



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

RECEIVED

SEP 22 2023

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 445628)
- Copy of the City-issued orders/letter being appealed
- Attachments you may wish to include *— Add'l to follow*
- This appeal form completed
- Walk-In OR  Mail-In  
for abatement orders only:  Email OR  Fax

**HEARING DATE & TIME**  
(provided by Legislative Hearing Office)  
Tuesday, October 10, 2023  
Location of Hearing:  
 Telephone: you will be called between  
2:00 p.m. & 4:00 p.m.  
 In person (Room 330 City Hall) at: \_\_\_\_\_  
(required for all Fire C of O revocation & vacate; Condemnation orders)

### Address Being Appealed:

Number & Street: 236 Grand Avenue City: St. Paul State: MN Zip: 55102

Appellant/Applicant: Lisa McCormick, Attorney Email Ls.Mccrmck@gmail.com

Phone Numbers: Business 651-983-6729 Residence \_\_\_\_\_ Cell 651-983-6729

Signature: *Lisa McCormick* Date: September 21, 2023

Name of Owner (if other than Appellant): Grand Holding Co., LLC

Mailing Address if Not Appellant's: 1960 Cliff Lake Road, Ste 129-503, Eagan, MN 55122

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 612-490-7254

### 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 Correction Notice Dated 09/12/2023; Ref. # 30086; Item No. 1
- Code Enforcement Correction Notice \_\_\_\_\_
- Vacant Building Registration \_\_\_\_\_
- Other (Fence Variance, Code Compliance, etc.) \_\_\_\_\_



September 12, 2023

Grand Holdings LLC  
1960 CLIFF LAKE ROAD SUITE 129-503  
EAGAN MN 55121 USA

### **CORRECTION NOTICE - RE-INSPECTION COMPLAINT**

RE: 236 GRAND AVE  
Ref. # 30086


Dear Property Representative:

A re-inspection was made on your building on August 14, 2023, in response to a complaint. You are hereby notified that the following deficiencies must be corrected prior to re-inspection date.

***A re-inspection will be made on October 10, 2023 at 10:00 am.***

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

#### DEFICIENCY LIST

- 
1. Exit Hallway between Shop and Car Wash - MSFC 1031.2, 1031.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path. *Remove the objects blocking the exit door, this includes the conveyer belt system that is blocking the door and restricting egress and access to and from the second floor.*
  2. Exit Hallway between shop and Car Wash - 315.3.2 Means of egress. Combustible materials shall not be stored in exits or enclosures for stairways and ramps *Remove the storage that is in the rear hallway between the shop and car wash that leads to the exit door and 2nd floor.*

3. Exit Hallway between shop and Hallway - 315.3.4 Attic, under-floor and concealed spaces. Attic, under-floor and concealed spaces used for storage of combustible materials shall be protected on the storage side as required for 1-hour fire-resistance-rated construction. Openings shall be protected by assemblies that are self-closing and are of noncombustible construction or solid wood core not less than 13/4 inches (44.5 mm) in thickness. Storage shall not be placed on exposed joists. *Remove the storage under the stairs leading to the 2nd floor or provide an approved fire separation.*
4. Interior - MSFC 5003.4 - Provide Safety Data Sheets (SDS) on all flammable and combustible liquids, hazardous materials, and chemicals on site. The sheets are to be kept on site in an orderly fashion in a readily accessible area. *Provide the safety data sheet for the wind shield washer fluid with the amount stored.*
5. Shop - MSFC 5003.5 - Provide NFPA 704 hazard identification placards per handout HM-1. Blue = 1 Red = 2 Yellow = 0 White = Size = *Provide an NFPA 704 placard for the used oil, Blue=1 Red=2 Yellow=0.*

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 the original orders.

If you have any questions, email me at [brian.schmidt@ci.stpaul.mn.us](mailto:brian.schmidt@ci.stpaul.mn.us) or call me at 651-266-8981 between 7:30 a.m. - 9:00 a.m.

Please help to make Saint Paul a safer city in which to live and work.

