



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

*25 West Fourth Street
Saint Paul, MN 55102*

*Telephone: 651-266-6700
Facsimile: 651-266-6549*

September 30, 2014

Mr. Carlos J. Ruiz
Faegre Baker Daniels LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402

RE: Campus Boundary Change to Remove Property from Luther Seminary Campus

Dear Mr. Ruiz:

This is written in response to the request by Luther Seminary, per your September 25, 2014, letter representing Luther Seminary, to change the Luther Seminary campus boundary described in the Special Condition Use Permit issued to Luther Northwestern Theological Seminary on August 22, 1986 (Zoning File # 9952, Recorded Document # 2345046), to remove the property described in Exhibit A of your letter (attached) from the campus.

While Zoning Code § 65.220(f) requires that the boundaries of the institution "may not be expanded without the prior approval of the planning Commission, as evidenced by an amended conditional use permit," removal of property from the campus can be administratively approved for compliance with the City Zoning Code.

The request by Luther Seminary to remove the property described in Exhibit A of your letter from the campus is hereby approved, and the campus boundary as defined in Exhibit A attached to the Special Condition Use Permit issued to Luther Northwestern Theological Seminary in 1986 (Recorded Document # 2345046) is hereby modified to reflect this change.

Sincerely,

A handwritten signature in blue ink that reads "Donna Drummond".

Donna Drummond
Planning Administrator

Attachment: Letter dated 9-25-14 requesting campus boundary adjustment

cc: Robin Steinke, Luther Seminary
Rafael Malpica, ELCA
Tanya Bell, Grand Real Estate Advisors
Wendy Lane, Zoning Administrator

Carlos Ruiz
Associate
+1 612 7667853
carlos.ruiz@FaegreBD.com

Faegre Baker Daniels LLP
2200 Wells Fargo Center 90 South Seventh Street
Minneapolis Minnesota 55402-3901
Phone +1 612 766 7000
Fax +1 612 766 1600

BY EMAIL

September 25, 2014

Mr. Allan Torstenson
Principal City Planner for Zoning
Planning & Economic Development
1400 CHA 25 W. 4th St.
Saint Paul, MN 55102

Re: Partial Release of Special Condition Use Permit filed November 19, 1986, as
Document No. 2345046 (“Use Permit”)

Dear Mr. Torstenson:

We represent Luther Seminary, a Minnesota non-profit corporation, successor in interest to Luther Northwestern Theological Seminary (“**Luther**”) and Evangelical Lutheran Church in America, a Minnesota non-profit corporation (“**ELCA**”); together with Luther hereinafter referred as “**Sellers**”), the recipients of the Use Permit referenced above. Sellers intend to sell to Greenway Holdings, LLC, a Minnesota limited liability company (“**Greenway**”), and Greenway intends to buy from Sellers (the “**Transaction**”) certain land within the Use Permit more particularly described in Exhibit A attached hereto (the “**Property**”). The Transaction is to convey the Missionary Apartments.

The Transaction is estimated to close on October 1, 2014. Upon closing, the Property will no longer be part of the Luther campus, the purpose for which the Use Permit was granted. The Missionary Apartments are located within the Property, as well as vacant land utilized as athletic fields and setback for the adjacent Missionary Apartments. The purpose of the transfer is to give the Missionary Apartments a permanent setback as it becomes a separate parcel. Accordingly, Sellers respectfully request that the Property be released from the Use Permit.

Mr. Allan Torstenson

-2-

September 25, 2014

Thank you for your attention.

