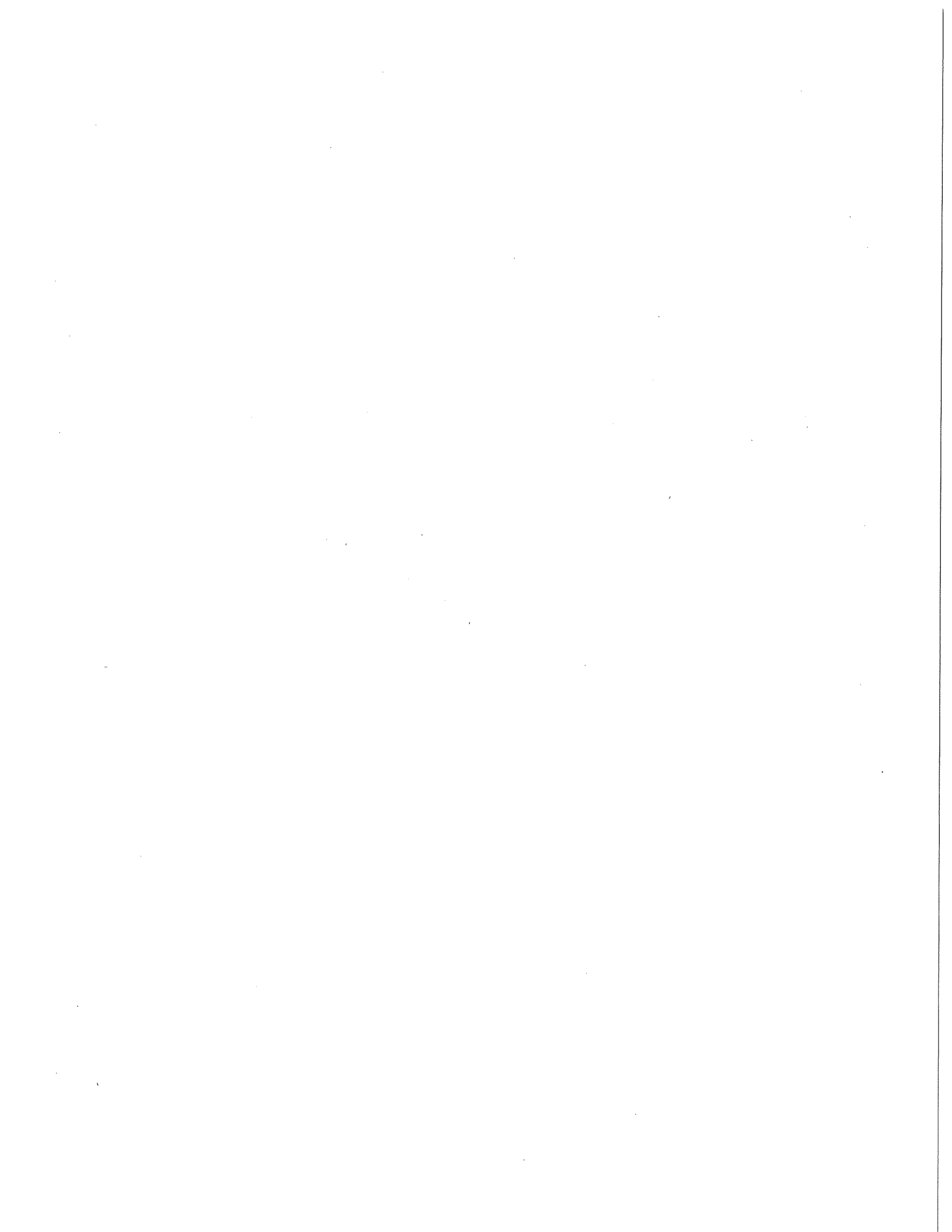
Board: Denied the variance.

I have confirmed this date with the office of Councilmember Tolbert. My understanding is that this public hearing request will appear on the agenda of the City Council at your earliest convenience and that you will publish notice of the hearing in the Saint Paul Legal Ledger.

Thank you!

Sincerely,

Yaya Diatta
DSI Inspector



APR 11 2013



APPLICATION FOR APPEAL

Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101
651-266-9008

Zoning office use only
File no.
Fee
Alternative hearing date

13-173086

APPLICANT

Name Luis Mota
 Address 10252 Flintridge Drive
 City Villa Park St. CA Zip 92861 Daytime phone 714-471-7033
 Name of owner (if different) Qdoba Mexican Grill

PROPERTY LOCATION

Address 2081 Ford Parkway
 Legal description: See attached
 (attach additional sheet if necessary)

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

- Board of Zoning Appeals
- City Council

under the provisions of Chapter 61, Section 102, Paragraph (A), of the Zoning Code, to appeal a decision made by the Board of Zoning Appeals on April 1, 2013. File number: 13-102436
 (date of decision)

GROUND FOR 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 Board of Zoning Appeals or the Planning Commission.

See attached

(attach additional sheet if necessary)

Applicant's signature [Signature] Date 4-10-13 City agent _____



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Wheat Ridge, CO 80033
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FILE
13-173086

By not approving our variance request, the Board of Zoning appeals failed to adopt the recommendations of the local neighborhood committee. On March 19, 2013, The Highland District Council, Community Development Committee recommended approval of our request for a variance to the floor area ratio.

Please see attached Resolution 2013-04D

March 19, 2013

Resolution to Support Variance Request of Qdoba Mexican Grill

Whereas, Qdoba Mexican Grill plans to build a restaurant in Highland Village on the vacant lot to the east of Walgreens on Ford Parkway; and

Whereas, the floor area size of Qdoba's proposed building is smaller than the size required by building floor-area-to-lot-size ratios specified in city zoning codes and has submitted a request for a variance to the city; and

Whereas, Qdoba Mexican Grill has reached out to the Highland District Council to share its building and business plans and met with the HDC Community Development Committee in February and March 2013; and

Whereas, a public meeting was conducted at the March 2013 Community Development Committee meeting and all residents in the area of the proposed building were notified and invited to attend; and

Whereas, representatives of Qdoba Mexican Grill solicited input, listened to and satisfactorily responded to questions and concerns of the district council and residents which included:

- Building design and streetscape to be consistent with the character and design of the existing business area
- Patio placement and outside noise
- Parking, traffic flow and supplier deliveries
- Dumpster placement and refuse pick-up
- Food and waste odors
- Employee parking
- Outdoor lighting
- Hours of operation
- Access to adjacent alley and alley speed bumps
- Landscaping, screening and trees

Be it resolved that the Highland District Council supports Qdoba Mexican Grill's request for a variance of the floor area ratio.