Sincerely,

Brian Schmidt  
Fire Safety Inspector

Ref. # 30086

CITY OF SAINT PAUL, MINNESOTA  
(Nonconforming Use Permit-Reestablishment)

ZONING FILE NO: 13-207-336  
APPLICANT: Grand Holdings Co. LLC  
PURPOSE: Reestablishment of nonconforming use as an auto convenience market / auto service station with 3 auto service bays and an accessory car wash  
LOCATION: 236 Grand Ave  
LEGAL DESCRIPTION: PIN 012823410162, Samuel Leeches Addition Vac Alley Accruing & Lots 1,2 & Lot 3 Blk 3  
ZONING COMMITTEE ACTION: Recommended approval with conditions on August 1, 2013  
PLANNING COMMISSION ACTION: Approved with conditions on August 9, 2013

CONDITIONS OF THIS PERMIT:

1. the construction and maintenance of all driveways, curbs, sidewalks, pump islands and other facilities shall be in accordance with current City specifications;
2. a wooden privacy fence and landscaping, as noted in the application, shall be provided in a ten-foot buffer area where the property adjoins existing residential use;
3. there shall be no exterior storage;
4. space for accessory outdoor sales of goods or equipment shall be limited to 200 sq. feet, and shall not be located in a required setback, parking or maneuvering space, or substituted for required landscaping;
5. all vehicles awaiting repair or pickup shall be stored on the site within the building or in defined parking spaces in compliance with Zoning Code § 63.301;
6. operation of the auto convenience market shall be limited to the hours of 6:00 a.m. to 12:00 midnight, 7 days a week;
7. auto repair and operation of the car wash shall be limited to the hours of 8:00 a.m. to 8:00 p.m., 7 days a week;
8. landscaping, benches, a bike rack convenient to both business customers and those using the 35E bike path, and other physical improvements, as noted in the application, shall be provided and maintained to better integrate the use into the fabric of the area; and
9. both doors of the car wash shall be closed during operation.


APPROVED BY: Barabara Wendl, Commission Chairperson

I, the undersigned Secretary to the Zoning Committee of the Planning Commission for City of Saint Paul, Minnesota, do hereby certify that I have compared the foregoing copy with the original record in my office; and find the same to be a true and correct copy of said original and of the whole thereof, as based on minutes of the Saint Paul Planning Commission meeting held on August 9, 2013, and on record in the Saint Paul Planning Office, 25 West Fourth Street, Saint Paul, Minnesota.

**This permit will expire two years from the date of approval if the use herein permitted is not established, subject to administrative extension not to exceed one year (Sec. 61.105).**

The decision to grant this permit by the Planning Commission is an administrative action subject to appeal to the City Council. Anyone affected by this action may appeal this decision by filing the appropriate application and fee at the Zoning Office, 1400 City Hall Annex, 25 West Fourth Street. Any such appeal must be filed within 10 calendar days of the date of the Planning Commission's decision.

**Violation of the conditions of this permit may result in its revocation.**

  
Samantha Langer  
Secretary to the Saint Paul

Zoning Committee

Copies to:

Applicant

File No.

District Council

Grand Holdings Co. LLC

13-207-336

9

Mailed: August 9, 2013

RE: IMPORTANT - 236 Grand

From: Imbertson, Mitchell (CI-StPaul) (mitchell.imbertson@ci.stpaul.mn.us)

To: [REDACTED]

Date: Wednesday, September 18, 2013 at 08:21 AM CDT

The name has been changed to Grand Holding Co LLC, a new Certificate of Occupancy will be sent out today.

**From:** mccormickl [REDACTED] [mailto:[REDACTED]]  
**Sent:** Wednesday, September 18, 2013 7:02 AM  
**To:** Imbertson, Mitchell (CI-StPaul)  
**Subject:** IMPORTANT - 236 Grand

Mitch,

I hope you got my message yesterday about the C of O for 236 Grand. In case you didn't, the problem is that when they printed it the name was still St. Paul RE Holdings, not Grand Holding Co. as we discussed during our conversation Monday morning.

I did fill out the name change and provided a copy of the Sheriff's certificate/deed showing the property transfer to Grand Holding Co. for verification.

Since you are the only one that can make the name change (clerical staff told me that they are not able to make the change - only you as the inspector), would you please do that this morning and call me when it's done so I can come down and pick it up?