Very truly yours,

Carlos J. Ruiz

cc: Paul Dubruiel
Robin Steinke
Rafael Malpica
Tanya Bell
John Herman

Exhibit A

All of Lot 3 and that part of Lot 1, Block 1, LUTHER NORTHWESTERN ADDITION, according to the recorded plat thereof, Ramsey County, Minnesota, which lies westerly and northerly of the following described line:

Commencing at the northwest corner of Lot 3, Block 1, said LUTHER NORTHWESTERN ADDITION; thence North 89 degrees 36 minutes 55 seconds East, along the north line of said Block 1, a distance of 244.03 feet to the beginning of the line to be described; thence on a bearing of South a distance of 90.61 feet; thence South 43 degrees 12 minutes 30 seconds West a distance of 160.73 feet; thence South 89 degrees 32 minutes 39 seconds West a distance of 134.03 feet to the west line of said Lot 1 and there said line terminates.

Also together with that part of Lot 1, Block 1, LUTHER NORTHWESTERN ADDITION, according to the recorded plat thereof, Ramsey County, Minnesota described as follows:

Commencing at the northwest corner of Lot 3, Block 1, said LUTHER NORTHWESTERN ADDITION; thence North 89 degrees 36 minutes 55 seconds East, along the north line of said Block 1, a distance of 244.03 feet to the point of beginning; thence continuing North 89 degrees 36 minutes 55 seconds East, along said north line, a distance of 309.34 feet; thence South 0 degrees 29 minutes 52 seconds East a distance of 22.74 feet; thence South 89 degrees 36 minutes 55 seconds West a distance of 309.53 feet to the intersection with a line that bears South from the point of beginning; thence on a bearing of North a distance of 22.74 feet to the point of beginning.

CITY OF ST. PAUL, MINNESOTA
SPECIAL CONDITION USE PERMIT

ZONING FILE #9952

2345046

APPLICANT: Luther Northwestern Theological Seminary

PURPOSE: Establish campus boundary and monitor compliance with Zoning Code parking requirements.

LOCATION: 2481 Como Avenue

LEGAL DESCRIPTION: Attached

ZONING COMMITTEE ACTION: Approved August 21, 1986 (3-0)


PLANNING COMMISSION ACTION: Approved August 22, 1986 (unanimous voice vote)

CONDITIONS OF THIS PERMIT:

1. Luther Northwestern will not expand a seminary use to any property outside of the campus boundary as defined in attached "Exhibit A" unless a modification of the boundary is granted by the Planning Commission.
2. Every January 31st, Luther Northwestern will report in writing to Planning Division staff the numbers of employees, students, dormitory beds, and parking spaces for the previous fall term.
3. Additional parking spaces will be provided as required whenever the base level of employees, dormitory beds, and full-time students living off-campus identified in the permit increases by a minimum of 10 percent to 532. (NOTE: Luther Northwestern Theological Seminary currently exceeds the Zoning Code parking requirement by 157 spaces. These extra spaces can be used toward meeting any future increase in the parking requirement.)

APPROVED BY: David Lanegran, Planning Commission Chairman

I, the undersigned Secretary to the Zoning Committee of the Planning Commission for the 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 22, 1986, and on record in the Saint Paul Planning Division Office, 25 W. Fourth Street, Saint Paul, Minnesota.



 Sue Synstegaard
 Secretary to the Saint Paul
 Zoning Committee

This permit will expire one year from the date of approval if the use herein permitted is not established.

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, 1100 City Hall Annex, 25 West Fourth Street. Any such appeal must be filed within 15 calendar days of the mailing date noted below.

