



**APPLICATION FOR APPEAL**  
 Department of Planning and Economic Development  
 Zoning Section  
 1400 City Hall Annex  
 25 West Fourth Street  
 Saint Paul, MN 55102-1634  
 (651) 266-6589

Zoning Office Use Only  
 File #: 18-035066  
 Fee: \_\_\_\_\_  
 Tentative Hearing Date: 4-4-18

PD-12

# 322923140002

**APPELLANT**

American Consulting Services, Inc.  
 Name dba American Engineering Testing, Inc. Email dlarson@amengtest.com  
 Address 550 Cleveland Ave. N.  
 City St. Paul St. MN Zip 55114 Daytime Phone 651-659-1337

**PROPERTY LOCATION**

Zoning File Name 2103 Wabash  
 Address / Location 2103 Wabash Ave., St. Paul

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

- Planning Commission**, under provision of Chapter 61, Section 701, Paragraph c of the Zoning Code, of a decision made by the Planning Administrator or Zoning Administrator

OR

- City Council**, under provision of Chapter 61, Section 702, Paragraph a of the Zoning Code, of a decision made by the Planning Commission

Date of decision: February, 23, 2018 File Number: 18-024-155

**GROUND FORS 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 Planning Commission.

Attachment A (Area Map) shows the location of AET's business in relation to 2103 Wabash Ave. AET purchased the 2108 University Ave. and 567 Cleveland Ave. parcels to expand our operations and grow our business in the Midway Area of St. Paul instead of moving and/or relocating operations out of St. Paul. The 2103 Wabash building directly abuts the property line of 567 Cleveland (which is zoned I2) and lies south of 2108 University Ave. (zoned I1) across Myrtle Ave. and an active railroad track. The Zoning Committee and Planning Commission may have been unaware of AET's planned development of AET's properties when reviewing the application for the Conditional Use Permit. AET's grounds for appeal are summarized on the attached pages.

Attach additional sheets if necessary

CK8005497

Appellant's Signature  Date 3/5/18 City Agent add 3/5/18

## GROUNDS FOR APPEAL (additional sheets)

FILE NAME: 2103 Wabash                      FILE # 18-024-155  
DATE OF DECISION: February 23,  
TYPE OF APPLICATION: Conditional Use Permit  
LOCATION: 2103 Wabash Avenue

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We are generally supportive of new developments in our neighborhood, however, the 2103 Wabash development as currently proposed will infringe on and impede AET's ability to expand, grow our business, and redevelop our 567 Cleveland Ave. and 2108 University Ave properties.

American Engineering Testing, Inc. (AET) is a professional geotechnical, environmental, materials and forensics engineering consulting and accredited testing company. AET's corporate headquarters has been located at Cleveland and University Ave. in St. Paul's Midway district since 1990. The founders of AET specifically chose the Midway district for AET's headquarters because of the location and industrial zoning. In the past 10 years, we have grown by 100 jobs and we plan to continue this growth. At our St. Paul Campus, we have 250 engineers, scientists, technicians and staff with a total workforce of over 400 employee-owners located at our 20 offices throughout the United States.

Because AET is committed to remaining in St. Paul and the Midway area, we purchased the Rihm properties at 567 Cleveland and 2108 University in April 2017 to expand our operations instead of relocating our operations out of St. Paul. We have recently completed a building expansion on our 550 Cleveland site and have been working with the City of St. Paul Planning Department since 2015 on a long-term plan for the site. We have had several discussions about our plans for 567 Cleveland Ave. and 2108 University Ave. over the past year. We are planning to redevelop and relocate our field and drilling services department to 567 Cleveland Ave. with offices and additional services at 2108 University Ave. This includes tractor trailers, drill rigs and other heavy equipment that will be operated outside and inside of buildings; equipment and trucks will be moving through and around 567 Cleveland Ave. and the surrounding industrial neighborhood.

### **Zoning Code § 61.501 (d).**

The conditional use permit was approved for a mixed residential/commercial use with more than six (6) dwelling units (64 proposed), with modification of a special condition for this use to allow dwelling units on the first floor (39 dwelling units proposed, no first-floor dwelling units permitted), and modification of the condition for this use that at least 80% of the first floor shall be devoted to non-residential principal uses (10% proposed). This development will impede AET's normal and orderly use, development and improvement of our property at 567 Cleveland Ave. N. for the I2 general industrial zoning district. At 567 Cleveland Ave., AET will be operating its drilling services business under the I2 zoning designation. The site will be used to operate, maintain and service drill rigs, heavy equipment, tractor trailers and other trucks. Equipment will flow through the site from morning into the evening. The introduction of apartments, especially apartments directly located on or within several feet of the east property boundary as shown in the permit application, is akin to people moving next door to airports and then being unhappy with the noise, odors, and industrial operations. Residents occupying first floor apartments will be living within a few feet of our operations. We are very concerned that our normal operations will result in resident complaints and lead to challenges to our further development.



**Zoning Code § 63.207**

Zoning Code § 63.207 requires a minimum of 1 parking space per studio or 1-bedroom apartment unit and 1.5 spaces per 2- or 3-bedroom dwelling unit. Retail uses would require 1 parking space per 400 square feet. No variance of parking requirements was requested. Based on the number of apartments (64) and number of bedrooms as shown in the application, plus the approximately 20,000 square feet of commercial space, approximately 120 parking spaces are required. The permit application shows 65 parking spaces; 55 parking spaces short of the required number of spaces. Tennant and business parking will be pushed into the neighboring properties. The permit application does not address this issue given the very limited on-street parking in this industrial area (see Attachment A).