Thanks,  
Lisa



# RECEIPT

## CITY OF SAINT PAUL

DEPARTMENT OF SAFETY AND INSPECTIONS

Fire Inspection Division

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

Phone: 651-266-8989

Payment #: 942854

Payment Date: June 7, 2013

Paid By: ST PAUL REHOLDINGS LLC  
12508 NORWAY CIRCL  
BURNSVILLE MN 55337

Amount Paid: \$640.00

Payment Type: Check

### Transaction Description

Project Location: 236 GRAND AVE ST PAUL MN 55102-2320

11 - 278909

TYPE: CERTIFICATE OF OCCUPANCY

012823410022

SUB TYPE: STORAGE

WORK TYPE:

Renewal Due Date	Sep 22, 2014	Is this a City Owned Building?	No
Business/Building Name	GRAND & SMITH MOBIL	Contact	MARCUS RITLAND
Commercial Square Feet	2072	Total Residential Units	0
Number of Stories	2	Number of Basement Levels	0
Primary Occupancy Type Name	Gas Station / Service Garage	Primary Occupancy Group	M
Secondary Occ Type Name (1)	Warehouse Ordinary Hazard	Secondary Occupancy Group	S-1
Keybox	No	Fire Alarm System	No
Emergency Generator	No	Fire Pump	No
Fire Service Elevator	No	Standpipe System (W/D)	None
Sprinkler System	None	Non Wet Sprinkler System	No
Smoke Control System	No	Special Extinguishing System	No
Kitchen Hood System	No	704 Placards	1-1-0
Last Inspection Date	May 8, 2013	Fireworks Permit?	No

*Marcus Ritland - Charge*

### FEES

Vacant Code Compliance 640.00

**TOTAL 640.00**

\*\* To schedule a Vacant Building Code Compliance Inspection, call *Mitch Imbertson* Jim Seeger at 651-266-8989 between 7:30 and 9:00 AM, Monday - Friday. \*\*

\*\* Questions regarding Vacant Building Performance Deposits can also be directed to Jim Seeger. \*\*



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](http://www.stpaul.gov/dsi)

July 9, 2013

ST PAUL REHOLDINGS LLC  
12508 NORWAY CIRCLE  
BURNSVILLE, MN 55337

RE: FIRE INSPECTION CODE COMPLIANCE NOTICE  
REGISTERED VACANT BUILDING - CATEGORY 2  
236 GRAND AVE

Ref # 30086

Dear Property Representative:

A code compliance inspection of your building was conducted on June 27, 2013 to identify which deficiencies that will need to be corrected in order for the building to be compliant. The Saint Paul Legislative code requires that no building shall be occupied without a Certificate of Occupancy and a Fire Certificate of Occupancy. Neither of these certificates will be issued unless all work required to be done under permit is inspected and approved by the appropriate inspector. Your Certificate of Occupancy and Fire Certificate of Occupancy will be granted upon demonstration of compliance with the following deficiency list and payment of required fees.

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

#### DEFICIENCY LIST

##### **General/ Building/ Fire Safety:**

**SPLC 33.03 – DSI building permit and other trade permits will be required for this work. Contact DSI at (651)266-8989 to obtain any necessary permits.**

1. Licensing - SPLC 310.02 - Contact DSI/Licensing at (651) 266-8989 to obtain a license. *Business plans and intended use must be discussed with a Project Facilitator to find out what licenses may be required for the business. Any required licenses must be obtained and posted on-site prior to approval.*

2. Occupancy/ Zoning - SBC 3405.1, SBC 110.2, SPLC 62.101 - This property was inspected as an existing M occupancy (Mercantile Gas Station) and S-1 occupancy storage/ garage space. The 2nd floor area is approved as office/storage only. Any change from this use will require DSI building and zoning department approvals. *Contact zoning with business plans to ensure intended occupancy will meet zoning requirements.*
3. 2nd Floor Office - Storage - MSFC 315.2 - Provide and maintain at least 2 feet clearance below the lowest structural member or the ceiling. - *Existing storage racking extends to the ceiling, ensure 2 ft clearance is maintained.*
4. Accessibility - MBC Chapter 11 - Provide approved accessible parking, restroom, counter, access and signage to code throughout the building.
5. Car Wash - Compressor Room - 34.32 (3) - Repair and maintain the door which is binding in frame and repair damaged door handle.
6. Car Wash - SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code.  
- *Car wash equipment was found to be damaged, out of service, and partially disconnected. This equipment must be fully repaired and returned to service prior to any usage. If the car wash is not to be repaired at this time, all chemical and electrical lines to the equipment must be fully disconnected and removed in an approved manner.*
7. Emergency and Exit Lighting - MBC 1011.1 - Install/ maintain emergency lighting and exit signs where required per code throughout the building.
8. Exterior - Fence - SPLC 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. - *Repair fence in agreement with city requirements. Contact DSI Zoning at (651)266-8989 for detail regarding fencing requirements.*
9. Exterior - Graffiti - SPLC 45.03(b) - All exterior surfaces must remain free of any initials, marks, symbols, designs, inscriptions or other drawings, scratched, painted, inscribed or otherwise affixed.
10. Exterior - Parking Lot - SPLC 62, SPLC 34.08 (7) - Install markings in front of building for no parking area.
11. Exterior - Rear Door - SPLC 34.33 (1) b, c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint. - *Scrape and paint the peeling door in the rear of the building.*