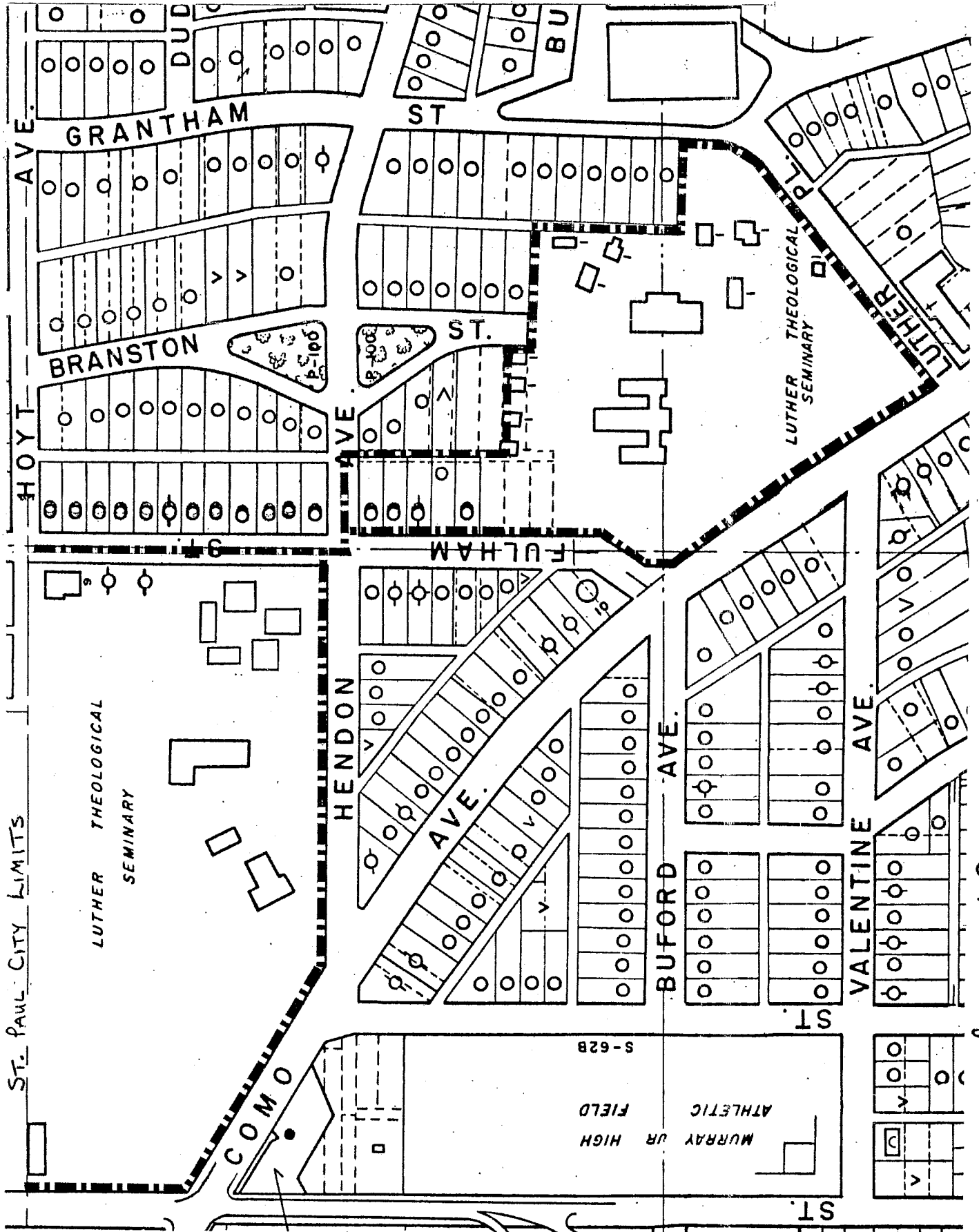
Violation of the conditions of this permit may result in its revocation.

Copies to: Applicant
 File #9952
 Zoning Administrator
 License Inspector
 District Council

Mailed: September 16, 1986

Nov 19 10:53 AM '86

LUTHER NORTHWESTERN THEOLOGICAL SEMINARY



ST. PAUL CITY LIMITS

LUTHER THEOLOGICAL SEMINARY

COMO

HENDON AVE.

FULHAM ST.

AVE.

BUFORD AVE.

VALENTINE AVE.

LUTHER THEOLOGICAL SEMINARY

LUTHER THEOLOGICAL SEMINARY

MURRAY JR HIGH
ATHLETIC FIELD
S-628

Recommended Campus Boundary