**Zoning Code § 61.501 (a):**

The proposed introduction of the large number of apartments at this location is contrary to St. Paul's Comprehensive Plan's Industrial designation. AET was fortunate to be able to purchase the Rihm property across the street from our corporate headquarters so we could remain in St. Paul and expand our operations. We added 3.4 acres of industrial property to our current 4.77 acres located on the east side of Cleveland Ave. If completed as proposed, conflicts between the residents at 2103 Wabash and industrial property owners surrounding the 2102 Wabash property, which includes AET, will arise. The West Midway Industrial Area Plan (WMIAP) says in Strategy PI-1 that the City should, "retain and protect current industrial land from conversions to non-industrial uses." The WMIAP also places great importance on improving buffering between existing "vulnerable land use edges" between residential and industrial uses to reduce conflicts and preserve industrial viability.

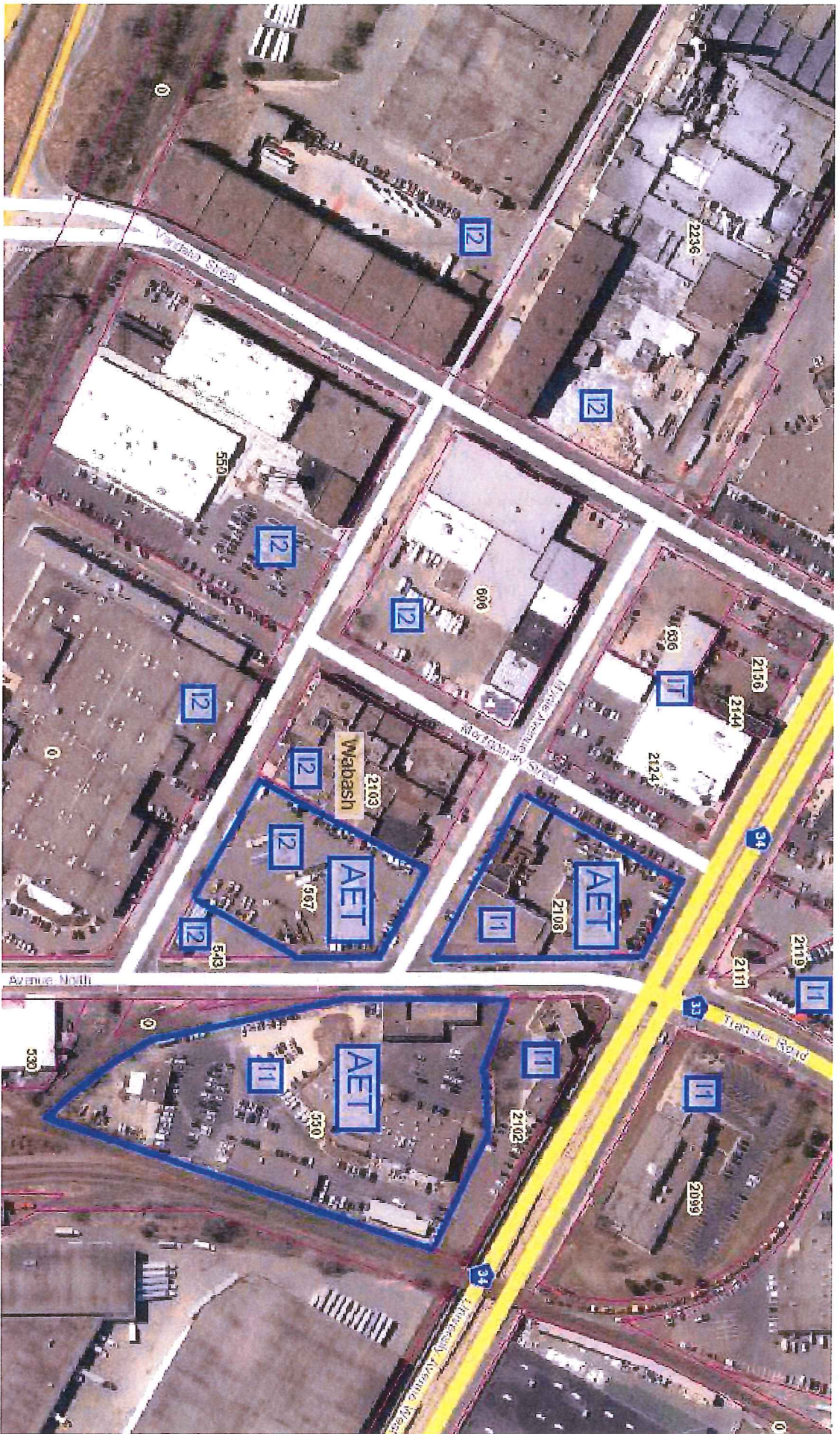
**Zoning Code § 61.501 (c):**

Streets adjacent to 2103 Wabash convey large amounts of truck traffic and do not have sidewalks. An active railroad track also runs along the north side of the property and a railroad track runs along the south side of the property. Traffic cuts through the neighborhood streets to and from University Ave. to Cleveland Ave. to avoid the stop light at the intersection of Cleveland Ave. and University Ave. To place apartments in the middle of an industrial area without sidewalks, with heavy truck traffic, and an active railroad track would endanger public safety.

**Zoning Code § 61.502:**

The Planning Commission's approval of the special conditions in the conditional use permit for this property is not consistent with "reasonable enjoyment of adjacent property" and AET's future industrial viability.





**Attachment A**  
 Site Map – American Engineering Testing, Inc.  
 Application for Appeal - Conditional Use Permit

File Name: 2103 Wabash  
 File Number: 18-024-155  
 2103 Wabash Ave., St. Paul, MN

Scale:

Date: 03/04/2018