12. Exterior - Underground Tanks - MSFC 3404.2.13.2.3 - All above/underground tanks which have been out of service at least 1 year shall be properly removed, unless tanks are tested in an approved manner and properly returned to service. *-Tank testing documents for three tanks (gasoline, premium gasoline, diesel) have been received and approved with testing date of June 7, 2013. If building and tanks are not returned to use within a reasonable amount of time, additional testing may be required.*
13. Garage - Exterior Doors - MSFC 2703.5 - Provide NFPA 704 hazard identification placards per handout HM-1. Blue = ? Red = ? Yellow = ? White = ? Size = 6 inch min. *-The doors leading into the garage area are currently posted with faded 1-1-0 hazard placards. The faded placard require updating, in order to determine the correct numbering, a hazardous material storage plan must be received to detail what materials and what quantities will be used and stored inside the building.*
14. Garage - Front Exit Doors - MSFC 1008.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. *- Provide approved door exit hardware on at least one of the two doors to exterior from the garage. Currently both doors have unapproved hardware (padlock and lock which is keyed from the interior side).*
15. Garage and Carwash Area - Hazardous Material Storage - MSFC 2701.5.2 - Hazardous Materials Inventory Statement - *Provide a report including the following information for chemicals used on-site: Manufacturer's Name and Chemical Name; Hazard Classification; MSDS or equivalent; UN, NA, or CAS identification number; Maximum quantity stored or used on-site at one time; Storage conditions.*

#### **Electrical:**

**Minnesota Electrical Act - All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit. Any open walls or walls opened as part of this project must be wired to the standards of the current NEC.**

16. 1<sup>st</sup> Floor – Control Panel - MSFC 605.5 - Repair/rewire cord wiring to 1<sup>st</sup> floor control panel to current NEC
17. 1<sup>st</sup> Floor – Electrical Panel - MSFC 605.1 – Remove and rewire boxes mounted to 1<sup>st</sup> floor electrical panel to current NEC.
18. 2<sup>nd</sup> Floor – Bathroom - MSFC 605.1 - Replace inoperable GFCI receptacle in second floor bathroom.
19. 2<sup>nd</sup> Floor – Electrical Panel - MSFC 605.1 – Properly terminate equipment grounding conductors in 2<sup>nd</sup> floor panel to current NEC.
20. Carwash - MSFC 605.1 – Verify that the car wash equipment is wired and functioning properly. Repair improper wiring to current NEC.

21. Fuel Dispensing - MSFC 605.1 – Verify proper operation of EPO switch for fuel dispensers.
22. Throughout – Electrical Boxes - MSFC 605.6 - Close openings in service panel/junction boxes with knockout seals, breaker blanks, and/or junction box covers.
23. Throughout – Electrical Fixtures - MSFC 605.1, 605.6 - Repair or replace all broken, missing, or loose light fixtures, switches & outlets, covers, and plates.
24. Throughout – Electrical Outlets - MSFC 605.1 - Check all outlets for proper polarity and verify ground on 3-prong outlets. Repair or replace to NEC 406.4.
25. Throughout – Electrical Panels - MSFC 605.1 - Provide a complete, up to date, circuit directory at electrical panels indicating location and use of all circuits.
26. Throughout – Electrical Wiring - MSFC 605.1 - Properly strap cables and conduits above panelboards, and repair separated conduit couplings.
27. Throughout - Electrical Wiring - MSFC 605.1 - Remove and/or rewire all illegal, improper, or hazardous wiring in garage area, 2<sup>nd</sup> floor pump motor, and above suspended ceiling (no access) to current NEC.

**Mechanical:**

**MN Rules 1300.0120 - Mechanical permits are required for this work. All work must be completed by a licensed contractor.**

28. Exterior - Roof - MMC 304.10 – Install guard rail at roof edge by A/C condensing unit or re-locate unit more than ten feet from the edge of the roof.
29. Heating System - SPLC 34.11 (6) - Clean and Orsat test boiler, furnace and unit heater burners. Check all controls for proper operation. Check heat exchangers for leaks; provide documentation from a licensed contractor that the heating units are safe.
30. Mechanical Room – Furnace - MFGC 503 - Replace furnace flue venting to code.
31. Mechanical Room – Furnace - MFGC 410.3 – Install furnace gas regulator according manufacturer’s installation instructions.
32. Throughout – Gas Piping - MFGC - 407 - Provide support for gas lines to code.
33. Throughout – Gas Piping - MMC 103 - Plug, cap and/or remove all disconnected gas lines and unapproved valves.
34. Throughout – Gas Piping - MFGC 402.1 – Provide gas pipe sizing calculations and install correctly sized piping to code where incorrect.

**Plumbing:**

**All corrections to waste, vent, water and gas piping shall be as per the Minnesota Plumbing Code Chapter 4715 and Chapter 326, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code and the Saint Paul Regional Water Service Code.**

35. 1<sup>st</sup> Floor – Garage - Floor Drain – MPC 1300 – Replace missing/damaged floor drain cover and clean-out plug.
36. 1<sup>st</sup> Floor – Garage – MPC 4715.11230 – Replace the plastic vent on the oil and flammable liquids waste trap (flammable liquids separator), metal vent piping is required. Secure all covers on the waste trap. Provide documentation of recent service or remove accumulated liquids and solids from the separator.
37. 1<sup>st</sup> Floor – Sink – MPC 2300 – Repair incorrect waste piping on the 3-compartment sink.
38. 2<sup>nd</sup> Floor – Office - Toilet - MPC 0870 – Reset the toilet on a firm base and secure properly.
39. Exterior – Lawn Hydrant – MPC 2000 – Install backflow prevention assembly per code.
40. Water Piping – MPC 4715.1920 – Fully separate the hot and cold water supply piping where cross-contaminations are present.
41. Water Piping – MPC0520-1720 – Replace any unapproved potable water fittings and all non-working valves.
42. Water Piping – MPC 4715.1900- 4715.2280 – Provide proper potable water protection.
43. Water Piping – MPC 1700, MPC 1730 – Water piping is missing and/or sized incorrectly in some areas, provide approved piping to all fixtures.

For an explanation or information on some of the violations contained in this report, please visit our web page at: <http://www.ci.stpaul.mn.us/index.aspx?NID=211>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the City Clerks Office, Room 310 - City Hall (651-266-8688), 15 Kellogg Boulevard West, and must be filed within 10 days of the date of the original orders.

If you have any questions, email me at [mitchell.imbertson@ci.stpaul.mn.us](mailto:mitchell.imbertson@ci.stpaul.mn.us) or call me at 651-266-8986 between 7:30 a.m - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Mitchell Imbertson  
Fire Inspection  
Ref. # 30086



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

September 09, 2013

ST PAUL REHOLDINGS LLC  
12508 NORWAY CIRCL  
BURNSVILLE MN 55337

To Whom It May Concern:

The building or portion of building identified below has been inspected and is in compliance with applicable code requirements for the occupancy classification and use listed below.

### Certificate of Code Compliance

<b>Property Address</b>	236 GRAND AVE	
<b>Property Owner</b>	ST PAUL REHOLDINGS LLC	
<b>Owner's Address</b>	12508 NORWAY CIRCL BURNSVILLE MN 55337	
<b>Use of Building</b>	Commercial	<b>Vacant Building Category:</b> Category 2
If occupancy is restricted, in the box to the right, describe the portion of the building approved for occupancy or any conditions limiting use of the building:		

Sincerely,

Steve J. Ubl  
Building Official

Enclosure

SJU/ml